

## Legislative/Regulatory Requirements

Section 29 of the Adequacy Standards Regulation requires a police services board to have a policy on investigations into sexual assaults.

In addition, section 12(1)(r) requires the Chief of Police to develop and maintain procedures on and processes for undertaking and managing investigations into sexual assaults.

## Sample Board Policy

Board Policy # \_\_\_\_\_

It is the policy of the \_\_\_\_\_ Police Services Board with respect to sexual assault investigations that the Chief of Police will:

- a) develop and maintain procedures that:
  - i) require that investigations be undertaken in accordance with the police service's criminal investigation management plan;
  - ii) require compliance with the procedures set out in the Ministry's designated *Ontario Major Case Management Manual*;
  - iii) address communications and dispatch, initial response and investigations relating to sexual assaults; and
  - iv) address community notification;
- b) work, where possible, with hospitals and agencies which provide services to victims of sexual assault, including Sexual Assault Treatment Centres, Sexual Assault/Rape Crisis Centres and Victim Services, as well as the local Crown, to ensure a co-ordinated and effective response to victims of sexual assaults; and
- c) address training for officers and other appropriate members on the response to sexual assault occurrences, including victims' assistance.

## Police Service Guidelines

- Protocols*
1. Every Chief of Police should work, where possible, with hospitals and agencies which provide services to victims of sexual assault, including Sexual Assault Treatment Centres, Sexual Assault/Rape Crisis Centres and Victim Services, as well as the local Crown, to ensure a co-ordinated and effective response to victims of sexual assaults, including developing a local protocol that addresses:
    - a) practical assistance and support to victims;
    - b) the receipt of information from third party and anonymous sources;
    - c) information sharing;

- d) training of members of the police service;
- e) concerns raised over practices and procedures;
- f) role and responsibilities of investigating officers;
- g) documentation of referrals;
- h) information to victims regarding their cases;
- i) the collection, preservation and transfer of medical/forensic evidence (including provisions to allow for a Sexual Assault Evidence Kit to be stored for up to six months when a victim chooses to attend the hospital to have the examination completed but chooses not to report the assault to the police at that time);
- j) the dissemination of Sexual Assault Evidence Kits; and
- k) community education.

- Procedures* 2. Every police service's procedures on sexual assaults should:
- a) require that investigations be undertaken in accordance with the police service's criminal investigation management plan;
  - b) require compliance with the procedures set out in the Ministry's designated *Ontario Major Case Management Manual*;
  - c) address the notification of the community or members of the community who may be at risk in the event that suspected serial sexual assault offences or attempts are occurring;
  - d) address compliance with the *ViCLAS Regulation*;
  - e) address the role of communications and dispatch, including advising the complainant of precautions that should be taken in order to preserve any physical evidence;
  - f) address an officer's initial response to a sexual assault occurrence;
  - g) address the preliminary and detailed interviewing of the victim;
  - h) require minimizing the unnecessary repetition of the facts by the victim of the sexual assault to different police officers;
  - i) address the sharing of information with patrol officers on sexual assault occurrences, including suspect descriptions, where available;
  - j) address the collection and preservation of evidence relating to a sexual assault, including:
    - i) if the assault is reported within seventy-two hours, explaining to the victim the importance of attending a hospital (Sexual Assault Treatment Centre, where available) to retrieve medical/forensic evidence and/or to receive medical treatment to identify and treat any disease or injury or to provide reassurance that no enduring physical harm was inflicted; and
    - ii) the use of the Sexual Assault Evidence Kit;
  - k) address the safety and security of the victim upon completion of any medical/forensic examination;
  - l) set out the steps for obtaining third party records; and



- m) address the linkages to other relevant procedures, including victims' assistance, bail and violent crime, criminal harassment, domestic violence occurrences, child abuse and neglect and preventing or responding to occurrences involving firearms.

*Training*

- 3. Every Chief of Police should ensure that the police service's skills development and learning plan addresses the training for officers and other appropriate members on the response to sexual assault occurrences, including victims' assistance.

*Monitoring  
and  
Supervision*

- 4. Every police service should require supervisors to monitor, and ensure, compliance by members with the police service's procedures on sexual assault investigation.