



Cornwall Public Inquiry

31 May 2006

Phil DeBruyne, Evidence Coordinator
Ontario Police College
10716 Hacienda Road
Aylmer, Ontario N5H 2T2
Tel: 519-773-4231
Fax: 519-773-4231
E-mail: phil.debruyne@jus.gov.on.ca



History of Investigative Training at the Ontario Police College

- Criminal Investigation Training
- Advanced Criminal Investigation Training
- General Investigation Training
- Joint Police/CAS Child Abuse Training*
- Investigating Offences Against Children Course
- Sexual Assault Investigation Course
- Major Case Management Training including PowerCase/Watson Training



Criminal Investigation Training

- 1964 – 1990: Course was 5 – 6 weeks in length (fall, 1986 CI Course was reduced from 6 weeks to 5 weeks).
- Objective: *“Course was designed to develop knowledge, skills and attitudes to deal with the practical investigation of varied criminal cases most commonly encountered in Ontario. Instruction was a blend of lectures, demonstrations, practical exercises and syndicate case studies.”*
- Topics:
 - Law including selected criminal offences, powers of arrest, search and seizure, use of force, laws of evidence, and admissions and confessions.
 - Investigative Procedures (e.g. B & E, Homicide, auto theft, etc.).



Advanced Criminal Investigation Training

- Training concept developed by former instructors – Criminal Investigation – OPC
- This was specialist training and allowed for a “Diploma in Advanced Criminal Investigation” upon completing three of the following criminal investigation training modules (1985):
 - Case Management (Mandatory)
 - Homicide
 - Interviewing and Interrogation
 - Sex Offences including Child and Family Abuse
- Allowed for flexibility of police resources as officers were only away from police service for maximum of one week.



Advanced Criminal Investigation Training

- 1989 – 1990
- Criminal Investigation Training Specialist (modules)
 - Case Management
 - Homicide
 - Robbery
 - Young Offenders
 - Interviewing and Interrogation
 - Sexual offences including Child & Family Abuse



Advanced Criminal Investigation Training

- 1991 – 1994 Criminal Investigation Advanced/Specialist Training
- Training was shifted towards stand alone courses:
 - Advanced Case Management
 - Advanced Homicide Investigation
 - Advanced Interviewing
 - Robbery Investigation
 - Sexual Assault Investigation



Ministry Accredited Training Adequacy Regulation

- Communicator
- Communication Supervisor
- **Criminal Investigator**
- Crisis Negotiator
- Forensic Identification
- Scenes of Crime Officer (SOCO)
- Hostage Rescue Team
- Major Incident Commander
- Perimeter Control and Containment Team
- Tactical Response Team
- successfully completed the required training accredited by the Ministry or have equivalent qualifications or skills as approved by the Ministry.



Adequacy and Effectiveness of Police Services (O. Reg. 3/99)

- Section 29, Adequacy and Effectiveness of Police Services
(O. Reg. 3/99)
 - Every board shall establish policies with respect to the matters referred to in section 3, subsections 4 (3) and 6 (3), section 8, subsection 9 (4), sections 10 to 17, 19, 20, 22, subsection 24 (2) and sections 25 to 28.
- Section 9, Adequacy and Effectiveness of Police Services
(O. Reg. 3/99)
 - Subsection 9 (1) Every police force shall include one or more criminal investigators who is a member of the police force.
 - Subsection 9 (4) A chief of police shall not designate a person as a criminal investigator unless that person is a police officer and has successfully completed the required training accredited by the Ministry or has equivalent qualifications and skills as approved by the Ministry.
- Section 11, Adequacy and Effectiveness of Police Services
(O. Reg. 3/99)
 - Every chief of police shall prepare a criminal investigation management plan. (LE-006)



General Investigation Training (Current)

- Length 10 days
- Composition of Class:
 - 24 police officers
 - Course Description:
 - *“ This Course is designed to prepare police officers to conduct general criminal investigations. This course is a prerequisite to most other investigative courses.”*
 - *Mandatory under the Adequacy Regulation.*

in 2006

- Two courses at OPC
- Courses also delivered off-site (29 designated training sites).



Adequacy and Effectiveness of Police Services (O. Reg. 3/99)

- Section 29, Adequacy and Effectiveness of Police Services (O. Reg. 3/99)
 - Every board shall establish policies with respect to the matters referred to in section 3, subsections 4 (3) and 6 (3), section 8, subsection 9 (4), sections 10 to 17, 19, 20, 22, subsection 24 (2) and sections 25 to 28.
- Clause 12 (1) (a), Adequacy and Effectiveness of Police Services (O. Reg. 3/99)
 - Every chief of police shall develop and maintain procedures on and processes for undertaking and managing general criminal investigations and investigations into,
 - **(a) physical and sexual abuse of children**



Investigating Offences Against Children Course

- Length 10 days
- Composition of Class:
 - 30 police officers
 - Course Description:
 - ***“ This Course is designed for police officers whose area of responsibility includes the investigation of offences against children. The Policing Standards Manual (2000) LE-027 requires the Chiefs of Police to develop and maintain “a policy on investigations into the physical and sexual abuse of children”. In addition investigative protocols must be followed to minimize repeated traumatization of the victims and promote the best interests of the child in all regards”.***
 - ***The Guidelines also suggests that the investigations, where threshold is met, comply with the Ontario Major Case Management Manual.***
 - ***This training will provide these officers with the necessary knowledge, skills and abilities to adequately handle the complexities and demands of child abuse investigations.***



Child Abuse and Neglect LE-027

- Policy/Procedure
(Policing Standards Manual (2000) LE-027, February 2000)
- Establish Multi-Disciplinary Coordination Committee
- Establishment of Child Abuse Protocol
- Compliance with Ontario Major Case Management Manual
- Procedures to be followed for undertaking and managing child abuse investigations.
- Framework for Model Child Abuse Protocol*
- Only reference to training within LE-027 is “**Joint Training Between Police and CAS**”

Child Abuse and Neglect LE-027

- Framework for Model Child Abuse Protocol
 - Provides template for POLICE/CAS Child Abuse Protocol
 - Role and Mandate of Police/CAS
 - Definitions
 - Initial Response Procedures
 - The Investigation
 - Planning the Joint Investigation
 - Collection and Preservation of Evidence
 - Conducting Joint Investigative Interviews of Child(ren)
 - Post Interview Consultation
 - Interviewing with Non-Offending Parent
 - Interviewing of alleged Offender
 - Victims' Assistance
 - On-going Consultation and Case Tracking

Child Abuse and Neglect LE-027

- Framework for Model Child Abuse Protocol
 - Provides template for POLICE/CAS Child Abuse Protocol
 - Information Sharing and Disclosure
 - Child Protection Proceedings
 - Joint Training between Police and CAS
 - Special Circumstances
 - Investigation of Child Deaths
 - Multiple Victim Investigation
 - Historical
 - Investigations involving Domestic Violence
 - Assistance with Apprehensions of Children
 - Neglect
 - Duty to Report
 - Major Cases
 - Investigations involving Police or CAS Staff
 - Monitoring and Evaluation



Sexual Offences, Domestic Violence and Child Abuse

Advanced CI Course Training Module

- First offered December 1985
- Five days in length
- Part of “**Advanced Criminal Investigation Training**”
- Must complete 3 modules (Case Management Module Mandatory)
- Overview of Legislation pertaining to sexual assaults
- Investigation of Sexual Assaults including mandate and mechanics of the Investigation, Prosecution Preparation, and Managing the Complainant
- Child Abuse Overview, Child Abuse Investigations
- Successful Child Abuse investigations with emphasis on cooperation between police and CAS
- Interviewing offenders



Sexual Assault Investigation Course

(Designed 1994, delivered commencing 1995)

- 10 day course (later reduced to 9 days), 24 candidates
- Course Description:
 - ***“This ten-day course provides sexual assault investigators with instruction on victim issues, legal issues, search and seizure including search warrants, mechanics of a sexual assault investigation, secondary traumatic stress syndrome, case management systems, Violent Crime Linkage Analysis System (ViCLAS), profiling, role of C.F.S., interviewing suspects and witnesses, and psychiatric disorders.”***
 - ***“Candidates will be required to participate in an off-campus skills-based practical sexual assault investigation exercise employing investigative skills utilizing community and investigative resources.”***
 - ***Candidates will be required to submit reports outlining a case management system including a formal presentation to a panel consisting of a Crown Attorney, community front-line worker, and a senior sexual assault investigator. Candidates must also complete pre-course assignments including a community resource survey, Violent Crime Linkage Analysis System (ViCLAS) submission as well as write a pre-course test and a closed book essay on the rape trauma syndrome.”***



Sexual Assault Training

- 1994 Sexual Assault Course designed utilizing community partners, police officers and Policing Standards Section of MSGCS (delivered commencing 1995).
- Police Officers included senior detectives with extensive Child Abuse and Sexual Assault Investigation Backgrounds
- Community Partners included representatives from Sexual Assault Centre in London, St. Joseph's Sexual Assault Treatment Centre, victims and doctors/nurses,; Ministry of Attorney General representatives, Community Colleges, Legal Counsel (3rd party records), OPP Behavioural Sciences Section



Sexual Assault Training

- Course Design also included document review.
 - Recommendations from Yeo Inquest (1992)
 - Recommendations from Stephenson Inquest (1993)
 - Sexual Assault Investigation, B.C. Police Commission
 - Third Party Records
 - Sexual Assault Materials, Ontario Women's Directorate
 - "More than the Heart Can Bear" – Intervener Competencies for Sexual Assault and Family Violence Cases, May 1993 (B.C. DACUM workshop, Fairmont Training Academy, B.C.)



Sexual Assault Related Standards

- Policing Standards Manual, March 31, 1992
 - 18 pages, September 26, 1996, # 0223.00
 - Applies only to adult sexual assault and does not address sexual assault perpetrated against children
 - Core Document for training design and content
- Addresses:
 - Qualifications (Core Competencies as outlined in Appendix “A”)*
 - Protocols with service providers, Crown Attorneys
 - OPP Behavioural Sciences Section (BSS), Freedom of Information and Privacy Act(FOIPA), Victims
 - Establish policies and procedures
 - Communications
 - Initial Response Procedures
 - Investigative Procedures
 - Bail/Pre-trial Release
 - Interviewing the victim and Victim Assistance



Sexual Assault Resource Package

- All Chiefs Memo dated February 24, 1997
- Materials prepared by Policing Standards Section, Policing Services Division
 - Sexual Assault Investigation by Jamie Graham, BC Police Commission
 - The Assault Interview Protocol: A Protocol for Interviewing Adults in Sexual Assault and Domestic Violence Cases by John. C. Yuille
 - Interviewing and Interrogation by OPP Behavioural Sciences Section



Sexual Assault Resource Package

- Materials prepared by Policing Standards Section, Policing Services Division:
 - Bill C-104: A Practical Guide to the New DNA Warrants by Renee M. Pomerance
 - Production of Personal Records in Sexual Assault Prosecutions and the New Police Duties by Diane Oleskiw.
 - Rape Trauma Syndrome by Rebeka Moscarello
 - Sexual Assault: Dispelling the Myths by Ontario Women's Directorate
 - "More than the Heart can bear" Intervener Competencies for Sexual Assault and Family Violence Cases – findings of the British Columbia Dacum Workshop.



Adequacy and Effectiveness of Police Services (O. Reg. 3/99)

- Section 29, Adequacy and Effectiveness of Police Services (O. Reg. 3/99)
 - Every board shall establish policies with respect to the matters referred to in section 3, subsections 4 (3) and 6 (3), section 8, subsection 9 (4), sections 10 to 17, 19, 20, 22, subsection 24 (2) and sections 25 to 28.
- Clause 12 (1) (a), Adequacy and Effectiveness of Police Services (O. Reg. 3/99)
 - Every chief of police shall develop and maintain procedures on and processes for undertaking and managing general criminal investigations and investigations into,
 - **(r) sexual assaults**



Sexual Assault Investigation Course (Current)

- Length 9 days
- Composition of Class:
 - 24 police officers
 - Course Description:
 - *“ This Course is designed to assist experienced investigators in developing attitudes, skills and knowledge as they relate to the investigation of sexual assault incidents. Training methods include audio/video, presentations, case study exercises and lectures”.*
- Five courses in 2006
 - Three courses at OPC
 - Two Satellite courses (Halton Region, North Bay).



Major Case Management Training Power/Case Watson Training

- 1984 – Criminal Investigation Section starts design of a Major Case Management Module utilizing Criminal Investigation Instructors and senior OPP CIB Officer. This is a mandatory component of the Advanced Criminal Investigation Diploma. This is the first formal Structured Case Management Training in Canada.
- 1985 – 1994 Case Management Module is delivered in different forms in a five-day format at the Ontario Police College.
- Fall, 1992 CPC under leadership of Sgt. Mike Shaver, RCMP host working group of senior investigators from across Canada to design MCM Course at CPC.



Major Case Management Training Power/Case Watson Training

- Fall, 1994 CPC delivers first 3 week MCM Course
- September 14 – 18, 1995 ADM, Policing Services Division MSG host one week workshop at Ontario Fire College regarding recommendations for MJMCM Investigations involving serial predators. Results are later identified in Campbell Report as the “Fire College Proposals”.
- 1995 OPC commences design of 10 day course on “Case Management of Complex Abuse Investigations”. Course appears in 1996 Calendar but Institute for the Prevention of Child Abuse* (IPCA) funding had been cut 1995* (Note: Funding cut 1994 and subsequent contract with OACAS for core training which ended in 1995).



Major Case Management Training Power/Case Watson Training

- December 1995, Solicitor General requests Mr. Justice Archie Campbell to do a review of the Bernardo Investigation. Terms of Reference are laid out.
- June 1996 Justice Archie Campbell releases his report (Bernardo Investigation Review) with 27 recommendations.
- September 1996 ADM, Policing Services Division forms OMCM Committee (first Chair was OPP Criminal Operations D/Inspector).
- Committee submits Final Report dated December 13, 1996 with recommendations concerning Case Management Standards and Software.



The Bernardo Review (Campbell Report) Summary of Recommendations - Themes

- Common Major Case Management System
- Common Major Case Management Software System (later identified as PowerCase/Watson)
- Province-wide Coordinated Response
- Inter-disciplinary Support
- Co-ordinated Early Recognition System
- Specialized Training



Major Case Management Training Power/Case Watson Training

- June 1997 Campbell Report Implementation Project formed. A/Det. Supt. Bill Van Allen, CIB, OPP named Project Director.
- July 1997, OPC Instructor is seconded to OPP CIB and assigned to the Campbell Report Implementation Project (CRIP) as OMCM Manual Coordinator responsible for investigative standards for the purpose of case managing and investigating defined major cases. Would liaise with OMCM Committee and Standards, PSD Rep. Subsequently OPC Instructor would also assume role of OMCM Course Coordinator. Other members of Project Team to address issues around software, serial crime, and work with OMCM Committee.



Major Case Management Training Power/Case Watson Training

- February 1997 Ontario regulates ViCLAS (Violent Crime Linkage Analysis System), Ont. Reg. 550/96.
- Fall 1997, Campbell Report Implementation Project (CRIP) commences design of OMCM Course.
- CRIP delivers 3 OMCM Train the Trainer Courses in April, May, and June, 1998. First DRAFT Investigative Standards are completed.
- Fall 1998 – April 2002 CRIP in partnership with the Ontario Police Community delivers 10-day OMCM Course on an outreach basis across the Province. DRAFT OMCM Manuals are completed and disseminated during OMCM training. Course later reduced to 8 days in length).



Major Case Management Training Power/Case Watson Training

- 1999 – April 2002 CRIP, through Toronto Police Service S/Sgt., seconded to CRIP in partnership with Ontario Police College designs and delivers PowerCase/Watson Software Training.
- April 2002 OMCM and PowerCase/Watson Courses transferred from CRIP to OPC. OPC is responsible for coordination.
- June 2003 Ministry of Community Safety and Correctional Services temporarily suspends funding to OMCM training at OPC.
- Police Services may still deliver OMCM Courses.



Major Case Management Training Power/Case Watson Training

- Spring 2004 OPC redesigns MCM training. OMCM and PowerCase are merged into one course. First train the trainer courses are delivered in August and October, 2004.
- Fall 2004 OPC hired new MCM Coordinator. Transitional Major Case Management Course is designed to handle those officers who had received previous training.
- Fall 2004 to present, OPC continues to deliver OMCM Course. OPC Coordinator is assisted by two seconded instructors.



Major Case Management Training Power/Case Watson Training

- Province of Ontario regulates OMCM Major Case Management System including OMCM Manual.
- March 2006 OMCM and PowerCase Training under review.
- Redesign will make two separate courses based on requests from stakeholders.
- Two separate courses are now:
 - Major Case Management; and
 - PowerCase/Watson Software.



O. Reg. 354/04 (Jan. 1, 2005)

Major Case Management

- Reference to training provisions of the OMCM Manual
 - Major Case Management, section 5 (p. 16)
 - *“The Major Case Manager shall also have successfully completed the Ontario Major Case Management Course or equivalent.”*
 - Primary Investigation, section 3, (p. 16)
 - *“The officer who performs a primary investigation function shall also have successfully completed the Ontario Major Case Management Course or equivalent.”*
 - File Coordination, section 3, (p. 17)
 - *“The officer shall also have successfully completed the Ontario Major Case Management Course or equivalent.”*
 - Multi-jurisdictional Major Case Management
 - The Multi-jurisdictional Major Case Manager shall:
 - » *“have successfully completed the Ontario Major Case Management course” (Clause 3 (d), p. 25)*
 - » *“have successfully completed the Multi-jurisdictional Major Case Management course or equivalent”. (Clause 4. (b), p. 25).*



O. Reg. 354/04 (Jan. 1, 2005) Major Case Management

- Subsection 1. (1) Every board shall establish policies with respect to major cases in accordance with the Ontario Major Case Management Manual.
- Subsection 1. (2). In developing and maintaining procedures on and processes for undertaking and managing general criminal investigations under subsection 12 (1) of O. Reg. 3/99 (Adequacy and Effectiveness of Police Services) made under the Act, every chief of police shall develop and maintain procedures on and process for undertaking and managing investigations into major cases in accordance with the Ontario Major Case Management Manual.



O. Reg. 354/04 (Jan. 1, 2005) Major Case Management

- Subsection 1. (3) Every police force shall use the most recently released version of PowerCase software for the purpose of undertaking and managing investigations into major cases in accordance with the Ontario Major Case Management Manual.
- Note: “Major Cases’ defined in section 4 of the Regulation and in the OMCM Manual.



O. Reg. 354/04 (Jan. 1, 2005)

Major Case Management

- Access to Ontario Major Case Management Manual
 - Clause 3 (a). The Ministry of Community Safety and Correctional Services shall give to every police force and to the Commission,,
 - (a) a copy of the Ontario Major Case Management Manual; and
 - (b) the most recently released version of PowerCase software.
- Definition of Major Case Management Manual
 - Section 4. ***“Ontario Major Case Management Manual”*** means the manual developed by representatives of the Ministry of Community Safety and Correctional Services and of the policing community, dated October 1, 2004 that sets out the standards for policies and procedures for undertaking and managing the investigation of major cases, including policies and procedures for linking investigative data and for sharing information between police forces.”



“Case Management”

“Case Management is the adaptation of proven managerial skills and techniques to provide effective planning and administration for major or high impact occurrence investigations”.

Detective Superintendent Bud Brennan, OPP (retired)



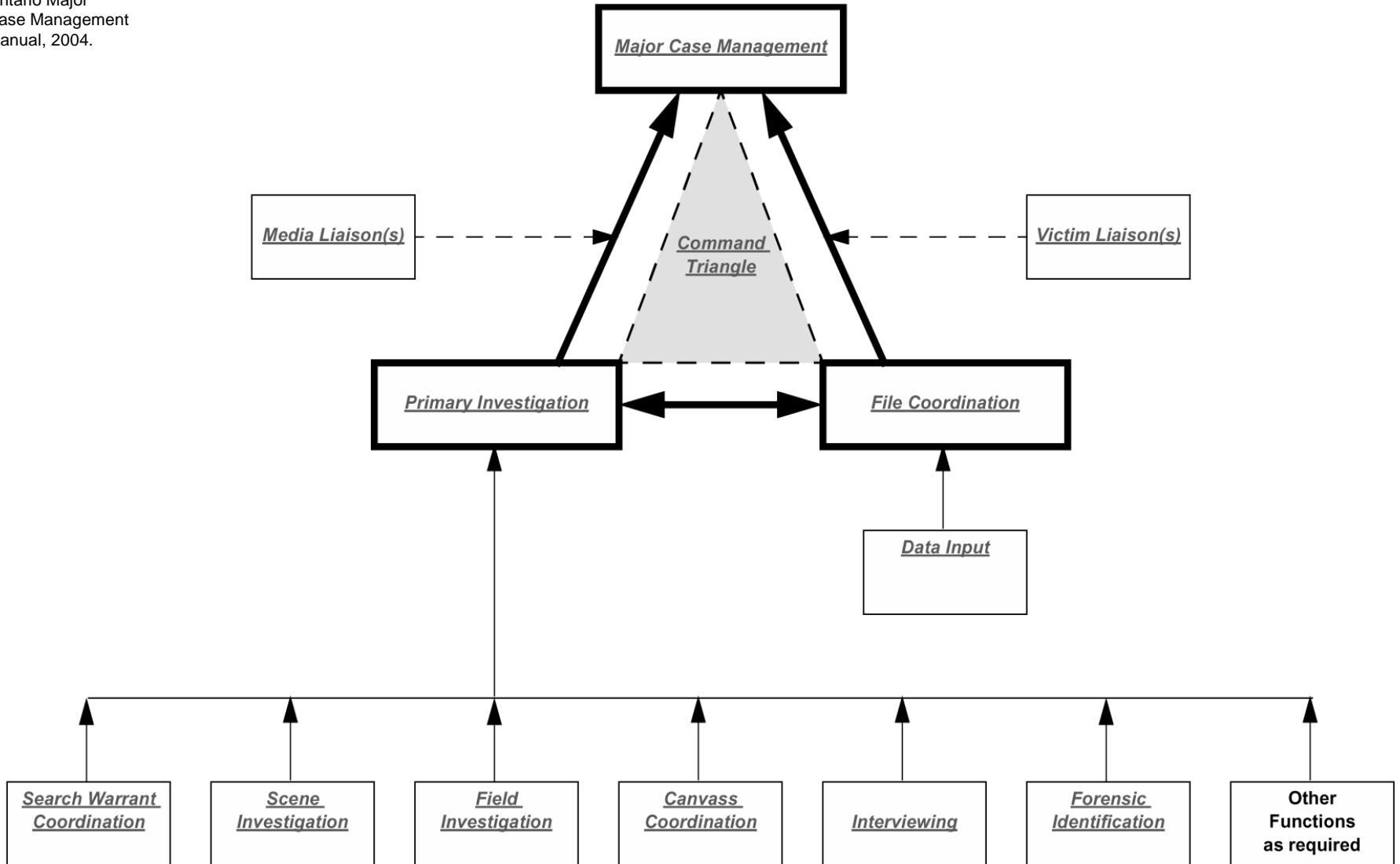
Critical Aspects of Case Management

- Supervision
- Organization (Who is in Charge?)
- Resource Acquisition
- Resource Allocation

Adapted from the Major Case Management Course,
Canadian Police College and modified
with the Campbell Report Implementation Project

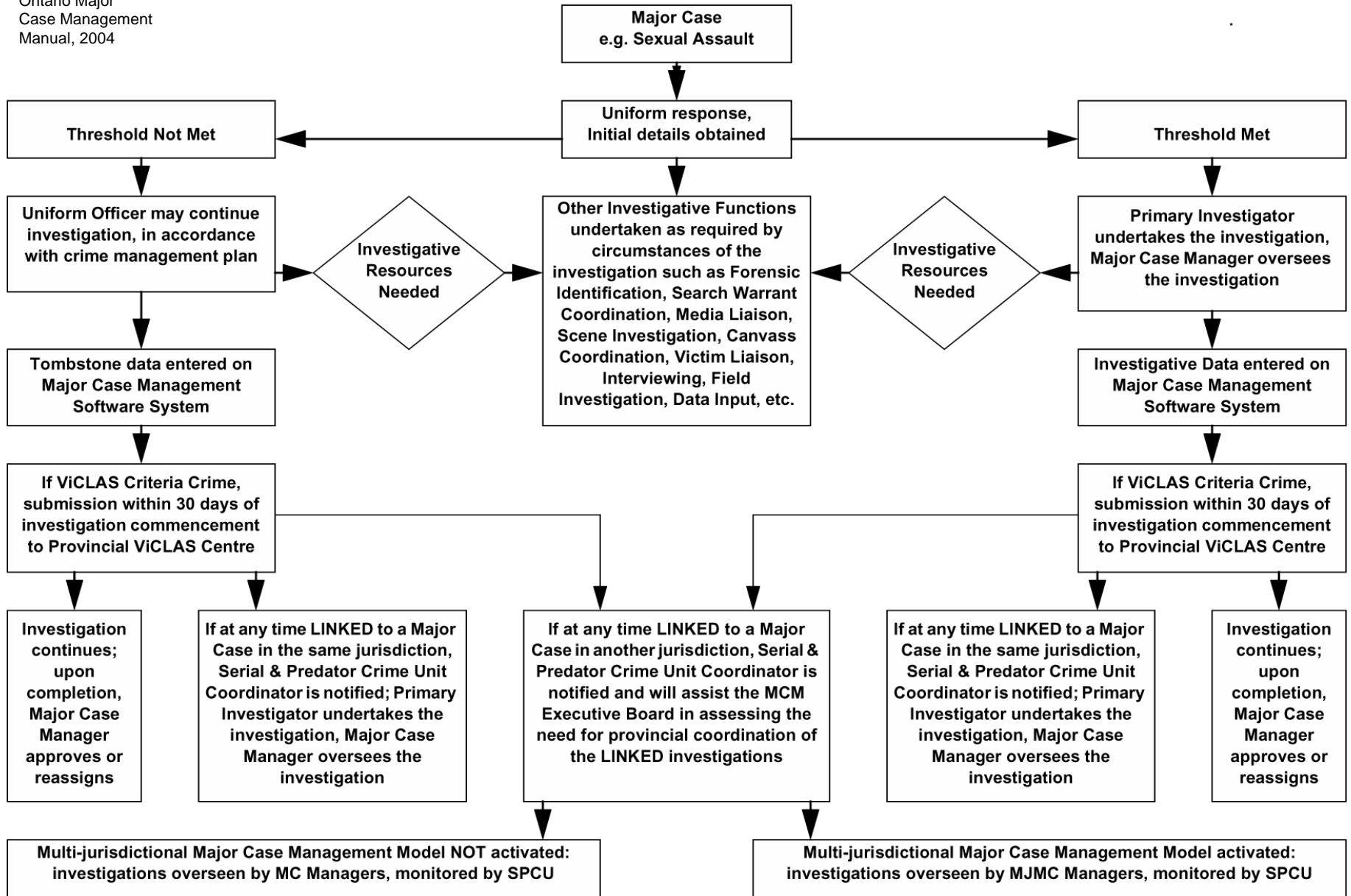
Appendix B: Single Jurisdiction Investigation Functions Chart

Ontario Major
Case Management
Manual, 2004.



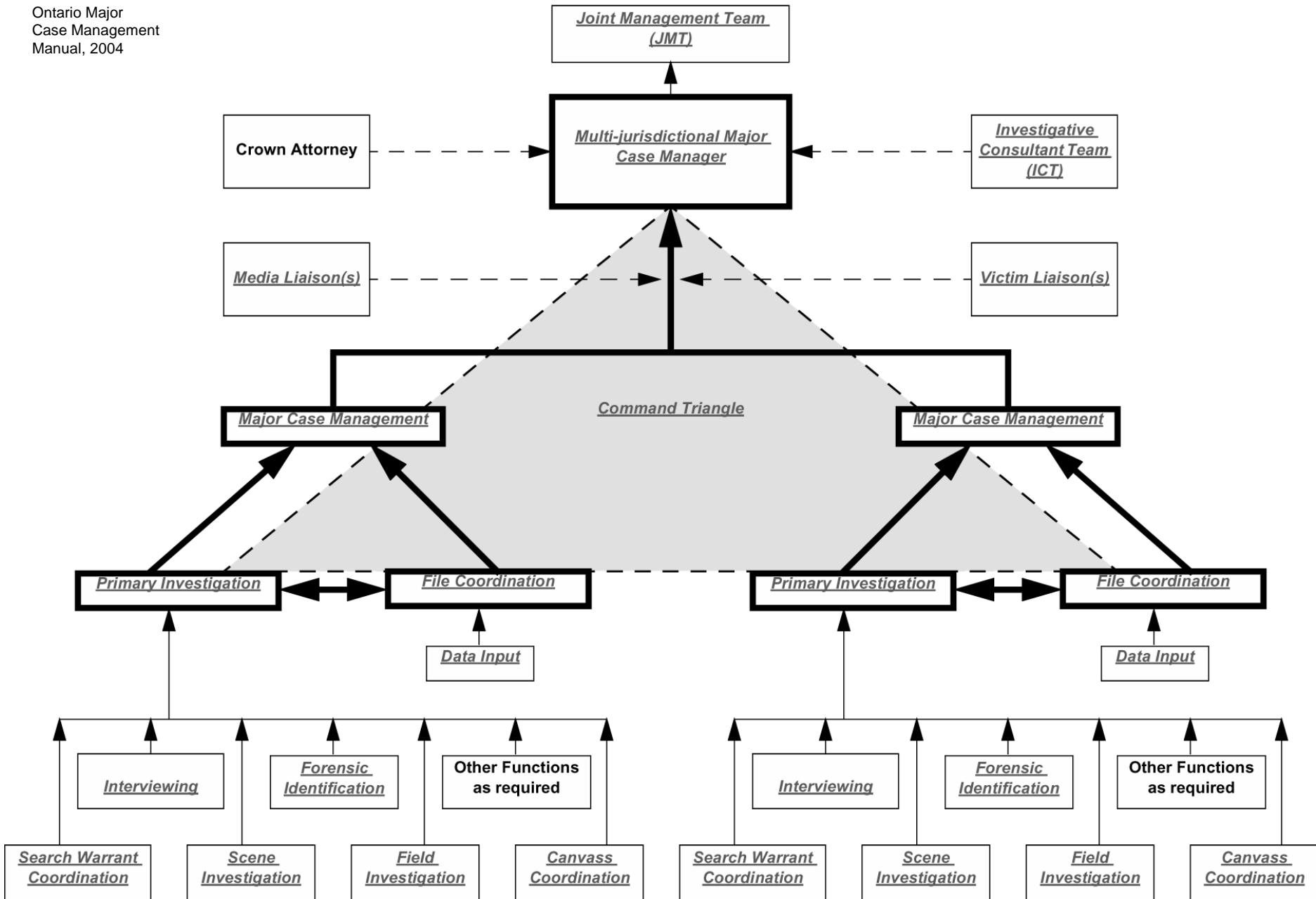
Appendix A: Major Case Investigation Flow Chart

Ontario Major
Case Management
Manual, 2004



Appendix D: Multi-jurisdictional Investigative Functions Chart

Ontario Major
Case Management
Manual, 2004





“Systemic Failure”

- *“The failure to have a system in place to address or respond to specific investigative issues or having a system in place to address or respond to specific investigative issues but failing to apply or enforce it”.*

Phil DeBruyne, in response to the Bernardo Review.

Taught in the General Investigation Course.



Case Conference

“Consultation with appropriate representation from all involved agencies and any other experts who may assist in any aspect of the investigation.”

Ontario Major Case Management Manual, Oct. 2004



Case Conference

- Where applicable, the Major Case Manager shall conduct a case conference at the earliest possible opportunity for the purposes of obtaining interdisciplinary input to assist in developing investigative strategies, establishing priorities and ranking the sequence of any necessary investigative procedures.

Ontario Major Case Management Manual, Oct. 2004



Investigative Consultant Team “Case Conference”

“The group that is formed to “case conference”. The formation of this Team is mandatory in a multi-jurisdictional investigation, and discretionary in a single jurisdictional investigation. An investigative consultant team may include, but is not limited to, forensic experts, medical experts, Centre of Forensic Science Experts, Office of the Chief Coroner, forensic psychiatry, Office of the Local Crown Attorney, forensic pathology, an alternate Multi-jurisdictional Major Case Manager, and other experienced investigators. The Investigative Consultant Team shall include members of the Command Triangle”.

Ontario Major Case Management Manual, Oct. 2004



Investigative Consultant Team Case Conference

- At the commencement of a Multi-jurisdictional Major Case Investigation, the JMT shall consult with the Multi-jurisdictional Major Case Manager to establish an Investigative Consulting Team (I.C.T.)
- Shall meet to review the investigation as determined by JMT
- Retain minutes in HCFM system (MCMS 4)
- Provide support to MJMC Manager through guidance, assistance, and support
- MCM may establish an ICT in a single jurisdiction investigation

Ontario Major Case Management Manual, Oct. 2004



Investigative Consultant Team Case Conference

- Members of Command Triangle shall be part of ICT
- Consideration shall be given to include:
 - CFS
 - Office of Chief Coroner
 - Crown Attorney
 - Forensic Pathology
 - Forensic Psychiatry, and
 - Other disciplines that can provide assistance to the investigation.

Ontario Major Case Management Manual, Oct. 2004



“Case Review”

“An examination of the administrative management and/or operational aspects of the investigation including a peer evaluation. This can take place anytime during the investigation.”

Ontario Major Case Management Manual, Oct. 2004

“Case Preparation”

- *“Objectively investigating the complaint or incident following proper police procedures and where reasonable grounds exist, lay an information, and be able to present the “facts in issue” beyond a reasonable doubt while complying with the rules of evidence including the Charter.*
- *The results of this investigation are outlined in a Crown Brief for court purposes and subject to the rules of disclosure.”*

Taught on the GIT Course and Basic Constable Training Program

Disclosure

- Analysis of the Investigation
- Fruits of the Investigation
- Privilege Communication & vetting
- Notebooks
- Exculpatory Evidence
- On-going Disclosure Obligations
- Disclosure Register
- Criminal Case Management Protocols



CRIMINAL CASE MANAGEMENT PROTOCOL

September 9, 2004

- *Prepared by the EFFECTIVE SCHEDULING WORKING GROUP of the CRIMINAL JUSTICE STEERING COMMITTEE for presentation to THE JUSTICE SUMMIT 2004*
- *“This protocol identifies “best practices” in all sectors, that is, practices that promote the efficient movement of cases through the Ontario Court of Justice, and which preserve and promote the rights of all persons charged with criminal offences to due process in a timely manner.”*
- OACP has Committee in place to respond



The Institute for the Prevention of Child Abuse (IPCA)

- Formerly the Ontario Centre for the Prevention of Child Abuse
- The Institute for the Prevention of Child Abuse was a nonprofit, charitable organization which was established in 1987 by the Ontario Ministry of Community and Social Services. The Institute was funded by government grants, fundraising, and user fees.
- The Mission of the Institute was to make society a safe and nurturing place for children through:
 - a) Improving the quality of intervention to support abused children and their families, and
 - b) Addressing the underlying causes of violence against children in society



The Institute for the Prevention of Child Abuse (IPCA)

- The Institute sought to fulfill its mission through training and consultation services, prevention services, and information sharing.
- The Institute provided a national contribution to the prevention of child abuse by making its services and programs available across Canada on a fee for service basis. The Institute's training programs, for example, have been provided across Canada from Newfoundland to the Yukon.
- Note: The Institute was closed September 1, 1995.



Joint Police/CAS Child Abuse Training

- Child Sexual Abuse Part I: Investigation and Assessment
- Child Sexual Abuse Part II: Intervention with Children and their Families
- Investigation and Assessment of Sexual Abuse Regarding Very Young Children Part III
- Physical Abuse (later incorporated in special issues)
- Investigation and Assessment of Abuse Regarding Children with Disabilities (later incorporated in special issues)
- Investigation and Assessment of Allegations of Child Abuse in Child Custody Disputes (later incorporated in special issues)
- Special Issues in Child Abuse Investigations (physical abuse, custody disputes, and children with disabilities)
- Case Management of Complex Abuse Investigations
- Investigation of Sexual Offences Against Children (ISOAC), partnership with OACAS.



Child Sexual Abuse Part I: Investigation and Assessment

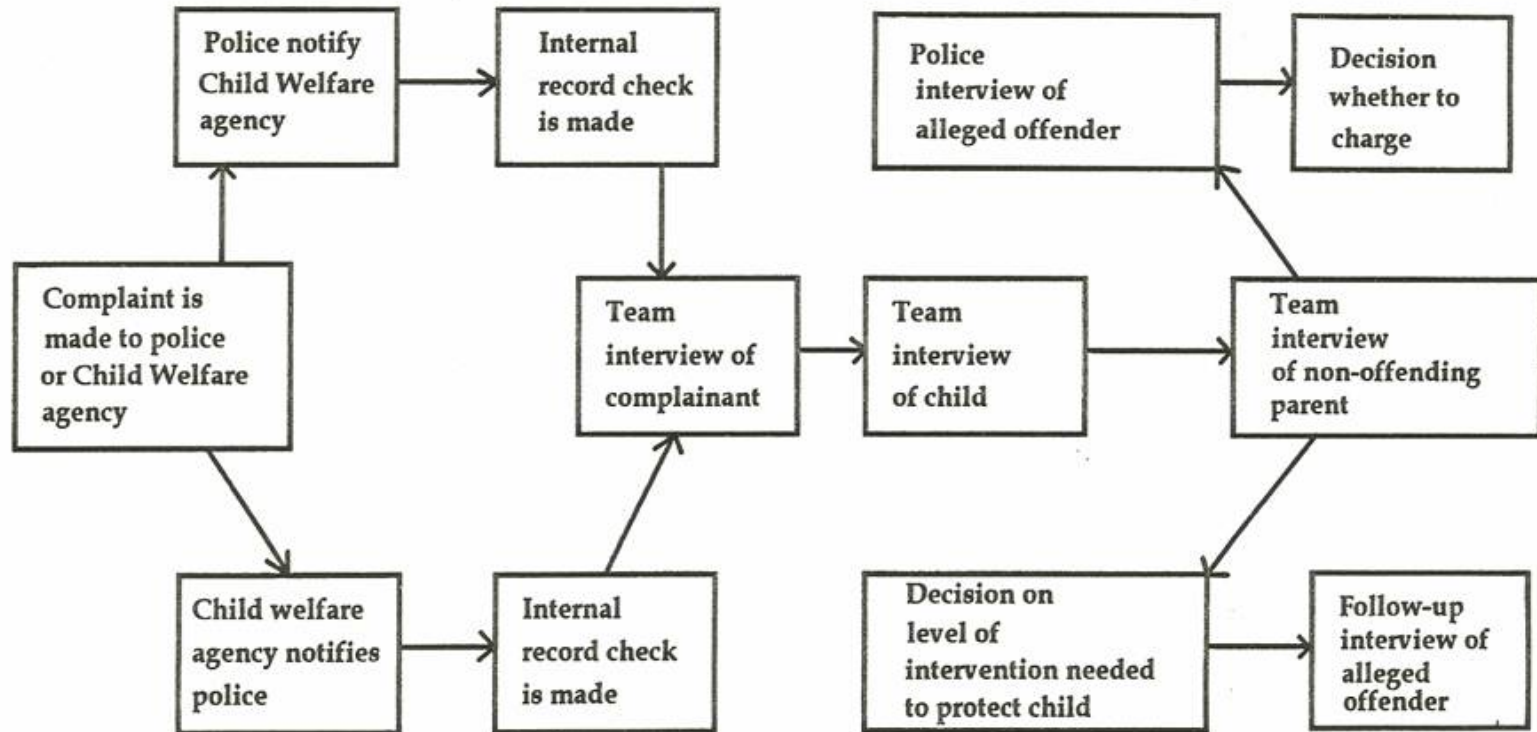
- Length 4 days
- Composition of Class:
 - 12 police officers – 2 years police experience and CSA Part I – Investigation and Assessment Course
 - 12 CAS Social Workers involved in Child Abuse Investigations
 - Course Description:
 - ***“This four day program is designed for child protection and police investigators. The training program provides up-to-date information on current methods of investigating and assessing allegations to child sexual abuse. The program promotes joint child welfare and law enforcement intervention and emphasizes the development of a coordinated community response to child sexual abuse. The program is co-facilitated by police and child protection workers.”***



Child Sexual Abuse Part I: Investigation and Assessment

- Topics:
 - The incidence and dynamics of child sexual abuse
 - Joint child protection/police investigations
 - Investigative interviews with children
 - Verification and assessment of allegations
 - Investigative interviews of non-offending parents
 - Child welfare and criminal code legal provisions
 - Investigative interview of offenders
 - Risk assessment
 - Inter-professional communication and coordination
- Course was delivered at OPC and on outreach basis.

STEPS IN A CO-ORDINATED POLICE/CHILD WELFARE INVESTIGATION





Investigation and Assessment of Sexual Abuse Regarding Very Young Children (Part III)

- Length 4 days
- Composition of Class:
 - 6 police officers – 3 years police experience and CSA Part I – Investigation and Assessment Course
 - 6 CAS Social Workers involved in Child Abuse Investigations
 - Course Description:
 - ***“This four day program is designed for child protection and police investigators. The training program is provided with the Institute for Child Study in Toronto, and other early childhood education centers. This program involves direct observation, communication and interaction with pre-school children”. The program is co-facilitated by police and child protection workers (IPCA).”***
- Best described as “Advanced Interviewing” in day care setting.



Investigation and Assessment of Sexual Abuse Regarding Very Young Children (Part III)

- Topics:
 - Assessing children's development capacity
 - Sexual development in children
 - Communicating with very young children
 - Interpreting the verbal and non-verbal responses of children
 - The use of anatomical dolls and other assessment tools
 - Assessing the credibility of information provided by young children.
 - Use of Audio/Video during interviews.



Special Issues in Child Abuse Investigations

- Length 5 days
- Composition of Class:
 - 12 police officers – 3 years police experience and CSA Part I – Investigation and Assessment Course
 - 12 CAS Social Workers involved in Child Abuse Investigations
 - Course Description:
 - ***“This course provides knowledge and skill training regarding the difficult task of assessing allegations of child abuse involving special issues such as children with disabilities, child custody disputes, and physical abuse. Substantive and case law is also discussed at an advanced level.”***
- Replaces 3 Courses “Investigation and Assessment of Abuse regarding Children with Disabilities; Investigation and Assessment of Abuse in Child Custody Disputes; and Investigation and Assessment of Physical Child Abuse”.



Concept of Joint Police/CAS Child Abuse Training

- 1978 MCSS “Report of Task Force on Child Abuse (AKA the Garber Report)
- Recommendations related to incidents of Child Abuse.
- This report formed basis of the “Standards and Guidelines for the Management of Child Abuse Cases” issued February 1981 under the Child Welfare Act (1978) by CAS.
- This included the need for joint CAS/Police Child Abuse Investigations (Note: Recommendation 10).
- Recommendation 20 references MCSS, through the Inter-Ministerial Committee on Children Services, have different disciplines including appropriate child abuse training content in the curricula for their respective professions.



Special Issues in Child Abuse Investigations

- Topics
 - Children with disabilities
 - Child abuse allegations in custody disputes
 - Physical abuse
 - Special legal issues/considerations
 - Interview problems and solutions
 - Validating child and adult statements
 - False allegations
 - Case law, substantive and procedural law
 - Disclosure issues



Investigation of Sexual Offences Against Children

- Length 5 days
- Composition of Class:
 - 12 police officers involved in Child Abuse Investigations
 - 12 CAS Social Workers involved in Child Abuse Investigations
 - Course Description:
 - ***“This five day program is designed for child protection and police investigators. The training program provides up-to-date information on current methods of investigating and assessing allegations to child sexual abuse. The program promotes joint child welfare and law enforcement intervention and emphasizes the development of a coordinated community response to child sexual abuse. The program is co-facilitated by police and child protection workers (OACAS).”***



Concept of Joint Police/CAS Child Abuse Training

- 1982 “Judicial Inquiry into the Care of Kim Anne Popen by the CAS of the City of London and County of Lambton” by His Honour Judge Ward Allen.
- Issues around training and joint investigations are commented on within the 87 recommendations made.
- Reference is also made within the Allen Report to the Garber Report
- Clear case of poor communication and breakdown in investigation between police and CAS during the Popen Investigation



Concept of Joint Police/CAS Child Abuse Training

- 1982 – “Sexual Abuse of Children: A Training Program for Children’s Aid Society Staff Providing Services to Sexually Abused Children and Their Families”, Ross Dawson, Vol. 7, MCSS.
- Document referenced in forming core of training relating to sexually abused children
- Mr. Dawson provided leadership and direction in this area. Core document to demonstrate what was in place and time.
- Gave future direction with respect to Child Sexual Abuse training.



Concept of Joint Police/CAS Child Abuse Training

- 1983 Standing Committee on Social Development, Province of Ontario, Second Report on Family Violence: Child Abuse addresses the need for a multi-disciplined approach to Child Abuse Investigations.
- Recommendation # 9: All CASs must develop a good, working relationship with the local police for the investigation of reports of child abuse. In furtherance of that relationship, each CAS should examine the “Child Sexual Abuse Protocol” developed by the Metropolitan Chairman’s Special Committee on child Abuse and consider adapting it to local conditions. (Note: detailed description of Protocol on Page 14 of report).
- Recommendation # 20. The Ministries of the Attorney General and Solicitor General must jointly devise a set of guidelines for the charging and prosecution of professionals who do not report suspected cases of child abuse.
- Ontario Centre for the Prevention of Child Abuse would take lead for training of professionals (multi-discipline approach).



Concept of Joint Police/CAS Child Abuse Training

- 1987 – Institute for the Prevention of Child Abuse
- OPC/IPCA deliver joint police/CAS Child Sexual Abuse Training on a Province Wide Outreach Basis
- Annual Conferences addresses many issues including new legislation (e.g. Bill C-15, Child Interviews, etc.)
- Development of trainers included specialist from outside including Dr. John Yuille, Dr. David Raskin, Steven Ceci, Mary Wells, IPCA/OPC Staff, London Family Court Clinic
- Core training included:
 - CSA – Investigation & Assessment – Part I (Joint)
 - CSA – Intervention with Children & Their Families – Part II (CAS)
 - CSA – Investigation & Assessment (Advanced Interviewing - Joint)



Concept of Joint Police/CAS Child Abuse Training

- 1988, Ministry of Community and Social Services and the Ministry of the Solicitor General jointly release a handbook “Child Abuse: A Guide for Ontario Police”
- This handbook served as a blueprint for joint Police/CAS Child Abuse Investigations and general guidelines for police and CAS including working protocols.
- 1988 – considerable training around Bill C-15 (Nicholas Bala, Catherine Stewart, Mary Wells, London Family Court Clinic, OPC, MAG, etc)
- Examples of publications included “Canada’s Law on Child Sexual Abuse, 1990, Department of Justice’ by Mary Wells; and Understanding Criminal Prosecutions for Child Sexual Abuse: Bill C-15 and the Criminal Code by Nicholas Bala and Catherine Stewart for IPCA.



Concept of Joint Police/CAS Child Abuse Training

- 1984 – release of the Badgley Report *“Report of the Committee on Sexual Offences Against Children and Youths”* (52 recommendations)
- Included:
 - Reform of sexual offences
 - » Substantive Offences
 - » Evidentiary and Procedural Changes especially around children testifying and videotaping
- **Special Note**: Re: “Understanding Criminal Prosecutions for Child Sexual Abuse: Bill C-15 and the Criminal Code” (Stewart/Bala), p. 44, Quote: *“Training of personnel in the mandated systems (that is, child protection and police) is critical. Such training needs to be: intensive (one day of instruction in interviewing techniques is insufficient); on-going (to mitigate the disruption of turnover and to allow for updating); interdisciplinary (to further intersystem understanding and co-operation); and province-wide”*.



Concept of Joint Police/CAS Child Abuse Training

- 1991, “Reaching for Solutions” – The Report of the Special Advisor to the Minister of National Health and Welfare on Child Sexual Abuse in Canada” by Mr. Rix Rogers.
- Recommendations: (Main Issues for Police)
 - Protocols, prosecution priorities, and support for victims
 - Specialized Multi-disciplinary Training & inter-professional cooperation is essential
 - Designated Investigators and levels of expertise required
 - Implementation around Bill C-15 (video-taping, testifying and support)
 - Established police policies and procedures



Concept of Joint Police/CAS Child Abuse Training

- 1987 – 1995* (Note: Funding was cut off at IPCA in 1994 but OACAS contracted IPCA to deliver core training until infrastructure was in place).
- IPCA exemplified the very best for the development and design of Child Abuse Training. It developed leading edge Child Abuse Training using a multi-discipline approach, much under the leadership of Ross Dawson.
- Partnership between IPCA/OPC (province wide)
- Train the Trainer Model. The trainers within this system were highly qualified and well trained. On-going development using experts from different parts of Canada and USA.



Concept of Joint Police/CAS Child Abuse Training

- Yuille, J.C., Hunter, R., & Harvey, W. (1990). A coordinated approach to interviewing in child sexual abuse investigations. *Canada's Mental Health*, 38(2/3), 14-17. <http://www.psych.ubc.ca/~jyuille/abstract%2013.html>
- Community and professional awareness of child sexual abuse has grown during the 1980s. A variety of agencies must respond to allegations of sexual abuse, and conflict between the mandates of different agencies has hampered adequate interventions in child sexual abuse cases. A model for interagency training and cooperation is outlined that maximizes the effective response to a report of child sexual abuse while minimizing the abuse of the child by the system itself. Examples of the application of this model are included.
- **"A model for Inter-Agency Cooperation"** . Quote: *"Over the past five years there has been an increasing recognition of the need for interdisciplinary child sexual abuse investigation teams in Canada. Underlying this awareness is the recognition that the systemic abuse of children must stop and further, that joint training can provide all agencies involved with a tangible vehicle for positive change"*.



Concept of Joint Police/CAS Child Abuse Training

- 1994 – start of partnership between OPC/OACAS
- IPCA still involved in delivery of core training
- 1995 – start of independent working relationship between OACAS and IPCA
- 1996 – Protocol signed between OACAS and OPC relating to the delivery of the Investigation of Sexual Offences against Children Course (ISOAC).
- 2001 (June) – Protocol was revised and updated.
- 2003 managers from OACAS and OPC meet.
- April 22/03 “All Chiefs memo” temporarily suspending ISOAC Course.



Concept of Joint Police/CAS Child Abuse Training

- 1998 Heather Henderson, Simcoe County CAS and Catherine Nanton co-author paper on Joint Police/CAS training/investigations. Paper is presented by Heather Henderson at international Child Abuse Conference in San Diego, USA.
- 1999, Adequacy Regulation filed. Police Services have two years to create policies/procedures to meet requirements of Regulation.
- 2000 Policing Standards Manual
- 2001 Adequacy Regulation in place.



Issues Impacting Police Training in Ontario

- Inquests
- Case Reviews/Project Debriefings
- Inquiries
 - Campbell Report
 - Kaufman Report
 - Sophonow Inquiry
- Case Law
- Establishment of “Best Practices”
- Policies – Office of Chief Coroner
- Policies – MCSS Re: Child Abuse
- Policies – Office of the Crown Attorney
- FPT HOP Report into Wrongful Convictions
- Legislation (Statutes, Regulations)



Issues Impacting Police Training in Ontario

- Budgets
- Justice Campbell Report “Bernardo Investigation Review”, June 1996 quote:

“When police budgets are pruned, training is often the first thing to be cut. Yet when something goes wrong in police work, it can often be traced to inadequate training. It is a form of institutional recklessness to reduce police training budgets below the essential requirements for good police work”.

- Recommendation # 27, quote:

“Funding is required for the training packages,The necessary funds are modest compared with the human and financial costs of failing to increase, to a more reasonable level, the systems of public protection against serial predators. It would be institutionally reckless to fail to do so.”



Project Guardian

- Multi-offender, multi-victim investigation
- September, 1993, London, Ontario
- Review of the matters concerning the investigation and roles of different agencies
- Case Management Strategy developed for dealing with the complexity of this investigation
- Development of professional partnerships including the police, CAS, the Crown, VWAP, London Family Court Clinic and the Health Unit.



Project Guardian

- Recommendations including:
 - Expand existing protocol between Police/CAS to include the investigation of Multiple Offender/Multiple Victim Cases
 - Specialized training (police and CAS) in situations of Multiple Victim/Multiple Offender investigations which necessitate highly sophisticated techniques of abuse investigation.
 - A “Best Practices” Model for Multiple Victim/Multiple Offender Investigations
 - To increase training and education for professionals and the the public on the dynamics of organized child sexual exploitation and child sexual abuse in general.



Project Guardian

- Note: A consultation report produced by IPCA (1992) highlighted the complexity of Multiple Victim/Multiple Offender Investigations and made many recommendations on how a community should proceed to ensure that there is integrity in the investigation.
- Many of the recommendations from IPCA's consultation report consistent with review of "Project Guardian" and findings on a "Best Practices" Model for handling Multiple Victim/Multiple Offender Investigations.



Case Management of Complex Abuse Investigations

- Length 10 days
- Composition of Class:
 - 8 police officers – rank of Detective Sergeant or Higher who are major crime case managers
 - 8 CAS Supervisors
 - 8 Crown Attorneys
- Course Description:
 - ***“This course takes an inter-disciplinary approach to the investigation and prosecution of multiple victim/multiple offender abuse investigations. Emphasis will be placed on major case management while defining the roles of Children’s Aid Societies, police and Crown Attorneys. Candidates, upon successful completion of this course will be identified and serve as resource persons or case managers for complex abuse investigations”.***



Case Management of Complex Abuse Investigations

- Topics:
 - Major Case Management
 - Freedom of information/archive files
 - Multiple Victims/Multiple Offenders
 - Disclosure
 - Substantive and procedural law
 - Search and seizure issues
 - Managing victims
 - Funding and budget requirements
 - Selecting and training staff
 - Constitutional issues

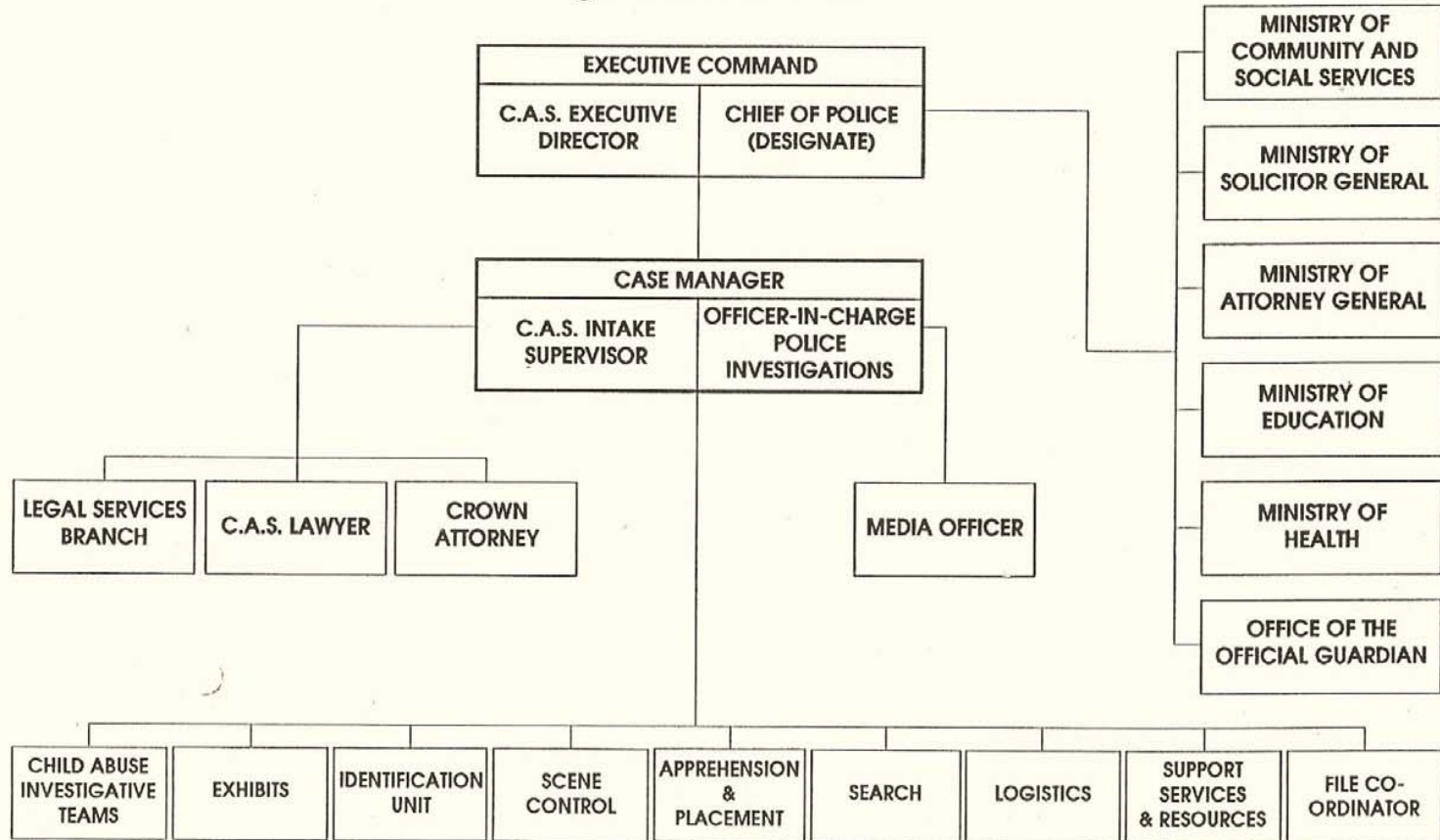


Case Management of Complex Abuse Investigations

- Emphasis placed on an inter-disciplinary approach to complex abuse investigations
- Executive Command (Joint Management Team)
- Joint/Shared Decision Making
- Pre-charge versus Post-charge Screening
- Consultation, where necessary, with representatives from various government ministries.
- Victim Management including support and protection issues
- Memorandum of Understanding in addition to defined role within Protocol

Case Management Complex Child Abuse Investigations

Organization Chart





Model of Joint Training

(Example of an American Model)

- **“Finding Words – A Forensic Interviewing Course”**,
- http://www.ndaa-apri.org/apri/programs/ncpca/half_a_nation_2010.html
- **Finding Words: Half a Nation by 2010**
- **Description:**
 - *“In 1998 APRI’s (American Prosecutors Research Institute) National Center for Prosecution of Child Abuse launched “Finding Words”, a forensic interviewing course for law enforcement officers, child protection caseworkers, and prosecutors. The course was modeled after and developed in collaboration with CornerHouse, an interagency child abuse evaluation and training center in Minneapolis, Minnesota”.*



Risk Management

- “Negligent Investigations”
- Jason Hill, Beckstead, Jane Doe
- Facts of the Case
- *“The standard of care that applies to a reasonable police officer performing duties relating to accused persons or victims. With accused persons, did the police have reasonable and probable grounds to believe that the accused committed the offence or did the police continue to have reasonable and probable grounds to believe that the accused committed the offence.”*



Zachery Rogers Inquest

- Zachery Rogers, tragic death of 7 month old child in care of babysitter in private home (April, 1997, Mount Albert)
- 22 Recommendations
- Recommendations 9, 10 & 11 to (police) relate to:
 - Automated Call System
 - Assignment of experienced criminal investigators
 - Case Management Practices and Supervision
- Recommendations 12 & 13 relate (police & CAS) to:
 - Joint Police/CAS Investigations and sharing of information
- Office of Chief Coroner ensures “Protocol for the Investigation of Sudden and Unexpected Deaths in Children Under 2 Years of age” is or has been distributed to all the appropriate parties.



FPT Heads of Prosecutions Committee Working Group on the Prevention of Miscarriages of Justice

- The Federal/Provincial/Territorial (FPT) Heads of Prosecutions Committee was created in 1995 and brings together those who are responsible for criminal prosecutions in Canada. It is comprised of the Head of Prosecutions for each province, the Head of the Federal Prosecution Service – who also acts as Permanent Co-Chair – as well as the local directors of prosecutions of each of the three Territories.
- The Committee established the Working Group on the Prevention of Miscarriages of Justice in the fall of 2002, in response to a number of wrongful convictions across the country and the various reports of commissions of inquiry they generated. The group's mandate was two-fold:
 - to develop a list of best practices to assist prosecutors and police to better understand the causes of wrongful convictions; and
 - to recommend proactive policies, protocols and educational processes to guard against future miscarriages of justice.



FPT Heads of Prosecutions Committee Working Group on the Prevention of Miscarriages of Justice

- The Working Group included prosecutors with many years of experience, both trial and appellate. It was chaired by the Assistant Deputy Attorney General, Manitoba.
- The Group also benefited from extensive participation in its work by representatives of the Canadian Association of Chiefs of Police (CACP).
- **Report (40 recommendations).**
 - The Working Group’s 155-page report includes a chapter on each of the issues that have been identified, both in Canada and elsewhere, as the key factors that contribute to wrongful convictions:
 - tunnel vision
 - mistaken eyewitness identification and testimony
 - false confessions
 - in-custody informers
 - DNA evidence
 - forensic evidence and expert testimony
 - education



FPT Heads of Prosecutions Committee Working Group on the Prevention of Miscarriages of Justice

- One of the recommendations made under the heading of “education”
 - The following options for educational venues should be considered :
 - Joint educational sessions involving Crowns, police, defence and forensic scientists;



Reducing “Tunnel Vision”

- Alternative Hypothesis
- Investigative Consultant Team
- Case Management Software
- Meetings/Briefings
- Case Conferencing
- Case Reviews/Peer Reviews
- Project Debriefings (lessons learned)
- Fellow Officer Test (search warrants)
- Establishment of “Best Practices”



“Best Practices”

- **Defined:**

- **“Guidelines are highly recommended policing practices. The majority of the Standards Manual will consist of Guidelines. Guidelines are “best practice” recommendations and a source of new or innovative policing concepts”.** Policing Standards Manual, Standards – Definitions, October 1, 1992, Page 1 of 2, 0000.02
- Consult with stakeholders (multi-discipline approach)
- Reference inquiry reports and reviews, where applicable (e.g. Marshall, Kaufman, Campbell, Sophonow, Milgaard, etc.)
- List recommendations, put into report form
- Address “Tunnel Vision” issues
- Must be practical and not inconsistent with other legislation or standards
- Build training around “Best Practice” (must be accountable, accessible, affordable)