

## FORENSIC AND MEDICAL ISSUES

**COURSE LEADER:** Sheila MacDonald, Provincial Co-ordinator, Sexual Assault Care Centres, Ontario

**COURSE LENGTH:**

**COURSE DESCRIPTION:**

Police officers/nurses need to understand the role of hospital staff in providing acute care to victims of sexual assault.

**TEACHING POINTS:**

1. The role of Sexual Assault/Domestic Violence Treatment Centres in the care of victims of sexual assault including:
  - location of Centres
  - how/when to refer victims
  - mandate of service
  - services offered – medical care, forensic evidence collected \*(see #2) counselling\* \*(see #3), documentation
  - referral to community agencies for on-going support and assistance
2. Forensic Evidence from victim (Sexual Assault Evidence Kit)
  - what samples are collected and timeframe for sample collection
  - continuity and contamination issues
  - storage of evidence
3. Counselling : Rape Trauma Syndrome –both acute and longterm responses and how the police officer can assist the victim through the justice system in this context
4. Victim/survivor Needs: Not all victims/survivors are the same and we need to have particular understanding of diverse cultures and languages, disabilities (both physical and mental) and sexual orientation.

**KEY CONCEPTS:**

1. Responding to sexual assault victims/survivors requires an interdisciplinary approach. Professionals from the justice system, health, community agencies need to collaborate to meet the needs of victims/survivors.
2. Victims/survivors of sexual assault are reluctant to report the crime to anyone including police, health professionals. It is incumbent on us to address the reasons for non-reporting.

## 2. INTERVIEWING YOUNG CHILDREN

**COURSE LEADERS:** Geraldine Crisci, MSW, of Crisci, Kussin & Mayer Consultants & Sharon Hart, Child Witness Advocate, Toronto Child Abuse Centre

**COURSE LENGTH:** 1 to 2 Days

### **COURSE DESCRIPTION:**

During this two-day program, twenty-six children, ages 3-6 years, will be brought to the classroom to take part in an interview by a team of course participants (interviewers). The children will view a cartoon video and the interviewer will try and determine the contents of the video by conducting a good investigative interview. This will give the course participants the opportunity to practice their knowledge and skills in an enjoyable exercise.

Interviews will be reviewed and critiqued during this session to improve and develop the interview skills of the participants. (A one-day session will focus only on the theory and interview techniques and omit the actual interviewing of children.)

### **LEARNING OBJECTIVES:**

At the conclusion of this session, the trainee will be able to:

- Understand the cognitive, sexual and language development of young children.
- Apply appropriate interviewing techniques when interviewing young children.
- Increase knowledge in relation to the up to date research on memory and suggestibility in young children.
- Increase their comfort level when interviewing young children.

### **TEACHING POINTS:**

#### **CHILD DEVELOPMENT THEORY**

- Cognitive (thinking) – concepts relating to time and sequence
- Verbal (language) – review of forensic linguistics as it applies to
- 3-6 year olds
- Emotional – Social – understanding of interviewer influence
- Memory and suggestibility – recent research findings
- Sexual Development – What is normative behaviour?

#### **COMPONENTS OF A GOOD INTERVIEW WITH A YOUNG CHILD**

- Location
- Timing
- Setting
- Child's History
- Support Person
- Types of Questions: Age Appropriate  
Rapport Building  
Setting Rules  
Closure

#### **LEADING QUESTIONS**

#### **SUGGESTIBILITY & ANATOMICAL DOLLS**

#### **COURT PREPARATION**

### **3. VICTIM SENSITIVITY**

**COURSE LEADER:** Wendy Leaver, BSW, Sexual Assault Investigator, Toronto Police Services

**COURSE LENGTH:** ½ to 1 Full Day

#### **COURSE DESCRIPTION:**

Sexual Assault is a crime that generally has a most traumatic effect on the victim and those closely associated with the victim. The investigation of sexual assault is complicated by the nature of physical evidence, the collection of which maybe particularly complex. Further complicating the investigation is the initial reporting by the victim, the fear of contacting the police, being believed and specifically police response.

The social context in which sexual assault occurs is still alive with myths and stereotypes that place an extra burden on the victim. Adjunct to the above, interviewing of the victim of a sexual assault demands careful attention to the concerns of the victims or the criminal justice system risks losing the cooperation of the victim which is an integral part to pursuing the case.

#### **LEARNING OBJECTIVES:**

At the conclusion of this module, the trainee will be able to:

- Recognize that Sexual Assault is one crime that generally has the most traumatic effects on the victim and those close to the victim.
- Understand the components of the three different types of sexual assault.
- Recognize the steps for an investigator in a sexual assault investigation to raise awareness and sensitivity around the issue of sexual assault and the impact on the victim.
- Develop an interview strategy that will allow the victim to feel safe and assist in gaining back control of their life.
- Elicit from the victim in a sensitive manner, all the information and evidence that is necessary to assist in solving the crime and arresting the offender.
- Dispel the myths surrounding sexual assault, specifically that of placing blame on the victim.

#### **TEACHING POINTS:**

- Definition of Sexual Assault
- Definition of Consent
- Types of Assaults – (a) Date Rape – Acquaintance, (b) Blitz (c) Historical
- Investigating Known Offenders
- Post Traumatic Stress Disorder
- Immediate Needs of Victim
- Lack of Reporting
- When To Interview Victim
- Where to Interview Victim
- Preliminary Information – Approach - Questions
- Concluding the Interview
- Language used in Interview
- Use of Audio-Video Equipment
- Support Personnel
- Use of Cultural and Language Interpreters

## 4. FALSE ALLEGATIONS

**COURSE LEADER:** Wendy Leaver, BSW, Sexual Assault Investigator, Toronto Police Services

**COURSE LENGTH:** ½ Day

### **COURSE DESCRIPTION:**

Due to a number of factors, a certain percentage of sexual assault complaints are falsely reported as such. Investigators must be aware of the importance of investigating a false allegation as thoroughly as a valid complaint.

### **LEARNING OBJECTIVES:**

At the conclusion of this session, the trainee will be able to:

- Acknowledge the existence of false reports of sexual assault and develop effective means to eliminate them from the criminal justice before arrests are made.
- Recognize the fact that these fabrications are a drain on the resources of an already overtaxed criminal justice system.
- Recognize the dynamics in relationships with significant others that cause the complainants to continue with a False Allegation even when presented with an opportunity to conclude the investigation.
- Recognize that a False Allegation must be as thoroughly investigated as a valid complaint.
- Recognize that charging a complainant with Public Mischief after a thorough investigation is not necessarily the proper response for the judicial system or the community at large.
- Consider the use of counselling or other discretionary paths to assist the complainant in lieu of criminal charges.

### **TEACHING POINTS:**

- Definition of False Allegation
- Background/Complainant
- Examination of Initial complaint and scene
- Sexual Assault Report
- Description of Offender
- Interview of Complainant
- Injuries
- Confronting victim/complainant
- To charge or not to charge?
- Counselling in lieu of prosecution

## 5. PEDOPHILE INVESTIGATION

**COURSE LEADER:** Wendy Leaver, BSW, Sexual Assault Investigator, Toronto Police Services

**COURSE LENGTH:** ½ Day

### **COURSE DESCRIPTION:**

Paedophilia is a term used to describe an individual who has recurrent, intense sexually arousing fantasies, sexual urges or behaviours involving sexual activity with a prepubescent child or children.

Investigators are quite often confronted with occurrences of child abuse perpetrated by pedophiles but do not have the luxury of having a known, confessed offender in front of them. A typology is required that can be applied before the perpetrator is identified or the case is proven in court.

### **LEARNING OBJECTIVES:**

At the conclusion of this session, the trainee will be able to:

- Identify and understand the different types of individuals who abuse children.
- Recognize and identify the predictable sexual behaviour patterns of paedophiles
- Recognize the techniques utilized on children to lure them into sexual activities.
- Describe the response of children to paedophiles and their developing attachments in relation to interviews and investigations.
- Recognize the evidentiary importance of the paedophile's collection.

### **TEACHING POINTS:**

- Definition – Paedophilia – Hebephilia – DSM- IV
- Preferential Child Molester
- Situational Child Molester
- Children – Preferred sexual objects
- Techniques in obtaining victims
- Importance of “courting” children
- Fantasy
- Risk Assessment
- Child Pornography
- Child Erotica
- Paedophile's Collection
- Order of Prohibition Section 161- Criminal Code of Canada
- Section 810.1 Application – Criminal Code of Canada