

York University
Sexual Assault Awareness, Prevention, and Response Policy Working Group
Meeting Notes

Date: Wednesday, October 07, 2015

Time: 2:00 p.m. – 3:30 p.m.

Location: 956 Kaneff Tower

Attendance: Mina Rajabi Paak, Elana Shugar, Rob Castle, Margaret Macharia, Aldo Altomare, Siraz Chatha, Polly MacFarlane, Rodney John de Roché, Jessica Thyriar, Noël Badiou, Chenthoori Malankov.

Regrets: Liisa Stephenson, Catherine Salole, Deb Hansen, Grace Permaul, Arden Maaliq, Prakash Amarasooriya, Daulton Scott, CWTP Representative.

Call to Order

- Welcomed 31 Division's Inspector Riyaz Hussein, DET/SGT Leah Gilroy, and Detective Renata Louhikar.
- Brief overview of Working Group's process was given.
- The Group Agreement was referenced to keep in mind during the discussion.

Review Meeting Notes

- Review Meeting Notes at next meeting.

Overview of Toronto Police Services (TPS) Procedures/ Training

- Training for Investigators
 - The aim is for an investigator to respond in a timely manner while balancing the needs of the survivor.
 - There is two weeks of investigative training for this process.

- All investigators are trained in sexual violence response but training differs divisionally due to the nature of each division.
 - Within Leah's office, all investigators are trained in Sexual Assault Response.
 - Sometimes departments will share investigators on a needed basis.
 - There are usually multiple investigators available at a time (unless they are already attending to an investigation). Investigators at a busier time can take 10 minutes to be available.
- TPS uses terminology of victim rather than survivor, the intention is not a lack of sensitivity to survivors but it is the language they use in their field.
- TPS response procedure
 - Once a call is made, uniformed officers are the first to attend a scene.
 - Officers respond, however the officers are trained to only take a basic intake in cases relating to non-consensual sexual activity.
 - After the basic information is taken they will contact an investigator who will take over.
 - Any disclosure of non-consensual conduct will automatically prompt the officers to contact an investigator.
- *Q: It was raised that survivors often have to retell their story multiple times to various individuals. (Ex. To Security Services, Officer, and Investigator)*
 - Security Service's main priority is:
 1. Attend scene or allow to TPS to respond directly
 2. Provide support if needed
 3. Provide medical care if needed
 4. Basic description of events (suspect nearby, weapons, etc)

- Can Police get information from Security Services rather than asking the survivor to repeat their experience?
 - Investigator will be the one to follow up with survivor.
 - TPS will also let survivor know what to expect (I.e. An investigator has been called - talking to them at the hospital or a place they feel more comfortable speaking).
 - TPS has become more sensitive over the years to acknowledging the struggle survivors often go through in order to share their story.
- *Q: Is there any protocol on requesting a female-identified officer?*
 - A: A survivor can request a female official. If there is one available they can speak to them. Not all platoons have one that would be currently available; this needs to be balanced with the wait times for responses.
 - Frequently first responding officers are the ones who are in the area, at times in the absence of knowing what the call is about.
 - They would not know in advance that a female officer is preferred unless requested.
- *Q: What is the training for divisional leader?*
 - Often trained in domestic violence/ child abuse.
 - Uniformed officers have the same type of training in sexual assault /'sensitivity' training.
- Historical sexual assault cases are the same process as the ones that are recent.
 - Survivors are encouraged to have someone there (a friend, advocate) with them while answering first responding officers questions.
 - They cannot be present during the investigators interview
- Approximately 90% of sexual assaults reported remain divisionally.

- The priority in the initial response is to meet the needs of the survivor (i.e. personal safety/medical attention)
 - TPS will offer to have the survivor taken to Women's Health College (or an appropriate facility).
 - At 31 Division the survivor does not go in a scout car, but would be transported in an unmarked vehicle. This is not a mandated procedure for all TPS divisions, but a preferred practice offered at 31 Division. Investigators will make arrangement separately if survivor does not want to go to police station.
 - Front end is geared towards safety, investigation is the second piece.

- Q: Relationship between Security Services and TPS
 - If there information disclosed to Security Services, Police are informed of the information.

- *Q: If a survivor chooses to stop at any point in an investigation can they?*
 - Yes, they can choose to stop participating in the process but if there are implications to community safety, TPS must notify an investigator and potentially the community.
 - If TPS has the contact information for the survivor they will attempt to follow-up.
 - Survivors cannot stop the information being brought to the community if it is deemed other community members may be at risk.
 - If it is domestic violence or assault where the partners knew each other and there is no prior recorded history of violence from the perpetrator, the investigation will usually stop and the survivor's preferences is noted.

- *Q/Scenario: Student meets a person for the first time and ends up being assaulted by them; they are looking for support, but are unsure if they want to file a report. What would happen in this situation?*

- Balance of survivor-centric model with potential risk to the community.
 - If a survivor discloses an incident for support or to access the University's resources, under the current process, it will automatically become a report once identifying details of perpetrator are revealed.
 - There are limited avenues that a survivor can disclose information to the institution without TPS being contacted, or potentially a bulletin being issued.
 - TPS is liable to the community if they had information regarding a sexual assault and did not do anything about it.
 - Survivors can decide if in the future if they want to go back to the information they provided if it was initially reported.
 - The concern was raised that survivors are often not in a position to make decisions immediately following trauma – how can we give them time, space, and a range of opportunities to make decisions about what is best for them.
- *Q: Information can help identify and connect incidents that have happened – does information need to be tied to the name of a person? Can the university connect about information without naming the perpetrator (forcing the next step of an investigation)? Can Police then follow up with administration if more information would be helpful and for York to talk to survivor?*
- Information may be useful – but is not actionable if it is provided by an anonymous source.
 - All information taken over the phone by TPS is recorded.
 - Information from Security Services to TPS is one-way, information from TPS does not then go back to Security Services.
 - Information is not actionable without a name of survivor to verify information is credible.
 - If a staff member were to call TPS for what to do – TPS would typically try and find out more information including the names of the parties involved.
- *Q: What happens with details that are provided if survivor does not want to talk to the police?*

- Information becomes unsubstantiated and will not be turned into a report, but any information initially taken with TPS over the phone gets recorded.
- *Q: Are there potential implications for a survivor's case if they initially do not want to proceed with a report when that is put in motion by the university's process and the case is classified as unsubstantiated but later they decide to pursue it?*
 - It may be brought up by defense council in the future if the investigation was postponed, as they are allowed to have all evidence from the case
 - A staff/faculty member could also be called in to be a witness in the future.
- Concern around the consistency of approach with TPS on campus.
 - TPS is trying to improve from fact-based to a more sensitive approach to speaking with survivors.
 - In instances that it does not go well, it can lead to a culture where students will not trust staff or faculty with disclosing.
 - You cannot provide support to survivors without trust. There are Implications when survivors lose control of the process.
- Inspector Riyaz Hussein, DET/SGT Leah Gilroy, and Detective Renata Louhikar can act as direct contacts for future concerns about inconsistencies.
 - If there are specific requests like preferred contact information, it would be best to let TPS know so they can record it in their system.
- This is the start to an important conversation, and with the development of the procedures it would be valuable to keep in contact in the future.

Next Steps & Moving Forward

- Consultations with academic employees will be arranged.

- Members of the Working Group will be invited but it is not necessary for the entire group to attend.