



Policy Name:	VULNERABLE PERSONS – VICTIMS OF CRIME		
Policy #:	OP 4.52.4	Last Updated:	2022-07-13
Issued By:	COMMUNITY POLICING BUREAU	Approved By:	SURREY POLICE BOARD
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RELATED POLICIES

OP 4.17 *Intimate Partner Violence*

OP 4.30.5 *Use of Interpreters and Translators*

OP 4.52.1 *Vulnerable Persons – Trauma Informed Practices*

OP 6.1.1 *Victim Services*

1. PURPOSE

- 1.1. To ensure that services provided to Victims of crime are delivered compassionately, impartially, and equitably, with respect for Victims’ dignity and human rights, and to ensure that all Victims of crime are able to access services without barriers.
- 1.2. To ensure that Surrey Police Service (SPS) Members and employees are aware of their obligations to Victims under the *BC Victims of Crime Act* and the *Canadian Victims Bill of Rights*, and that information and services are provided as required by the *BC Provincial Policing Standards* for promoting unbiased policing.

2. SCOPE

- 2.1. This policy applies to all Employees.

3. POLICY

- 3.1. In this policy, “Victims” and “Victims of crime” also refer to people who have witnessed crime and/or traumatic events.
- 3.2. Victims of crime and their families will be treated with courtesy, compassion, and respect, including respect for their dignity.

- 3.3. Employees will deliver services impartially and equitably, in a manner that upholds human rights, and without discrimination based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, gender identity or expression, political beliefs, types of employment, economic standing, or social standing.
- 3.4. Services for Victims of crime will be provided in a culturally suitable manner as appropriate in the circumstances and as meets the Victim's needs.
- 3.5. Employees will promote a Victim-centered approach which provides equitable access to justice services and will take all reasonable steps to provide service to Victims in the manner that meets the Victim's needs.
- 3.6. Employees will use trauma-informed practices when interacting with Victims. If a Victim has multiple or intersectional vulnerabilities, they may require an enhanced standard of care.
- 3.7. Employees will provide Victims of crime with information and services, including referrals to Victim services, in keeping with the obligations of police under the *Canadian Victims Bill of Rights*, the *Victims of Crime Act*, and in accordance with *OP 6.1.1 Victims of Crime* and the *BC Provincial Policing Standards*.
- 3.8. If an accused person on a file related to intimate partner violence or sexual violence is to be released from police custody, the Victim will be notified in advance of the accused's impending release and of any conditions attached to their release (see *OP 4.17 Intimate Partner Violence*).

4. PROCEDURE

General

- 4.1. Being a Victim of, or witness to, a crime or incident can create trauma. Members are trauma-informed and recognize that Victims may need accommodations to assist them with the impacts of trauma. Members will provide a Victim-centered approach which promotes equitable access to justice services. Members will take all reasonable steps to provide service to Victims in the manner that the Victim requires. This includes, but is not limited to:
 - i. providing an investigator or interviewer of the gender with which the Victim is most comfortable;
 - ii. accepting that a Victim may not be ready to or feel able to provide a statement and/or engage in the justice process at the current time, but continuing to support them;
 - iii. understanding that police uniforms can trigger a trauma response and therefore it may be necessary, when practicable, for non-Frontline Members to meet with Victims out of uniform; and
 - iv. any other reasonable actions required or requested by a Victim which can be accommodated without compromising the integrity of the investigation and which do not create a safety risk.

4.2. Members must use trauma-informed practices when obtaining statements from Victims to minimize potentially retraumatizing the person (see OP 4.52.1 *Vulnerable Persons – Trauma-Informed Practices*), including, but not limited to:

- i. a realization or understanding of how trauma affects people, families, and communities;
- ii. the ability to recognize the signs of trauma;
- iii. an appropriate and compassionate response to trauma demonstrated in Member’s behaviours, language;
- iv. preventing re-traumatization by avoiding the creation of conditions that will retraumatize people; and
- v. providing services impartially and equitably, in a manner that upholds dignity and human rights, and without discrimination.

4.3. Where practicable, when obtaining statements from Victims, Members should:

- i. use a comfortable, private space for the interview, (e.g., a “soft” interview room);
- ii. offer breaks, water, tissues, etc.;
- iii. use Victim-centered language and open body language;
- iv. avoid asking direct or leading questions;
- v. avoid language that may be perceived as judgmental (e.g., “why didn’t you...”);
- vi. ask about the Victim’s thought processes and feelings before, during, and after the incident;
- vii. avoid asking for a specific chronology of events as this is often difficult for a traumatized person to provide. Rather, ask what they can remember;
- viii. when asking questions that may be perceived negatively by the Victim or Witness (e.g., what a Victim was wearing, or about their alcohol/drug consumption), explain first why the information is relevant; and
- ix. use culturally appropriate language and address any language barriers, such as the need for an interpreter or sign-language interpreter.

4.4. If there are barriers to communication with a Victim, Employees must take the appropriate steps to mitigate those barriers, such as using an interpreter (see OP 4.30.5 *Use of Interpreters and Translators*).

4.5. Employees must use trauma-informed practices throughout an investigation and consider the impacts of trauma on the Victim, witnesses, and their families, and ensure that all communication is made with these considerations in mind. Employees must recognize that trauma related to historical incidents can be triggered by new occurrences, even if the new occurrence does not appear to be traumatic.

4.6. If a Victim is not in a physical or emotional state to provide, receive, or comprehend information, where practicable, Employees must follow up with them later.

4.7. Some Victims may not wish to report to or speak to police because of their legal status (e.g., Victims who have outstanding warrants or with precarious immigration status). In these circumstances, Members will consider how best to encourage and support Victims' participation in the justice system without exacerbating any other concerns. For example, where permitted by law, use release documents to deal with outstanding warrants.

Providing Information to Victims

4.8. When an accused person is released from police custody and will be released on conditions that limit their ability to contact or communicate with the Victim, the Victim must be kept informed. The Member or their delegate will contact the Victim to provide them with information regarding the accused's release, along with the details of the release conditions. The Member will document on the PRIME-BC file their efforts to contact the Victim.

4.9. The *Canadian Victims Bill of Rights* and the *Victims of Crime Act* create entitlements for Victims to receive certain information upon request. In compliance with legislation, Employees will provide information to Victims about:

- i. the current status and/or outcome of the investigation;
- ii. the location of proceedings in relation to the offence, when they will take place, and their progress and outcome;
- iii. the criminal justice system and the role of Victims in it;
- iv. the services and programs available to them as a Victim, including restorative justice programs; and
- v. their right to file a complaint for an infringement or denial of any of their rights under the *Canadian Victims Bill of Rights*.

4.10. Requests for information from a Victim made pursuant to the *Canadian Victims Bill of Rights* will be accommodated if this can be done in a manner which is not likely to interfere with police discretion or cause excessive delay in, or compromise or hinder the investigation of any offence, or endanger the life or safety of an individual.

4.11. If the Victim of an offence is deceased or is otherwise unable to act on their own behalf, the following people may act on behalf of the Victim:

- i. the Victim's spouse (legal or common-law);
- ii. a relative or dependant of the Victim;
- iii. an individual who has custody of, or is responsible for the care or support of, the Victim; or
- iv. an individual who has custody of, or is responsible for the care or support of, a dependant of the Victim.

4.12. When an investigation is ongoing, Members will keep Victims updated on the status of the file through regular communication. Members will respond to messages from Victims as soon as practicable.

4.13. To facilitate communication, the assigned Member must ask the Victim how they would like to receive follow-up communication (phone, text, email, etc.). If the Victim does not have ready access to a telephone or email for communication purposes, ask the Victim if they would like to designate a trusted person to facilitate communication (e.g., a family member or friend who can pass on a message to call police). If this option is used, the Member must be aware that information regarding the file is confidential and no confidential information about the investigation or about the Victim should be shared with anyone other than the Victim.

Victim Services Referrals

4.14. Victims will be offered a referral to police-based Victim Services. Members must explain the role of Victim Services in supporting the Victim throughout the investigation and court process, so that the Victim can make an informed decision about accepting the referral. Victims should be encouraged to engage with Victim Services:

- i. If the Victim declines the referral, Members should consider a proactive referral to police-based Victim Services if they believe the Victim would benefit from the services that can be provided by police-based Victim Services;
- ii. referrals can be made by sending an email to the Victim Services email proxy; and
- iii. if a referral is made, Members must make a notation of the Victim Services referral on the PRIME-BC file.

4.15. Victim Services workers will request advance, informed and written consent from the Victim before referring and transitioning the file to the designated community-based victim services program at the earliest opportunity.

4.16. If a file is to be concluded, the Member will communicate with the Victim regarding the reason for the conclusion of the file and to ensure that support services are made available to the Victim. If the Victim has not yet accepted a referral to Victim Services, repeat the offer at the conclusion of the file.

APPENDIX A: DEFINITIONS

“Employee” means a sworn Police Officer or civilian Employee appointed by the Surrey Police Board.

“Member” means a sworn Police Officer appointed by the Surrey Police Board.

“PRIME-BC” means the Police Records Information Management Environment – the designated police records management system for police agencies in BC.

“Trauma-Informed Practice” means understanding the prevalence and effects of trauma in all aspects of service delivery and prioritizing the individual’s sense of safety, choice, empowerment, and connection. It is grounded in an understanding of and responsiveness to the impact of trauma and emphasises physical, psychological, and emotional safety. Trauma-Informed Practice means making sure that people feel safe around police and are not re-traumatized by their contact with police.

“Victim” means an individual who has suffered physical or emotional harm, property damage or economic loss as the result of the commission or alleged commission of an offence. In this policy, “Victim” also refers to anyone who witnesses crime or trauma.

Exception: a person is not considered a Victim if they are the individual charged with the offence, found guilty of the offence, or found not criminally responsible on account of mental disorder or unfit to stand trial in respect of the offence.

APPENDIX B: REFERENCES

British Columbia Provincial Policing Standards 6.1.1 Promoting Unbiased Policing

Canadian Victims Bill of Rights, S.C. 2015, c. 13, s. 2

Victims of Crime Act, R.S.B.C. 1996, c. 478