



<b>Policy Name:</b>	<b>VULNERABLE PERSONS – CRIMES AGAINST CHILDREN</b>		
<b>Policy #:</b>	OP 4.52.7	<b>Last Updated:</b>	2022-06-08
<b>Issued By:</b>	INVESTIGATIVE SERVICES BUREAU	<b>Approved By:</b>	SURREY POLICE BOARD
		<b>Review Frequency:</b>	ANNUALLY

**RELATED POLICIES**

- OP 4.1 *AMBER Alerts*
- OP 4.15 *Cyber and Technology Crimes*
- OP 4.30.1 *Statements – Children*
- OP 4.52.1 *Vulnerable Persons – Trauma-Informed Practices*

**1. PURPOSE**

- 1.1. To outline the procedures for investigating crimes against Children.
- 1.2. To emphasize the need for collaboration with Child-serving agencies to ensure that Children who are victims of crime are safe and that they receive the care and support that they need.

**2. SCOPE**

- 2.1. This policy applies to all Surrey Police Service (SPS) Members.

**3. POLICY**

- 3.1. SPS is responsible for investigating crimes against Children. Reports of crimes against Children will be investigated as a priority.
- 3.2. The physical wellness, safety and security of vulnerable victims is a priority. As Children can find themselves in a vulnerable situation or circumstances, Members must make all efforts to ensure the safety of the Child.
- 3.3. SPS will assess the need for Child protection and will collaborate with the Ministry of Children and Family Development (MCFD) and community support groups to ensure a Child’s safety. SPS

recognizes the vulnerability of Children and the need for a collaborative approach with Sophie's Place Child and Youth Advocacy Centre (CYAC).

- 3.4. A Special Victims Unit Supervisor, Major Crimes Supervisor, and/or the Child Protection Team at Sophie's Place (as appropriate) will be contacted for guidance and advice in the following circumstances if a Child is a witness to or victim of a crime:
- i. serious in-progress Child maltreatment cases where there is a suspect identified or suspect in custody, and/or a crime scene is being held;
  - ii. all suspicious circumstances reports related to assault, sexual assault, abduction or attempted abduction, sexual exploitation or interference, human trafficking, or luring via telecommunications, which involve Children under age twelve (12);
  - iii. cases involving Children if there are questions about immediate safety planning or risk management;
  - iv. cases involving Children where significant or complex follow-up will be required (e.g., biological evidence, technological or video evidence, and/or investigative processes that require the engagement of Special Investigations Section or Serious Crime Section);
  - v. stranger assaults/sexual assaults/interference involving Children;
  - vi. where the incident involves an offence under section 163.1(2) and (3) of the *Criminal Code* (Making, Distributing, Importing, Exporting, Sale of Child Pornography, Possession for the Purpose of Publication, Distributing, Importing, Exporting and Sale of Child Pornography);
  - vii. where the incident involves an offence under section 172.1 of the *Criminal Code* (Luring a Child); or
  - viii. where the incident involves an offence under section 172.22 of the *Criminal Code* (Agreement or Arrangement – Sexual Offence Against Child).

#### 4. PROCEDURE

##### **Member/Investigator**

- 4.1. Upon notification of a Child maltreatment report, Members are responsible for the safety and wellbeing of the Child, management of the offender, and the preservation of any evidence and/or potential crime scene(s).
- 4.2. The assigned Member shall notify a Supervisor as soon as practicable to advise them of the circumstances of the investigation, and of the safety plan for the Child(ren). The Supervisor will consult the appropriate Special Investigations Section or Major Crimes Section or the Child Protection Team at Sophie's Place.
- 4.3. If the Child victim has suffered injuries, ensure they are provided with appropriate medical care. If warranted, arrangements should be made for the Child to be transported to hospital, in which case a Member must attend the hospital. If a family member or acquaintance of the Child is a suspect in the investigation, they should not be left alone with the Child.

- 4.4. When a Child maltreatment investigation begins, MCFD will be notified. The criminal investigation will take precedence and MCFD can assist police with safety planning and Child removal if required. These decisions are made in consultation with MCFD at the onset of the investigation.
- 4.5. If the incident is a current or ongoing incident and a crime scene is identified, consider securing the crime scene and obtaining the appropriate judicial authorization to search for and seize evidence.
- 4.6. If computers, cellular telephones, cameras, etc. are to be seized, consult OP 5.1.2 *Digital Evidence Management* for direction on the correct handling of these exhibits.
- 4.7. Consideration should be given to the safety of siblings or other Children who may be at risk based on information received during the investigation (e.g., Children that the suspect may have access to through family, employment, or volunteer activities).
- 4.8. If a Child abduction is alleged or suspected, immediately refer to OP 4.1 *AMBER Alerts* and OP 4.34.7 *Hostage Takings and Kidnappings*.
- 4.9. The assigned Member must submit a PRIME-BC General Occurrence report prior to the end of shift for all incidents involving a Child or youth.
- 4.10. Before conducting an interview of a Child, Members should review policy OP 4.30.1 *Statements – Children and* coordinate Child interviews with the Child Protection Team at Sophie’s Place or other Investigative Services Team, as appropriate.
- 4.11. Where applicable, Members must consult with Sophie’s Place to ensure that the appropriate supports are provided to the Child and their family throughout the investigation.
- 4.12. Medical Evidence can be vital to an investigation of Child maltreatment, especially sexual and physical abuse or neglect. Except where medical injuries require immediate transfer to hospital, Members must consider arranging a full medical examination of the Child by staff at the Surrey Memorial Hospital HEAL Clinic, early in the investigation. Referrals to the HEAL Clinic can be done by police, physicians, and Child welfare workers.
- 4.13. Pursuant to section 17 of the BC *Infants Act*, medical treatment may be provided to a Child or youth without parental consent if it is in the best interest of the Child or youth and if the medical practitioner providing the treatment is confident that the Child/youth understands and consents to the medical treatment.
- 4.14. For investigations involving the sexual abuse of Children which involved technology (e.g., production, distribution, or possession of child pornography, or child luring), see OP 4.15 *Cyber and Technology Crimes* for further direction and notify the Child Internet Exploitation Team.

## **Supervisor**

4.15. Supervisors must ensure:

- i. allegations of Child maltreatment are investigated thoroughly and as a priority;
- ii. The health and safety of the victim has been addressed;
- iii. The assigned Member has properly assessed and secured any potential evidence and/or the crime scene; and
- iv. MCFD have been notified.

4.16. The initial Supervisor is responsible to review the file and either assign the file for further follow-up within their team or recommend that the file be reviewed by or routed to the Special Victims Unit or Serious Crime Unit, as applicable.

4.17. If an after-hours call-out to the Serious Crime or Special Victims Supervisor is required, obtain approval from the Duty Officer then contact the on-call Serious Crime or Special Victims Supervisor and provide a detailed account of the incident.

4.18. The initial Supervisor shall continue to oversee the investigation until relieved by a Serious Crime Unit or Special Victims Unit investigator.

## **Duty Officer**

4.19. The Duty Officer will determine if an after-hours callout to the Serious Crime Unit or Special Victims Unit Supervisor is appropriate and necessary. The Duty Officer is responsible for approving the callout.

4.20. If there is a conflicting opinion between the Duty Officer and the on-call Serious Crime Unit or Special Victims Unit Supervisor regarding an investigator callout, the Inspector i/c Special Investigation Section will be called on to review the circumstances with the Duty Officer and to determine the appropriate course of action.

## **APPENDIX A: DEFINITIONS**

“Child” or “Children” means a person under the age of 19 as defined in the *Child, Family and Community Service Act (CFCSA)*.

“Child Maltreatment” means harm done to a Child and can include physical abuse, emotional harm, sexual abuse, sexual exploitation, and/or neglect.

“Emotional Harm” means harms which may range from the parent ignoring to habitually humiliating the Child or youth to withholding life-sustaining nurturing. Emotional abuse may occur separately from, or along with other forms of abuse and neglect. Emotional harm may also be caused by the Child or youth living in a situation where there is domestic violence by or towards a person with whom the Child or youth resides.

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

“Ministry of Children and Family Development (MCFD)” means the government agency which receives reports in relation to / has the lead responsibility for responding to suspected Child abuse and neglect. Child welfare workers employed by MCFD are delegated under the CFCSA to assess reports, provide support services, investigate as needed and collaborate with other service providers such as police. MCFD does not conduct criminal investigations as this responsibility belongs with police.

“Neglect” means the failure to provide for a Child’s or youth’s basic needs. It involves an act of omission by the parent or guardian, resulting in (or likely to result in) harm to the Child or youth.

“Parent” means the mother of a Child, the father of a Child, a person to whom guardianship or custody of the Child has been granted by a court order or agreement, or a person with whom the Child resides and stands in place of the Child’s mother or father.

“Physical Abuse” means a deliberate physical assault or action by a person that results in, or is likely to result in, physical harm to a Child or youth. It includes the use of unreasonable force to discipline a Child or youth. Injuries sustained by the Child or youth may vary in severity and range.

“Sexual Abuse” means when a Child or youth is used (or likely to be used) for the sexual gratification of another person.

“Sexual Exploitation” means a form of sexual abuse that occurs when a Child or youth engages in sexual activity, usually through manipulation or coercion, in exchange for money, drugs, food, shelter or other consideration.

“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.

“Youth” means, under the CFCSA, anyone who is 16 years of age or over, but under 19 years of age.

**APPENDIX B: REFERENCES**

*Infants Act*, R.S.B.C. 1996, c. 223

*Child, Family and Community Service Act*, R.S.B.C. 1996, c. 46