



Ontario Coalition of
Rape Crisis Centres

- www.sexualassaultsupport.ca
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The Globe and Mail's *Unfounded: Why police dismiss 1 in 5 sexual assault claims as baseless*: Ontario Coalition of Rape Crisis Centres (OCRCC) responds

A 20-month *Globe and Mail* investigation into police-reported sexual assault allegations has revealed how police services across Ontario record some sexual assault complaints as “unfounded” – a formal police classification that means “a crime was neither attempted, nor occurred”¹.

Unfounded rates remain high in many Ontario regions. Inconsistencies in unfounded rates for sexual assault also emerged: the London, Ontario police service dropped 30 per cent of sexual-assault allegations as unfounded between 2010 and 2014, for example, whereas Windsor and Toronto saw just 3% and 7%, respectively.

What accounts for these inconsistencies? Unfounding often occurred, the *Globe and Mail* found, when a sexual assault complaint entailed just a short interview between the victim and police, and no subsequent investigation. Previous research concluded what survivor-victims and their advocates most feared: that, in fact, “complainants who do not conform to stereotypes about the perfect victim were winding up with cases deemed unfounded at a disproportionate rate.”

The Ontario Coalition of Rape Crisis Centres (OCRCC) commends the *Globe and Mail* investigation: many of our experiences as advocates and crisis workers supporting survivors of sexual assault align with these findings. Simply too many sexual assaults are reported and do not result in charges. And simply too many assaults categorized as unfounded draw on sexual violence misconceptions which construct survivors as unreliable or untruthful².

On the contrary, when sexual assault allegations are dismissed with such frequency “it is a sign of deeper flaws in the investigative process: inadequate training for police; dated interviewing techniques that do not take into account the effect that trauma can have on memory; and the persistence of rape myths among law-enforcement officials”³. OCRCC notes that false allegations of sexual assault are not a common social problem. What *is* a common social problem is that survivors-victims are not believed or supported when they share their experiences⁴. For example:

- **Most reports of sexual assault do not lead to charges, let alone convictions.** Out of every 1,000 sexual assaults in Canada, it's estimated that 997 assailants walk free: 33 are reported to the police, just 29 are recorded as a crime; 12 see charges laid; 6 are prosecuted and just 3 lead to conviction⁵.
- **The majority of sexual assault offenders are in fact known to the victim in some way⁶.** Acquaintances, friends and dates are more likely to use verbal pressure, negative consequences,

¹ Doolittle, R. for *The Globe and Mail*. February 3, 2017. Unfounded: Why police dismiss 1 in 5 sexual assault claims as baseless. Online: <http://www.theglobeandmail.com/news/investigations/unfounded-sexual-assault-canada-main/article33891309/>

² Patterson, D. 2011. The Impact of Detectives' Manner of Questioning on Rape Victims' Disclosure. *Violence Against Women*, 17(11) 1349–1373: 1370.

³ Doolittle, R. for *The Globe and Mail*. February 3, 2017. Unfounded: Why police dismiss 1 in 5 sexual assault claims as baseless. Online: <http://www.theglobeandmail.com/news/investigations/unfounded-sexual-assault-canada-main/article33891309/>

⁴ See: Patel, A. October 30, 2014. for *Huffington Post Canada*. 460,000 Sexual Assaults In Canada Every Year: YWCA Canada. Online: http://www.huffingtonpost.ca/2014/10/30/sexual-assault-canada_n_6074994.html; and The Learning Network. *Overcoming Barriers and Enhancing Supportive Responses: The Research on Sexual Violence Against Women A Resource Document*. May 2012: 17.

⁵ Source: Johnson, “Limits of Criminal Justice Response: Trends in Police and Court Processing of Sexual Assault,” in Sheehy, *Sexual Assault in Canada: Law, Legal Practice and Women's Activism*, (2012). See also: YWCA, 460,000 and Counting. Online: <http://ywacacanada.ca/en/blog/35?page=1>

⁶ Statistics Canada, 2003, *The Daily*, 25 July

threats to relationships or victim-blaming rhetoric (i.e. “You know you wanted this”; “If you tell about what happened here, you will be in trouble”) during episodes of sexual coercion⁷. This inevitably impacts upon a victim’s ability to resist or report what happened – or in many cases, even name it as violence.

- **Sexual cases most often scrutinize survivor-victims, their actions, or reputability as witnesses^{8,9}**, as opposed to the alleged offender, who is not required to testify.
- **Social misconceptions (“myths”) concerning sexual assault persist among offenders, victims and the public.** Much of these myths suggest that innocent men are commonly accused of sexual assault and women often lie about it to get revenge, for their own benefit, or because they feel guilty about having sex¹⁰. In reality, the rate of false reporting for sexual assault is no different than any other crime.

The Globe and Mail investigation sheds light on the enormous barriers that survivor-victims face. As sexual violence survivor advocates, we too have observed that, too often, systems meant to support victims disbelieve them, work to discredit them, or see them as somehow complicit in their violation.

Police services have an important role in supporting victims of crime. Over the last 20 years, much progress has been made in fostering supportive practices meant to address survivors’ needs —and break silence surrounding sexual violence occurring in our communities. We have seen improved practices in sexual violence response in our community services, in health services and in policing, amongst many others. We value working together to address sexual violence. OCRCC makes the following recommendations to our allies in police services and those working in the criminal justice system:

- Improve organizational accountability in your service’s processes for responding to sexual assault complaints
- Take strategic step to reduce problems that can lead to flaws in the investigative process that foster high unfounded rates. Useful actions can include:
 - Improved sexual assault disclosure training for police
 - Learning about and implementing interviewing techniques and procedure that consider the effect that trauma can have on memory (e.g. ensuring the victim has rested and had time for traumatic memories to consolidate)
 - Take leadership in fostering educational and training opportunities that actively challenge the persistence of sexual violence myths among law-enforcement officials
- Implement an Advocate/Systemic case review model (i.e. Philadelphia Model), so to reduce unfounded cases where possible
- Remember OCRCC, other sexual violence experts, and organizations that work with marginalized communities as important allies in your work. Please continue to consult with us when addressing sexual violence and the needs of survivor-victims

Last, in response to the Globe and Mail investigation, the Ontario Coalition of Rape Crisis Centres reaches out to those affected by sexual violence in Ontario.

If something has happened to you, there are people who will believe and support you. You can talk to a trusted friend, family member, or contact a sexual assault centre support line. We know that sexual violence

⁷ Hakvag, H. *Does Yes Mean Yes?: Exploring Sexual Coercion in Normative Heterosexuality*. Canadian Woman Studies/les cahiers de la femme. Volume 28, Number 1. York University Publication: 122

⁸ The Learning Network. *Overcoming Barriers and Enhancing Supportive Responses: The Research on Sexual Violence Against Women A Resource Document*. May 2012: 17.

⁹ Vopni, V. “Young Women’s Experiences with Reporting Sexual Assault to Police” in *Canadian Woman Studies* 25 (1,2) (Winter/Spring 2006), 110

¹⁰ Sexual Assault centre Kingston. *Busting Myths*. Online: <http://www.sackington.com/Default.aspx?pageId=857971>;

And The Learning Network. *Overcoming Barriers and Enhancing Supportive Responses: The Research on Sexual Violence Against Women A Resource Document*. May 2012: 14.

cases are not always resolved through the criminal justice system¹¹. If you are considering reporting, we can help you think through your options. If you are not considering reporting, that's okay too. All calls are free and confidential. You can access a sexual assault centre from any community across Ontario: go to www.sexualassaultsupport.ca.

If you are a friend or family member of someone who is dealing with sexual violence, there are things you can do too. You can be an ally to the person who is victimized, instead of the accused. You can listen to the person's story without judgement, scrutiny or expectations that they formally report. You can help them to find safe places to seek additional support, if needed, too.

OCRCC recognizes the impact of sexual violence in Ontario. We believe that education and information goes a long way toward the prevention of violence. Together, we will make a difference.

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¹¹ The Learning Network. *The Network Comes to Life*. May 2012: 2. Available online: http://www.vawlearningnetwork.ca/sites/learningtoendabuse.ca/vawlearningnetwork/files/LN_Newsletter_May_2012_Issue_1.pdf