EXECUTIVE SUMMARY
OF THE ASSESSMENT
OF THE SEXUAL ASSAULT
AND CHILD ABUSE COURSE

January 26, 2007
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EXECUTIVE SUMMARY AND FRAMEWORK

The Purpose

Anti-Violence Women’s Community members have undertaken an analysis of the Toronto Police Services training on sexual assault investigations as one part of the work of the Sexual Assault Steering Committee. This review of training is pursuant to recommendations of the two audit reports from Jeffrey Griffiths, the Auditor General of the City of Toronto (Review of the Investigation of Sexual Assaults: Toronto Police Service, 1999, 2004) which state that:

#14 The Chief of Police, in consultation with the Sex Crimes Unit and the Training Education Unit, review the current structure, content, and delivery of the Sexual Assault and Child Abuse Course with a view to:

- Increasing its relevance to course participants; and
- Involving community organizations that work with women who have been sexually assaulted in the design and delivery of the training program. (70, 2004).

All elements of the training review relate back to the core grounds for findings against the Police Services in the case presided over by Justice Jean McFarland who ruled that the police investigation into the Jane Doe case was motivated by “serial rape mythology and discriminatory sexual stereotypes”. (Jane Doe v The Metropolitan Toronto Police Force 1998.)

The Process

From May 29th to June 9th 2006, Beverly Bain and Nora Currie, members of the Sexual Assault Steering Committee (SASC) attended the Sexual Assault and Child Abuse (SACA) Training Course at C.O.Bick College in Toronto. Police members of the Steering Committee and members of the Toronto Police Training and Education Unit, especially training co-ordinators Detective Constables Valerie Colwell and Andrea Gillespie, Detective Sergeant Cory Backus and Superintendent Ken Cenzura negotiated their presence and the successful conclusion of this component of the Steering Committee’s mandate.

The format designed for evaluating the SACA Course, which is composed of 18 modules, functions as a ”map” to clearly identify the problems and contradictions evident in teaching methods, policies, and practices as they relate to the sexual assault of women and the Auditor General’s recommendations.

This training review covers week one of the course, which is intended to focus on the sexual assault of women. While we also documented the second week of training on child sexual abuse, and although it is connected, we do not refer to it here.
Our recommendations deal with the necessity to revamp the training within a gendered, anti-racism, anti-oppression framework that utilizes adult education approaches to teaching and learning. Definitions and a framework of such approaches are included in this document.

Following are some of our key findings to support a reorganization of the first week of training. They include:

- **The absence of a gendered analysis that is specific to adult women who experience sexual assault.**
  This was evident in all of the training modules. There were no references to sexual assault as a crime of power and control committed overwhelmingly by men against women.

- **The lack of anti-racist content, analysis and philosophy.**
  The absence of a gendered anti-racism analysis allowed for the discussion of sexual assault of Black women, women of colour and Native/Aboriginal women to be reduced to culture, and therefore different from sexual assaults that white women experience. Similarly, we have documented a lack of material that addresses lesbian and trans women who experience sexual assault, immigrant women, women in poverty, sex workers and psychiatrized women.

- **The persistent use of rape myths.**
  The misleading emphasis on false allegations and the recommendations to obtain KGB statements from women who have been sexually assaulted/raped were repeated throughout the training. The rationale that women often lie about sexual assault/ rape or otherwise conspire to lay false charges was one of several myths embedded in training material.

- **The use of gender-neutral and re-victimizing language.**
  Gender neutral language was explained as a way to ensure inclusivity. The first week of training purports to focus on the sexual assault of adult women as supported by the Auditor General in his report: “Currently half of the 10-day Sexual Assault and Child Abuse Course is dedicated to issues specific to sexual assault involving adult women” (69,2004). This was not the case however as virtually all material referenced the sexual assault of men and/or was exclusive to children/youth.

- **The use of racial stereotypes.**
  Examples permeated the training that negatively presented women of colour and men of colour.

- **The uniform lack of opportunity for questions, discussion and interactive learning methods.**
  Presenters did not allow for interaction, discussion or questions and answers.
• **Material that omits or contradicts audit recommendations.**
   Several areas are itemized in the map documents attached. They highlight inconsistencies with the Auditor General’s recommendations.

### Some of our Recommendations For Change Include:

- Redesign the material within a gendered anti-racist framework regarding the sexual assault of adult women. Make content of the Jane Doe Audit as well as recommendations in the Campbell Report a basis for training material.
- Utilize adult education training methods.
- Redesign the module on the Sexual Assault Evidence Kit (SAEK) to better represent the medico-legal requirements of the kit and women’s negative experience of the kit process as reflected in current research and writing.
- Research and utilize existing gendered, anti-racist, anti-oppression handouts, research and literature as teaching tools.
- Design a gendered anti-racism framework for language interpretation that would include Sign Language and harm reduction culture and practices for dealing with psychiatrized and substance using women and immigrant women from countries engaged in torture and war.
- Review categories in VICLAS with the intention of removing those that reinforce rape myths and other stereotypes about women.
- Hire educators/trainers with expertise in the area of the sexual assault of adult women.
- Improve and update the physical environment, equipment and use of space in the current location as conditions there are not conducive to focussed learning or training.
- Utilize Adult Education theories in the layout and dynamic interaction in the classroom.
- It is acknowledged and appreciated that change to police training must take place as designated by the Force’s operations policies and the Police Services Act. Suggestions on how to set the groundwork and begin immediate non-operational modifications in the interim are included in the Framework section of this document.

### The Framework

This section of the Executive Summary is designed to present members of the Steering Committee and C.O. Bick College trainers and management with a framework that clarifies the meaning of an “anti-racist/gendered analysis of sexual assault”, referred to throughout our review of the current SACA training programme.

In order to augment the material currently used in police training, we will also provide a discussion on the pervasiveness of rape myths that inform social, medical and legal procedures, materials and understandings of sexual assault. We include a glossary of some terms to clarify the analytic framework that forms a basis for change in keeping with the Auditor General’s recommendations.
In addition, we refer to the findings of Toronto researchers such as Janice DuMont and Deborah Parnis (among others) and Justice McFarland’s decision in the Jane Doe lawsuit. They present analytical and statistical evidence that sexist rape myths continue to fuel the investigation practices of police officers in this country and in the United States. They place our observations of the ways in which the TPS training falls prey to these same stereotypes into a broader context, and position the Force to be at the forefront of positive change when it fulfills the audit recommendations.

**Gender Matters**

Sexual assault and rape are crimes committed overwhelmingly by men against women. Yet we witnessed a de-gendering of those crimes that replaces adult women with the concept “victim” in the police training material on sexual assault. This approach renders the crime generic and dissolves the power imbalance that exists between men and women in society. By not naming sexual assault as a gendered crime or creating a training process that specifically attends to the gendered nature of this crime, rape myths maintain their authority and resiliency. Research has shown that even when changes are made to improve the sexual assault investigative process, if they do not incorporate a comprehensive gendered intersectional analysis, the regulatory nature of sexist rape myths continues to be activated in the police investigative process. (Kinsman, Parnis and DuMont, Denike).

**A Gendered anti-Racism Framework**

This approach to understanding sexual assault recognizes that while great strides have been made in some areas of formal equality before the law, women continue to be treated differently, unfairly & unequally as compared with men in society i.e. at home, at work, in religious institutions, in the law, sports, and so on. It recognizes that Black women, women of colour and aboriginal women are exposed to additional forms of stereotyping and discrimination that result in their physical and emotional harm.

**Intersections**

Intersections recognize that when gender combines with race, class, disability, sexual orientation etc., women have different or ‘combined’ experiences of the sexual assault investigation process. The reality of racism in our society has produced racist myths about Black women and women of colour who are sexually assaulted/raped and often times determine the reporting process and outcome of the sexual assault investigation process.

We use a gendered/anti-racism analysis as a way to attend to the complexity of women’s lived experiences. While revealing the existence of racist, ableist, classist stereotypes about women and women who are raped, this approach calls for creative strategies/approaches to improve investigation practices and protocols. The framework invites an active stance against these inequities, and acknowledges their interplay in the lives of individuals whose social identity may span several oppressed groupings. With

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1 The terms for this emerging area of theory are in flux, but the concepts remain useful to our work in the context of sexual assault training.
this deepened understanding in relation to race, class and other forms of “difference”, we can refer to the whole package as an “anti-racist, anti-oppression gender analysis”.

**Sexist Rape Myths: Where Do They Come From?**

Sexist rape myths are constructed out of the unequal relations that exist between men and women as described above. They became encoded formally and informally in legislations and practices, often unconsciously held by all members of society. Some of the ways in which rape myths were fuelled was in the legislated requirement of obtaining women’s past sexual history and corroboration of her sexual assault/rape. This was a clear indication that women could not be trusted to tell the truth unless there was evidence to corroborate their story. Although the legislation was formally changed in 1983, evidence collected in the sexual assault evidence kit (SAEK) for example, functions to uphold the myth that women are not truthful.

In a study on the impact of rape myths on reporting, Parnis and DuMont have stated that:

“Some feminists have argued that rape myths constrain women’s reporting of sexual assault to the police. The authors investigated whether myth-associated characteristics of sexual assaults play a role in police reporting behaviours of women. A sample of 186 sexual assaults cases seen at a hospital-based sexual assault centre was analyzed. A positive association was found between reporting a sexual assault to the police and two overtly violent components of the “real rape” myth: the use of physical force and the occurrence of physical injury.

*The Role of “Real Rape” and “Real Victim” Stereotypes in the Police Reporting Practices of Sexually Abused Women/Dumont et al Sunnybrook & Women’s College Health Service, University of Toronto, 2003.*

This, compounded with existing criminal investigation practises, formed the basis of apparently intractable yet invisible attitudes to the crime of rape that actually hinder its reporting and investigation.

The intention here is not to suggest that individual officers consciously and intentionally harbour sexist stereotypes about women who are sexually assaulted/raped. Rather it is the institutional organization of sexual assault as a de-gendered crime, evident in regulations, policies, protocols and practices related to sexual assault investigations, that is of concern.

We found overwhelming evidence of the persistence of rape myths in the underpinnings and core curriculum of the TPS Sexual Assault training.

For instance, the content and centrality of "false allegations" in police training on sexual assault investigations presents an obvious, if only the most blatant, example of the perpetuation of the central myth that women lie about rape. It is reinforced by the absence of any other training content that focuses on the sexual assault of adult women from an educational perspective.
Research shows that these false beliefs and negative stereotypes about rape and women who are raped are pernicious and widespread (Giacopassi and Dull), and are certainly not restricted to TPS training. However, they are critical in debunking the error-ridden investigation process that leads to faulty police work and inappropriate responses to the crime of sexual assault. Holding such myths have been linked to the likelihood of labelling rape "rape" (Burt and Albin; Norris and Cubbins), stereotyped expectations of women's behaviour (Burt 1980; Check and [N. Malamuth]; stereotyped notions of male sexuality (Cowan and Quinton) beliefs that sexual relationships are inherently adversarial (Burt 1980; Caron and [D. B. Carter]; the acceptance of interpersonal violence (Burt 1980; Check and Malamuth; Quackenbush), the self-reported likelihood of raping (Bohner, et al.; [Briere] and Malamuth; self-reported sexual aggression (Koss, Leonard, Beezley, and Oros; Muehlenhard and Linton), and higher rates of reported sexual assault (Muir, Lonsway, and [D. L. Payne]). These beliefs have been associated with an unwillingness to convict an assailant of rape (Burt and Albin) and to sentence offenders. (Quackenbush). Martha Burt (1980) found that more than 50 per cent of the 598 Minnesota residents whom she surveyed endorsed rape myths regarding the woman's moral character and her propensity to lie. Of 122 West Virginian adolescents aged 14 to 19 surveyed by Ruth Kershner, over half strongly agreed that some women fantasize about being raped (52 per cent) and provoke men into sexually assaulting them (53 per cent).


We observed that the Toronto Police Services sexual assault training, despite the findings of two audits and the original findings of Judge McFarlane 8 years ago, enshrines the centrality of rape myths in a variety of ways that require a redevelopment of curriculum from a “gendered anti-racism perspective” (as above).

**Rape Myths and The Difference Between Culture and Race**

The refusal of many women from communities of colour to report sexual assault/rape is often explained as a part of a “cultural difference” that makes violence a norm in these communities.

Well-meaning as it may be, any framework that tries to understand difference from a perspective of culture as something static, unchanging, and experienced as the same to all who are members of it, risks a simple default to stereotype. In this sort of framework, easy short hands such as “Aboriginal people think this about sexual assault”, and “people from South Asian countries think this about sexual assault” substitutes for a framework that sees power difference within communities as relevant to what and how things are investigated. It also missed the opportunity to engage with the agents of change within a group, who may in fact be part of an historical shift in attitudes and approaches.
At its best, multiculturalism values the diversity of the immigrant society by accepting difference as ‘not better, not worse but equal’. At its worst, it is an approach that ignores real structural (economic and legalistic) inequalities, such as employment barriers, and the privilege that comes from being part of the dominant cultural values and institutions.

Many critics of official multiculturalism have predicted that the surface niceness of Canadian society leaves open the possibility for overt racism on the one side and intra-cultural domination of “minorities within minorities” on the other. This latter category would most certainly include women, ethnic minorities, sexual minorities, and those with class differences from the leadership of their “culture”.

We found evidence that such a “culture” approach to the understanding of difference still informs the police training approach to investigating sexual assault in Toronto in 2006, an approach with limitations in a multicultural city of this size.

A gendered anti-racist approach to sexual assault training that equally addresses all aspects of rape myths, stereotypes and power imbalances is critical to assist police officers to focus on how they can best perform their work and close cases, versus a preoccupation with women’s behaviours. This latter preoccupation in the training and culture of rape investigation communicates to officers that it is the women who experience sexual assault themselves who are something to be studied. This is not to say that the investigation of major crime must rest on the catch-all terminologies of “diversity” “cultural” and “sensitivity” issues. These categories unintentionally reproduce stereotypes by focussing their concern on various groups of women who report compared to what is wrong with current police practices.

“Sexual assault is often secret and private. Also the way in which women experience this crime, the whole notion of power and gender [must be examined.] Also, the way in which different women experience it differently, such as immigrant women and sex workers. So it is a time in which we should have a lot of community knowledge, a lot of understanding as to where this crime is located and why, as police move though the investigation. It (training) isn’t the ten steps, it is to explain to officers why it is that these rules and procedures are in place and how they relate to the crime that was committed" (Pam McConnell, vice-chair, Police Service Board Steering Committee Minutes May 1, 2006)

**Adult Education vs. Training**

Adult education is the process of teaching and educating adults.

Educating adults differs from educating children in several ways. One of the most important differences is that adults have accumulated knowledge and experience which can either add value to a learning experience or hinder it.

Another important difference is that adults frequently must apply their knowledge in some practical fashion in order to learn effectively; there must be a goal and a reasonable
expectation that the new knowledge will help them further that goal. One example, common in the 1990’s, was the proliferation of computer training courses in which adults (not children or adolescents), most of whom were office workers, could enrol. These courses would teach basic use of the operating system or specific application of software. Because the abstractions governing the user’s interactions with a PC were so new, many people who had been working white-collar jobs for ten years or more eventually took such training courses, either at their own whim (to gain computer skills and this earn higher pay) or at the behest of their managers.

Adult educators are educated through University degree programs to incorporate educational techniques and theories that use the classroom as a learning environment, and not simply as a place to impart information.

Our further observations are that an area equally ripe for reform as the “content” outlined above is the “form” of the sexual assault training offered at CO Bick. To date, discussions have surfaced that seem to suggest a perceived split between “training” and “education”. In this split, training is seen as practical and education as the opposite of practical, or not applicable to career oriented education, such as policing. It is our position that all police training on sexual assault investigations must instead be considered as “educational”. This does not require that technical training be substituted with "education", but rather an integration of both technical and educational.

Understanding the issues of sexual assault of women in the context of training allows for a thorough comprehension of the issues of sexual assault of women in relation to other policy and procedural areas such as VICLAS and KGB.

**Sexual Assault Statistics Sheet METRAC** (Metropolitan Toronto Action Committee on the Status of Women)

Sexual assault is any unwanted sexual act done by one person to another, and statistics show that most abusers are men and most people who experience sexual assault are women. Sexual assault can be anything from unwanted touching of a sexual nature to rape.

Many types of sexual assault are addressed in Canadian criminal law. They deal with different kinds of abuse (e.g. using a weapon, causing bodily harm, and making threats) as well as different types of relationships where sexual contact can be a criminal offence (e.g. where one person is in a position of authority over the other or where there is a relationship of dependency by one person towards the other). Legal penalties for different types of sexual offences vary.

**General Sexual Assault Statistics**

51% of all Canadian women have experienced at least one incident of sexual or physical violence. Close to 60% of these women have survived more than one incident of

In 2000, women made up the vast majority of victims of sexual assault (86%) and other types of sexual offences (78%). (Statistics Canada, 2001, Family Violence in Canada: A Statistical Profile, 2001)

80% of sexual assaults occur at home; 49% in broad daylight. (Sexual Assault Care Centre, 1999, Myths and Facts About Sexual Assault)

In cases reported to police, 80% of sexual assault survivors knew their abusers. About 10% were assaulted by a friend and 41% were assaulted by an acquaintance. 28% were assaulted by a family member, while the remaining 20% were assaulted by a stranger. (Statistics Canada, 2003, The Daily, 23 July)

**Reporting Sexual Assault**

Victimization surveys show that less than 10% of women who are sexually assaulted report the assault to the police. (Federal/Provincial/Territorial Ministers Responsible for the Status of Women, 2002, Assessing Violence Against Women: A Statistical Profile, p.19)

It is estimated that over 80% of women who are sexually assaulted do not report due to humiliation or fear of re-victimization in the legal process. For women of colour, that fear is worsened by the experience of racism. (Ontario Women's Directorate, 2002, Sexual Assault: Reporting Issues)

**Women Living with Disabilities**

83% of women with disabilities will be sexually assaulted during their lifetime. (L. Stimpson and M. Best, 1991, Courage Above All: Sexual Assault against Women with Disabilities)

The rate of sexual abuse of girls with disabilities is four times that of the national average. (S. Razack, 1994, From Consent to Responsibility, from Pity to Respect: Subtexts in Cases of Sexual Violence involving Girls and Women with Developmental Disabilities, Law and Social Inquiry, Vol.19, No. 4, p. 891-922)

**First Nations Women**

Frontline organizations confirmed that racist and sexist attitudes toward Aboriginal women continue to make them vulnerable to sexual assaults in Canadian cities. (Amnesty International, 2004, Stolen Sisters: A Human Rights Response to Discrimination and Violence Against Indigenous Women in Canada)
Up to 75% of survivors of sexual assaults in Aboriginal communities are young women under 18 years old. 50% of those are under 14 years old, and almost 25% are younger than 7 years old. (S. D. McIvor and T. Nahane, 1998, "Aboriginal Women: Invisible Victims of Violence", in K. Bonnycastle and G. S. Rigakos, eds., Unsettling Truths: Battered Women, Policy, Politics and Contemporary Research in Canada, p.65)

**Women of Colour**

Women of colour may be more vulnerable to sexual assault because of racist sexual stereotypes, and these stereotypes on the part of the police and the courts mean they may have less access to justice. (Canadian Research Institute for the Advancement of Women, 2002, Factsheet: Women's Experience of Racism: How Race and Gender Interact).

Sexual assault and abuse are rarely discussed in low-income Toronto communities where women of colour live, and most resources are concentrated on preventing young men from committing crimes. (P. Kholsa, 2003, If Low Income Women of Colour Counted in Toronto, p. 59)

**Women Living in Poverty**

Combined with stigmatization, stereotyping, state scrutiny, and inadequate social support, poverty and unemployment are significant predictors of being vulnerable to violence. (Y. Jiwani, 2002, Mapping Violence: A Work in Progress)

Women with low household incomes, low levels of education and/or who are unemployed are at higher risk of being sexually assaulted than women in general. (H. Johnson, 1996, Dangerous Domains: Violence Against Women in Canada, p.108-109)

**Women and War**

Women are sexually abused during times of war - they are raped, abducted, humiliated and made to undergo forced pregnancy, sexual abuse, and slavery (Unifem, Facts and Figures: Crimes Against Women in War and Armed Conflict)

Sexual violation of women can destroy a community in a way that few weapons can. The damage can be devastating because entire families will take on the violation and pain of sexual assault. (Unicef, 1996, "Sexual Violence as a Weapon of War", Unicef, Marking 50 Years for Children, Launches Anti-War Agenda).
What Is Next?

Following are suggestions for change that can potentially be immediately incorporated into SACA training by coordinators and management of the Training and Education Unit:

• The first week of the training should focus on the sexual assault of adult women as is stipulated in the SACA training guidelines and referred to by the auditor in his report of 1999. Observations by Training and Education personnel as to existing content and time devoted to adult women would benefit strategic planning.

• Institute a code of conduct for the classroom that uses an educational approach to inappropriate comments and dynamics such as but not limited to:
  o A list of guidelines/ground rules for appropriate/inappropriate behaviour, responses/participation should be discussed at the beginning of training and presented on power point and available in training packages. For example:
    ▪ No inappropriate joking about sexual assault, no sexist, racist, homophobic jokes/comments/media or printed material.
    ▪ All beepers, phones should be turned off during sessions.
    ▪ Trainers must remain in the room for each training module so as to observe dynamics and to ensure continuity of the learning process i.e. sufficient time for Q&A and clarification of issues.

• Trainers should provide orientation to training packages and
  o Review existing material to determine its relevance and gendered, anti-racist content.
  o Review training material in packages with learners so they are familiar with its content and use.
  o Incorporate training material into course content in inter-active modules.

• Modules should reflect continuity and reduce duplication.
  o Discussions and examples should focus on adult women.
  o Modules on Drug Facilitated Sexual Assaults and forensic matters can be folded into two instead of four sessions and should focus on adult women. Material relating to children and youth should be presented in the second week.

• Reduce the reliance on false allegations as an underpinning of the training
  o Make this content no more than 10 minutes of the presentation on Interviewing the Victim as is done in sessions in the second week.
  o In the training module titled “Interviewing the Victim”, a practical piece should be inserted where learners engage in role plays/scenarios on how to interview a woman who has been sexually assaulted. This
would enhance learners’ skills and awareness and allow for input within a supportive environment. Consider the use of videos of women who would present within a gendered anti-racist framework.

- Shift the nature of the “victim” presenter to address real problems and community resources.
  - Presenter should be a woman familiar with the experiences and issues of sexual assault of adult women, women of colour, women with disabilities and so on and able to present within a gendered anti-racist framework.
- Presenters from the SACC should focus on the sexual assault of adult women, utilize the gendered, anti-racist resources and material their agency produces and incorporate existing critiques of the use and efficacy of the Sexual Assault Evidence Kit.

Aspects of implementation of change to be dealt with by the Steering Committee are contained in the recommendations put forward on page three of the Executive Summary.
Appendix A

Sexual Assault Steering Committee Members

Dr. Alok Mukherjee  Chair
Councillor Pam McConnell
Sandy Adelson - Senior Policy Advisor of TPSB
Beverly Bain -Women’s Anti-Violence Community
Inspector Liz Burns
Margaret Corion - Mediator/Facilitator
Jane Do - Women’s Anti-violence Community
Amanda Dale - Women’s Anti-violence Community (on-leave)
Peggy - Gail De-Hal Women’s Anti-Violence Community
Deputy Chief Jane Dick
Staff Inspector Jane Wilcox