
INFORMATION GUIDE FOR SURVIVORS OF SEXUAL ASSAULT

Greater Sudbury Police Service
190 Brady Street
Sudbury, Ontario
P3E 1C7



Message for Survivors: *We are here to help*

The Greater Sudbury Police Service recognize that this is a very difficult time for you. We are here to provide you with assistance and resources. It is our duty to conduct a professional and thorough investigation. Our goal is to help the Crown's office prosecute the person responsible, but also to provide you with information and resources to assist you in moving forward with your recovery.

Sexual assault can cause trauma. It can result in unpleasant feelings, thoughts, sensations and emotions both during and after the sexual assault. There is no "right way to feel". Some survivors are very emotional, tearful and anxious after an assault. Others may seem to be very calm, cool, and collected. They may return to their previous activities and be in control. Sexual assault can happen to everyone, at any age. Sometimes people who have been sexually assaulted feel as though it is their fault - it is never your fault. It is important to recognize that whatever the feeling or reaction is, it is normal to feel overwhelmed.

What is Sexual Assault?

Sexual assault is defined in the Criminal Code of Canada as any unwanted sexual touching that occurs in circumstances of a sexual nature and violates the sexual integrity of the victim. It includes unwanted kissing, hugging, molestation, rape and attempted rape.

It can happen to someone once, more than once, or for many years. A person can be sexually assaulted by a stranger, their partner, dates, coworkers, acquaintances, or family members. People in authority and professionals can also commit sexual assault.

Even if the survivor is very close to the person who assaulted them, it is still a crime. The Greater Sudbury Police Service is here to help you and provide you with ongoing support throughout the entire process.

YOU HAVE OPTIONS

1. Report

You have the option to report to the police and provide a statement. You can do this by calling or attending the police station to file a report, or you can report it online at <https://www.gspcs.ca/en/>. If it is an emergency, however, we recommend that you call 911.

2. Sexual Assault Evidence Kit (SAEK)

You may choose to have a SAEK administered at the hospital, Health Sciences North. This is done through the Violence Intervention Prevention Program. The VIPP team has specially trained Registered Nurses and Registered Practical Nurses, Social Workers and Social Service Providers who assist with the needs of victims of violence. Once you have a kit administered, it is your choice whether or not there is police involvement. The kit will be held for up to 6 months.

It is a kit that contains various supplies used to collect evidence from your body, which may be analyzed by the Centre of Forensic Sciences. This evidence can be helpful in your police investigation and potential prosecution of your case. This evidence is collected at hospital by a specially trained professional. You will be placed in a quiet room elsewhere in the hospital where your care will take place. You will be informed of all the samples that are required and you are able to guide this process.

3. No Action

You may choose to refrain from taking any action. It is still recommended that you reach out for support through your personal support network, community sexual assault resource staff, trained counsellors, or your family doctor.

After the Report

After a sexual assault report has been submitted, a Detective will be assigned to your case. They will conduct a brief interview with you in a private environment, to ascertain basic details about the incident. You will be given the option of having Victim Services (SAVS) provide support and crisis intervention and respond to the scene, if needed. It is entirely up to you if you want the police to go forward with laying charges.

Parents, Partners, and Friends

People who have been sexually assaulted need the support of their families and friends. Survivors may feel ashamed, embarrassed, depressed or frightened. They may or may not want to talk about what happened. Regardless, be ready to listen when they are ready to talk. Let them know you care about them and do not blame them for what happened.

No one wants or deserves to be sexually assaulted. They may feel guilty, but what happened is not their fault.

FREQUENTLY ASKED QUESTIONS ABOUT SEXUAL ASSAULT INVESTIGATIONS

What if the sexual assault involves my former or current intimate partner?

There is a provincial mandate that directs all police officers in Ontario to proceed with charges specifically related to domestic violence. If, in the course of a domestic violence investigation, it is determined that a sexual assault has been committed and reasonable grounds are established to lay charges, the police shall proceed with charges regardless of the victim/survivor's wishes.

What if I am not comfortable communicating in English?

You will be allowed to communicate in whatever language you are most comfortable with. If you require an interpreter to help you communicate with the police or to testify in court, one will be provided for you. In addition, if you are required a sign language interpreter, one will be made available to you.

What if the offender is not caught?

Unsolved sexual assault cases are never closed. They remain active. If further information is received, action will be taken, that may lead to an arrest.

Do police always charge the accused?

Sometimes the police decide not to lay a charge. This does not mean that the police do not believe you or that the sexual assault did not happen. It may mean that there is not enough evidence to prove a criminal charge in court. If this does occur, the investigators tell you of other options available to you.

Can a person say that I consented if I was drunk or high?

No. If you are drinking or high on drugs and unable to make a decision, the law does not consider that consent.

What happens after the arrest?

Once a person has been arrested and charged with a crime, they become the "accused". Depending on the circumstances the police can hold the accused in custody for a bail hearing or release them with conditions.

If the police have not released the accused, the accused must go before a Justice of the Peace (JP) or a judge within 24 hours of the arrest for a bail hearing. At the bail hearing, the JP or Judge will decide if the accused is granted bail or kept in jail. The accused will make many court appearances throughout the judicial process. The survivor will only have to attend court if there is a preliminary hearing or trial.

What kind of sentence can a Judge order?

A judge can order probation. Probation is when the offender serves their time in the community. The offender will be supervised by, and must visit with, a probation officer. The offender usually has rules to follow that are listed on the probation order.

Suspended sentence with probation

A judge may choose to delay or suspend giving a sentence to the offender. The Judge may then release the offender on a probation order. The offender does not serve jail time but is under the supervision of a probation officer. This allows the judge to decide on a more serious penalty or to suspend the sentence until the probation period is complete.

Intermittent sentence

When a Judge orders a sentence of 90 days or less, the offender may have to go to jail on weekends only. This sentence always comes with a probation order. The offender must abide by the probation order when they are not in jail.

Imprisonment

The offender may go to jail. The Judge can order a "No contact order" as part of the sentence.

THE COURT PROCESS

If you have started the legal process but feel overwhelmed or that you do not wish to continue, the Crown Attorney will work with you to address your concerns and provide whatever support is available.

Your case will be referred to a worker in the Victim/Witness Assistance Program (VWAP) located at:

**144 Pine St, Unit 206.
705-564-7694**

The role of your worker will be to inform you of the status of the criminal court case and answer your questions about the criminal justice system, courtroom procedures, and your role in court. They will:

- Offer ongoing support throughout the court process.
- Help you understand what to expect at each court date.
- Provide you with proper documentation that you need.
- Coordinate with the Crown Attorney's office to have you meet with the Crown Attorney, should you be required to testify.

Upon setting a date for a preliminary hearing or trial, a Crown Attorney will be assigned as soon as possible. It is their responsibility to meet with you and prepare you for the trial process.

The assigned Crown, in most cases, will apply for an Order banning the publication of any evidence that may tend to the victim/survivor which includes not publishing your name.

How long does the court process take?

The length of the court process varies widely, depending on a number of factors. If the accused pleads guilty, the court process will finish more quickly than if there is a trial. It could take between a couple of months to a couple of years. This long wait may be difficult for you, it is important to get support during this time.

Will I have to testify in court?

If the accused chooses to plead not guilty, you will most likely be required to testify at the preliminary hearing and at the trial. There are several resources that will help you prepare for the court, one of them being Victim Witness Assistance Program (VWAP), and www.courtprep.ca

What is a Preliminary Hearing?

A preliminary hearing is a mini trial in front of a judge. It is not required in every case but it is very common when sexual assault charges are laid. In a preliminary hearing, the Judge will decide if the Crown Attorney has enough evidence to proceed to trial. You may have to testify in a preliminary hearing. A few other witnesses may have to testify as well but not all witnesses will testify at this time. The accused and their lawyer will also attend and may testify.

What is a Victim Impact Statement?

If the court finds the accused guilty, the Crown Attorney will ask you to complete a Victim Impact Statement. This form is your opportunity to say how the sexual assault has affected your life. This statement is taken into consideration by the judge for sentencing.

HELPFUL RESOURCES IN GREATER SUDBURY

Sudbury and Area Victim Services (SAVS)

Sudbury and Area Victim Services works closely with GSPS to provide support to victims of crime, however, they can still receive supports even if police are not involved. SAVS is a community-based non-profit organization providing free and confidential 24/7 assistance to victims of crime and sudden tragedy. Their primary goal is to ensure that victimized persons receive immediate intervention, support and assistance with regard to their primary needs and reduce the negative impact of victimization.

The **Victim Quick Response Program +** helps victims to receive effective, caring support in the immediate aftermath of a crime.

You may qualify for the following services:

- Short-term Counselling (up to \$1000)
- Immediate Emergency Expenses
- Home Safety Expenses
- Emergency Transportation

190 Brady Street
705-522-6970

SUDBURY COUNSELLING CENTRE

The Sudbury Counselling Centre provides counselling and support services to children, teenagers, adults, couples and families.

260 Cedar Street
705-524-9629

www.counsellingccs.com

CRISIS INTERVENTION

Crisis intervention services are free to those living or visiting in the Sudbury & Manitoulin Districts. They work with individuals of all ages and other supports to help find solutions to the issues you face. They provide brief counselling and referral to other programs or agencies that may assist.

127 Cedar Street
24 Hour Crisis Line: 705-675-4760

VOICES FOR WOMEN - *Sudbury Sexual Assault Centre*

The Voices for Women Sudbury Sexual Assault Centre is a free community based service for women who have experienced sexual violence. They provide individual and group counselling, safety planning, access to a library of resources, and much more.

127 Cedar Street
705-671-5495
www.voicesforwomen.ca

Additional Resources

The Law Society of Upper Canada

Provides an easy method of connecting with lawyers/paralegals.
416-947-3330

YWCA Geneva House

An emergency shelter for women escaping abuse.
705-674-2210

National Sexual Assault Hotline

A safe, confidential hotline to speak with a trained staff member.
1-800-656-4673

Greater Sudbury Coalition to End Violence Against Women

Provides various supports to women throughout Sudbury.
1-800-461-0133

211 Ontario - *Community and Social Services Help Line*

Dial 2-1-1 for referrals to support services throughout Ontario.

Shkagamik-Kwe Health Centre - Mental Health

Provides quality healthcare to Aboriginal individuals.
705-675-1596

Centre Victoria pour Femmes

Provides support against violence to Francophone women.
705-670-2517

CONTACT INFORMATION

Uniform Patrol Officer Name:

Contact Phone Number:

Sexual Assault Detective/Investigator Name:

Contact Phone Number:

Greater Sudbury Police Incident #:

Additional Information:

