

Sexual violence in the international cooperation sector

**CHANGE
STARTS
WITH US**



BRIEF 4: ACCOMPANYING SURVIVORS

July 2020

International cooperation organizations (ICOs) show a strong determination to reinforce their responsibility to protect their employees, volunteers and the communities they work with. AQOCI's Comité québécois femmes et développement (Quebec committee on women and development, or CQFD) has been building ICOs' capacity, for several years now, in an effort to strengthen this willingness to better prevent and respond to sexual violence. CQFD is very proud to partner with Digna, the new Canadian Centre for Expertise on the Prevention of Sexual Exploitation and Abuse (PSEA) hosted at the Canadian Council for International Co-operation (CCIC) in producing the present fact sheet on supporting a survivor.

Victims/survivors of sexual violence experience an incredibly difficult ordeal, which is made much more complex by the international context in which ICOs work. How can ICOs provide better support to a victim/survivor of sexual violence? This brief gives a non-exhaustive picture of best practices for providing support medically, psychosocially and throughout the legal process. The present brief is divided as follows:

1. Introduction: a survivor-centered feminist approach
2. Planning
3. Disclosure of sexual violence: helpful attitudes
4. Medical accompaniment
5. Psychosocial accompaniment
6. Accompaniment throughout the legal process
7. Return to Canada



1. Introduction: A survivor-centered feminist approach

Inspired by best practices developed by CALACSSs, CQFD is based on a feminist approach centered on the victim/survivor as an expert of his or her own life. CQFD focuses on an intersectional analysis of sexual violence in order to understand the interactions between the many forms of discrimination that particularly aggravated the vulnerability of women and persons from marginalized communities such as LGBTQI+ people, indigenous populations, racialized groups or people with disabilities. This survivor-centered feminist approach is at the heart of the medical, psychosocial, legal and judicial support, throughout the process.

It is worth noting that ICOs cannot improvise as psychosocial professionals or lawyers. Their primary role is to refer a victim/survivor to local specialized services, whether the person is Canadian, a staff member, a volunteer, a partner, or a member of the local community. This brief was therefore compiled to guide ICOs' staff in the absence of local professional services. However, it is important that ICOs' staff, who are providing support, recognise the scope and limitations of ICOs' actions. The victim/survivor must be informed of the "non-professional" nature of the support received. In addition, this brief on accompanying survivors does not describe an ICO's legal obligations, but rather holds an ethical duty or moral obligation to better support a victim/survivor of sexual violence. (For more information on ICOs' legal obligations or about Global Affairs Canada, please consult Brief 2).C

2. Planning

ICOs must identify available resources on the ground for interventions to support victims/survivors of sexual violence when developing an international cooperation project or programme, conducting a gender + analysis, opening an office or when identifying partners, in order to provide victims/survivors with high quality support promptly, whenever necessary. More specifically, they should:

- Identify health centres offering quality services within the country of assignment
- Identify local women's groups and services, particularly for support and accompaniment of local victims/survivors. Women's organizations have been fighting against sexual violence for decades and have long experience in accompanying victims/survivors of sexual violence
- Identify medical services covered by insurance

- Be fully informed in advance about laws and procedures addressing sexual assault in exchange countries
- Include the morning-after pill in chaperones' (in the case of youth programs) and/or local offices medical kits and check the expiry date of these medications
- Identify in advance where and how to rapidly obtain a preventive HIV treatment in the country of assignment. Note that treatment costs can be very high.

ICOs should contact the **Canadian Embassy** to find out what services are available in cases of sexual abuse and how to prevent it within the context of the country of intervention.¹ Consular services can provide a range of information, which is listed below.

- Provide a list of local doctors and hospitals in case of a medical emergency
- Provide guidance and contact information for local police and medical services to victims of rape, sexual assault or other forms of violence
- Request local authorities to conduct a prompt and transparent investigation of suspicious circumstances in the case of an alleged or apparent crime or death. Consular staff may not, however, intervene in any investigation or legal case (see section 7 on legal and judicial accompaniment on the limits and risks of an investigation in a foreign country)
- Contact friends or family of the victim/survivor, with the victim/survivor's consent
- Provide a list of lawyers in the region
- Provide information sources on laws and regulations of the country visited
- Some embassies have the morning-after pill, even when it is illegal in the country.

A document containing all this information should be drawn up and disseminated particularly to staff and volunteers.

3. Disclosure of sexual violence: helpful attitudes

Talking about sexual violence can be a very tiring process for the victim/survivor. The victim/survivor may fear that he/she will not be believed. He or she may doubt his/her ability to talk about it. He or she may fear not overcoming the consequences of the sexual assault or that disclosure may have unpleasant consequences. It is therefore

¹ Government of Canada (July 29, 2019) [Emergency information; sexual assault abroad](#).

important to adopt a "helpful attitude." The box below explains what is understood to be a "helpful attitude."

A helpful attitude entails:²

- 1. Listening*
- 2. Believing the person*
- 3. Being non-judgmental*
- 4. Not asking leading questions*
- 5. Letting the person speak in his or her own words*
- 6. Receiving the person's emotions and respecting his or her rhythm*
- 7. Avoiding overreactions, controlling ones' emotions*
- 8. Giving responsibility to the offender*
- 9. Checking whether the person is in a dangerous situation and whether he or she has suicidal thoughts*
- 10. Checking if the person has a support network (family, friends)*
- 11. Informing the person of the resources available in the area and inviting him or her to contact them*
- 12. If necessary, seeking professional support from competent resources and encouraging the person to seek help*

Sometimes the receiver of the disclosure may also need advice and resources to cope. It is possible - for both the victim/survivor and the person accompanying him/her - to contact the provincial helpline managed by the Montreal Sexual Assault Centre from abroad at 1 888 933-9007.

4. Accompaniment

A "*survivor-centred approach*" means that the accompaniment process focuses on the specific needs of the person who has been subjected to violence(s), by supporting him or her in making decisions in a flexible and appropriate manner. Following a sexual assault, many people may feel a loss of control and power over their own lives. By giving the survivor the space and time to express his or her needs, ICOs can direct them to the most appropriate service.

² Training material, Movement Against Rape and Incest (January 20, 2020)

It is desirable to rely on resources or support centres with proven expertise in the many social issues that can arise as a result of going through a traumatic experience of this nature. The healing process following a traumatic experience can take different forms and should not be perceived as linear or universal.

For an adequate accompaniment:

- Undertake a respectful approach that provides all required information and choices of possible solutions to the victim/survivor, while leaving the final decision to him or her
- Refer to local women's groups and services, particularly for support and accompaniment of local victim/survivors, and a thorough understanding of the local system
- Ensure the survivor's safety, first and foremost, for in most cases the offender is usually known to the survivor
- Assess with the survivor his/her ability to continue his/her mandate and if not, offer him or her repatriation to Canada
- Ensure confidentiality. This means that information will only be shared with the survivor's consent
- Immediately inform the designated person responsible for the prevention of sexual violence within the ICO. These contacts will, of course, be made under conditions of confidentiality

What if the survivor does not want his or her abuse to be reported to the ICO?

A victim-centred approach means that no action can be taken without the survivor's consent. The confidant has a duty to inform the designated person responsible for the prevention of sexual violence within his or her ICO that an incident has occurred. The victim's identity and details of the incident must not be disclosed to the ICO without the victim's consent. The anonymity and confidentiality of the victim's personal information must be respected by the ICO. All written information about the survivor should be kept under lock and key.

However, it is essential to make the incidence rate of sexual violence visible within the ICO. The designated person's role is not to seek the identity of the victim or the offender, but to ensure that the victim is protected and well accompanied. Through this accompaniment process, the victim may eventually change his or her mind and agree to give information to the ICO. But the goal here is not to convince the victim to file a formal complaint at all costs.

5. Medical accompaniment

Sexual assault can have serious consequences on the physical and psychological health of victims. It is therefore important to inform the victim/survivor that a medical appointment in a quality hospital is highly recommended. Once again, the choice to consult a doctor is his or hers to make.

- If no health centre is sufficiently equipped to offer these services, it is strongly recommended that the victim be **repatriated to his or her home country**
- For the victim's health and to avoid after-effects, he/she must promptly consult a doctor who will have to perform a medical examination to:
 - Access medications to prevent pregnancy
 - Detect and treat lesions
 - Detect, treat or prevent sexually transmitted or blood-borne infections (STBBIs)
 - Take HIV preventive medication: this medication should be taken within 36 hours of the incident, for several weeks without interruption. Like other medications, it has some unpleasant side effects

The medico-social intervention's objective is also to gather evidence, if the victim so wishes.

- Whenever possible, it may be useful to photograph the injuries
- In order to preserve evidence of the assault, it is advisable not to wash oneself nor brush ones' teeth before consulting the police or health services

It is important to support and accompany the victim/survivor during the trip and the medical consultation. The victim can also be offered to be accompanied by a trusted person of their choice.

It can be reassuring for the victim/survivor to have a better understanding of the objectives and process of the medical and social intervention. It is useful to explain to him or her how the consultation will take place and the questions that will be asked: the nature of the actions taken against him or her, the time elapsed since the sexual assault, the intention to report the sexual assault to the police or within the organization, among others.

That said, it is difficult to predict what will happen in the health centre, given the diversity of countries in which the ICOs work. However, it is important that some basic

services (prevention of pregnancy, STIs, HIV and treatment of injuries) are provided as quickly as possible.

Two tools may be used during the medico-social intervention in Canada:³

1. The sexual assault evidence kit (medico-legal kit)

The sexual assault evidence kit (medico-legal kit) is the tool which allows for the documentation of the facts surrounding the sexual assault experienced and the collection of evidence. Samples from the kit are taken to look for biological substances left by the aggressor on your body or clothing such as semen, saliva or blood. The sexual assault evidence kit (medico-legal kit) must be done within 5 days of a sexual assault. The kit can be used when the following four conditions are met:

- The sexual assault is 5 days old or less
- Based on the victim's story, biological material from the abuser may be found
- The victim of the sexual assault consented to the medico-legal examination
- The victim has reported or wishes to report the sexual assault to the police or is likely to do so in the future

2. The medico-social kit (without forensic samples)

It is the tool which allows for the documentation of the facts surrounding the sexual assault experienced. This kit can be used when one or more of the following conditions are met:

- The sexual assault is 5 days old or less
- Based on the victim's story, biological material from the abuser may be found
- The victim of the sexual assault consented to the medico-legal examination
- The victim has reported or wishes to report the sexual assault to the police or is likely to do so in the future

NB: As the success rate decreases over time, it is advisable to report to the designated centre as quickly as possible.

³ Table de concertation sur les agressions à caractère sexuel de Montréal (2018). *Guide d'information à l'intention des victimes d'agression sexuelle (Information Guide for Sexual Assault Victims)*, p38 and 39.

6. Psychosocial accompaniment

There are different resources that can help a victim/survivor of sexual violence. It is important to inform the victim of these services, which may:

- Offer psychosocial support to help him/her see through the consequences of a sexual assault
- Inform him/her of legal remedies
- Help him/her regain his/her life
- Accompany him/her in the procedural steps he/she chooses to take (medical, legal, etc.)

Each province has organizations that offer psychosocial accompaniment and support services. In Quebec, a toll-free bilingual resource line managed by the Montreal Sexual Assault Centre is available for victims of sexual assault, even from abroad. A complete list for each province can be found at the end of this document.

7. Legal accompaniment⁴

Sexual violence is a crime. Various criminal, penal and civil laws may apply to sexual assault, including in Canada: the Criminal Code, the Canadian and Quebec charters, the Civil Code, among others.⁵ However, in Canada, as elsewhere, victims face challenges in investigating and prosecuting sexual violence:

- 633,000 sexual assaults were reported by Canadians over the age of 15 in 2014. Only 1,814 charges, or 0.3%, resulted in a conviction.⁶

As in many countries, the judicial system is ill-suited to manage the needs of a victim of sexual violence, hence the importance of legal accompaniment.

Legal accompaniment mainly involves referring the survivor to the various legal resources available, community or other, so that he or she can choose the service that corresponds to his or her needs. It can also include support and accompaniment services during the various stages of the legal process. However, the law is territorial in its nature, and this document is not intended to replace a legal advice or legal representation.

⁴ Ibid, p 53 -77

⁵ Government of Quebec [Media kit on sexual assault](#)

⁶ Roy, Mathilde (October 19, 2017). “3 out of every 1,000 reported sexual assaults result in a conviction. Why is this?” L’Actualité, Société section.

If the victim is Canadian, the Government of Canada recommends that victims report the assault to the Government of Canada office nearest them abroad at first instance and contact the local police at second instance. According to the Department of Justice Canada, the primary concern of embassy or consulate staff is to ensure the victim's personal and physical safety. However, the sensitivity and capacity of embassies and consulates to accompany victims/survivors of sexual violence may vary from country to country.

Reporting Sexual Violence to the Police

Ideally, in a context where police services are safe for everyone, the victim's report at the police station is the first step in the judicial process. It is important that the victim/survivor be accompanied by a person he/she trusts to the police station, as he/she may be re-victimized by this process and will need support. Police officers receiving the complaint may not always adopt a helpful attitude centred on the needs of the victim/survivor. Police officers also sometimes trivialize violence against women. In turn, the victim may be afraid that he/she will not be believed and may perhaps feel intimidated by the idea of revealing intimate details. He or she may also fear the reaction of the police and feel harassed by all the questions asked. The risk of compromising the victim's safety must be carefully assessed in all circumstances.

In order to prepare the **police report**, the victims/survivor will be asked to provide the details of the assault and answers the following questions:

- When did the sexual assault occur?
- Where did the sexual assault occur?
- Is there a possibility to recover evidence such as fingerprints, blood, semen, soiled clothing? (To help the police collect evidence, it is best that the victim not shower or bathe).
- Is the suspect known to you?

Please note that testimonies may be discontinuous from time to time because the person is in shock. This does not mean that the person is lying, but rather it is a normal psychological defence mechanism in response to the assault.

A summary report (notes taken) is produced and will serve as basis for the police investigation that will follow. It is important to keep a copy of the police report with the name of the Police Officer who completed the report. **NB: A police report may be required to receive financial assistance from Canada** (See Section 8: Canadian victims services and funding).

Laws and the legal system vary widely from country to country, making access to justice challenging. However, it is important to provide the victim with information tailored to the country where the incident occurred. Support groups for women victims of violence based in the foreign country are an excellent resource, as they know the best processes to follow, as well as the limitations and risks associated with such approaches. The decision to report to the police station is always his or hers.

Access to justice in Canada

When the assault takes place outside Canada, the Canadian victim-survivor cannot file a complaint in Canada. **While residing abroad, you are subject to the laws and regulations of your destination country.** Therefore, a complaint must be made in the country where the abuse took place (even if the abuser is Canadian). There are, however, two exceptions:

- If a Canadian assaults a minor abroad, he or she can be prosecuted in Canada
- Canadian minors who have been subjected to sexual or other form of abuse abroad by Canadians (s.7 (4.1) Criminal Code).

Criminal proceedings

The legal process - from complaint to conviction, when applicable, - is lengthy in Canada and internationally. It can also be very tiring for a victim, who is repeatedly asked to recount the details of the assault that took place. There are resources in Canada that can support and guide victims through the process, such as CALACS.⁷

For more information on legal proceedings in Quebec, from the investigation to the prosecutor's role, please consult the "[Information Guide for Sexual Assault Information Guide for Victims of Sexual Assault](#)" of the Table de concertation sur les agressions à caractère sexuel de Montréal. There are unfortunately few accompanying resources available for criminal proceedings abroad.

Legal proceedings in a civil suit⁸

⁷ You will find below the resource contacts.

⁸ Table de concertation sur les agressions à caractère sexuel de Montréal, « [Tableau récapitulatif des différences entre un procès au civil et un procès au criminel](#) », section Lois et procédures. (in French only)

In Quebec, a victim can seek legal damages in civil courts against his or her Canadian abuser, even if the assault took place abroad. The lawsuit can be filed regardless of whether or not criminal proceedings have been brought against him or her and whether or not he/she has been found guilty.⁹ The person who prosecutes pays the costs associated with his or her prosecution, such as lawyer's fees. As for the costs associated with the trial, such as expert or administrative fees, it is usually the person who loses the trial who has to pay them.

The decision to take any action against his/her abuser is always the victim/survivor's. Always ensure that, as an accompanying person your actions and behaviour are guided by what the survivor wants and not by what you think is appropriate or the best course of action for him or her.

8. Canadian Victims Services and Funding

Legislation and services vary from province to province. For instance, in Quebec, there are some deficiencies in the Act respecting assistance and compensation for victims of crime. Not all forms of sexual assault are included in the list of criminal acts recognized by the law. In addition, there is a two-year time limit for applying for compensation. Lastly, sexual assaults that occurred abroad are not eligible. However, some Canadian services are available.

Financial Assistance for Canadians Victimized Abroad: Canadians who have been victims of a serious and violent crime abroad may be eligible for financial assistance from the Victims Fund. In order to access financial assistance, they must:¹⁰

- Report the criminal act to the Canadian embassy or Consulate: <https://voyage.gc.ca/assistance/ambassades-consulats>
- Contact the local police, if possible
- Apply to the Department of Justice for financial assistance

The application form may also be obtained by contacting the Victims Fund Manager:

⁹ Table de concertation sur les agressions à caractère sexuel de Montréal, « [Tableau récapitulatif des différences entre un procès au civil et un procès au criminel](#) », section Lois et procédures. (in French only)

¹⁰ Gouvernement du Canada, ministère de la Justice (2019, 23 mai), « [Aide financière pour les Canadiens victimes d'actes criminels à l'étranger](#) ».

- By phone at: 1-888-606-5111
- By email at: Victims-Abroad-Fund-Manager@justice.gc.ca
- Visit the website for more information <https://www.justice.gc.ca/fra/fina-fund/jp-cj/fond-fund/etranger-abroad.html>

IVAC: In Quebec, the Indemnisation des victimes d'actes criminels (IVAC), which falls under the jurisdiction of CNESST, provides compensation to crime victims. If a claim is approved, various expenses are reimbursed, including transportation, clothing, moving, loss of working days and other expenses. However, victims of sexual assault that occurred abroad cannot benefit from IVAC, which is a significant deficiency in this program.

For more information on the Direction de l'indemnisation des victimes d'actes criminels (Criminal Injuries Compensation Branch or IVAC), call 1 800 561-4822 | www.ivac.qc.ca

Private insurance: Some insurance companies also provide reimbursement for various psychological services.

9. What to expect when returning to Canada

Victims or survivors of sexual violence experience a difficult and complex ordeal and their needs can vary considerably. A single standardised pathway is not a viable solution, as each victim's experience is unique. Here are a few recommendations to better accompany a victim/survivor when he/she return to Canada.

- An official from the organisation should meet the victim at the airport (even if family members are also present) and immediately offer a referral for professional psychological assistance
- The victim should be referred to an Assistance centre for victims of sexual assault (CALACS) in Quebec or Canada. These centres exist in every region of Quebec. Such an organization should be contacted even before the victim's return to find out about the services available and the procedures to follow, so that the person can be referred without delay and not be left to fend for himself or herself (see below for contact information for the Movement Against Rape and Incest).
- The organization should offer to bear the costs of the victim's medical and psychological care upon his or her return, even when they are not covered by insurance

- Although the first instinct is often to try to hide the event, out of fear of the judgment of others, or out of concern for the victim's privacy, Canadian IOC officials must be informed and must make informed decisions in the best interest of all.
- The organization should inform Global Affairs Canada (GAC) and the Ministry of International Relations and La Francophonie (for Quebec ICOs)

For GAC: Please fill out the [Reporting Form](#) – Sexual exploitation and abuse allegations in international assistance and email it to Global Affairs Canada PSEA Focal Point at PSEA-PEAS@international.gc.ca.

In order to protect the personal information and privacy of victims, survivors, whistleblowers and alleged perpetrators, organizations must not provide any identifying information. All information will be treated as private and confidential in accordance with the Privacy Act.

Provinces & Territories	Emergency telephone lines	Phone numbers
Alberta	Alberta's One Line for Sexual Violence (9:00-21:00, 7/7)	1-866-403-8000
British Columbia	24 Hour Rape Crisis Line	604-872-8212
	VictimLink BC	1-800-563-0808
	Women Against Violence Against Women (WAVAW) Rape Crisis Centre	604-255-6344; 1-877-392-7583
Prince Edward Island	PEI Island Helpline	1-800-218-2885
Manitoba	Sexual Assault Crisis Line	1-888-292-7565
	Klinik's Sexual Assault Crisis line	1-888-322-3019
New-Brunswick	Sexual violence New-Brunswick	506-454-0437
Nova-Scotia	R Health information and services, including sexual violence	8-1-1
	The Sexual Assault and Harassment Phone Line (24:00, 7/7)	1-902-425-1066
Nunavut	Nunavut Kamatsiagtut Helpline	1-800-265-3333

Ontario	Victim Support Line (VSL)	1-888-579-2888
	Assaulted Women's Helpline	1.866.863.0511 #SAFE (#7233)
	Male Survivors of Sexual Violence	1-866-887-0015
	Talk4Healing (for Indigenous women)	1-855-554-HEAL
	FEM'AIDE (Support line for abused women)	1.877.336.2433 1.866.860.7082 (ATS)
Quebec	Aide téléphonique aux victimes d'agression sexuelle	1-888-933-9007
Saskatchewan	Regina Sexual Assault Centre – Sexual Assault Line	1-844-952-0434
	Saskatoon Interval House – Women's Abuse Crisis Line	1-888-338-0880
	Northeast Crisis Line (North Saskatchewan)	1-800-611-6349
Newfoundland and Labrador	Newfoundland and Labrador Sexual Assault Crisis and Prevention Centre	1-800-726-2743; 726-1411
Northwest Territories	NWT Help Line	1-800-661-0844
Yukon	VictimLink	1-800-563-0808

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The present brief is part of the **practical tool kit on sexual violence** developed by CQFD: **“Le changement commence par nous-mêmes”** (Change starts with us). It was produced following a training session on supporting survivors of sexual assault, conducted by the Movement Against Rape and Incest (MCVI) on January 20, 2020 and co-organized with Digna. The following additional briefs are already available on AQOCI’s website:

- Brief 1: **Introduction to Sexual Violence in the International Cooperation Sector**,
- Brief 2: **Best Practices for Prevention and Reporting of Sexual Violence** (Organizational procedures and policies) and
- Brief 3: **Training and Disclosure of Sexual Violence**.

As well as reference or checklist tools:

- Checklist on prevention strategies to address sexual violence and a code of conduct template for addressing sexual violence.
 - A final brief on investigation procedures and procedures for the alleged abuser will be available in 2020.
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