

# Sexual Assault/Abuse

## What is sexual assault/sexual abuse?

- Because of the trauma associated with an experience of sexual assault/abuse and the social stigma surrounding the crime, many sexual assault/abuse victims feel confused and tend to downplay or minimize their experiences.
- If you are confused or unsure about what has happened to you, click on Sexual Assault Centres in Alberta, to find out where you can get free confidential information and support in Alberta.

## What is sexual assault/sexual abuse?

- **Section 271 – Sexual Assault:** Somebody touches you in a sexual way *on purpose*, directly or indirectly, *without your consent*.

This may include:

- Any kissing, fondling, touching, oral/anal sex or sexual intercourse without consent
- Not stopping sexual contact when asked to
- Forcing someone to engage in sexual intercourse or any other sexual act

(Department of Justice Canada, 2005b).

## What is sexual assault/sexual abuse?

### **Section 272 – Sexual Assault With A Weapon, Threats to a Third Party or Causing Bodily Harm:**

- Somebody sexually assaults you and is armed with, or uses, a weapon, or, forces you to have sex by threatening to do injury to somebody else, (for example: they threaten to hurt your brother or sister if you don't do it), or, they injure you.

# What is sexual assault/sexual abuse?

## **Section 273 – Aggravated Sexual Assault**

- Somebody sexually assaults you and they cause serious injuries to you.

# What is sexual assault/sexual abuse?

## **Section 151 – Sexual Interference:**

- If you are under 16 years old, it is a criminal offence for someone to touch your body for a sexual purpose with a part of their body or any object, directly or indirectly.

# What is sexual assault/sexual abuse?

## **Section 152 – Invitation to Sexual Touching:**

- If you are under 16 years old, it is a criminal offence for someone to invite, counsel or incite you to touch, directly or indirectly, their body, the body of someone else or your own body, for a sexual purpose (with a part of your body or any object).

# What is sexual assault/sexual abuse?

## **Section 153 – Sexual Exploitation:**

If you are 16 years old or older, but under 18, it is a criminal offence for someone in a position of trust or authority to have sexual contact with you even if you consent to it. For example, someone in a position of trust or authority such as a minister, coach, employer, teacher, etc.

Examples of child sexual abuse include fondling, inviting a child to touch or be touched sexually, intercourse, rape, incest, sodomy, exhibitionism, or involving a child in prostitution or pornography

(Department of Justice Canada, 2005a).



## What is sexual assault/sexual abuse?

- **Section 153.1 – Sexual Exploitation of Person With a Disability:**
- If you are mentally or physically challenged (any age), it is a criminal offence if, without your consent, someone invites, counsels or incites you to touch, directly or indirectly, their body, the body of someone else or your own body, for a sexual purpose (with a part of your body or any object) if the offender is in a position of trust or authority towards you or if you are dependent on the offender.

# What is sexual assault/sexual abuse?

## **Section 159 – Anal Intercourse:**

- If you are under 18, and not married to each other, it is a criminal offence to have anal sex even if both persons consent.
- You must be over 18, or married and both consenting.
- It must be done in private and only by two people (if there are three people involved then the law says it's not in private).

# What is sexual assault/sexual abuse?

## **Section 173.2 – Indecent Acts – Exposure of Genitals to Person Under 16 years of age**

- If you are under 16 years old, it is a criminal offence for someone to expose his or her genital organs to you for a sexual purpose.

# What is sexual assault/sexual abuse?

Stalking: Under §264 of Canada's Criminal Code,

- No person shall, without lawful authority and knowing that another person is harassed or recklessly as to whether the other person is harassed, engage in conduct referred to in subsection (2) that causes that other person reasonably, in all the circumstances, to fear for their safety or the safety of anyone known to them.

This is repeated on numerous occasions and in general serves no legitimate purpose but to cause the recipient to fear for their own safety

(Department of Justice Canada, 2005c).

# What is sexual assault/sexual abuse?

Stalking: The conduct mentioned in Subsection (1) consists of:

- Repeatedly following from place to place the other person or anyone known to them;
- Repeatedly communicating with, either directly or indirectly, the other person or anyone known to them;
- Besetting or watching the dwelling-house, or place where the other person, or anyone known to them, resides, works, carries on business or happens to be; or
- Engaging in threatening conduct directed at the person or any member of their family

# What is sexual assault/sexual abuse?

In Canada, every person who contravenes this section is guilty of

- An indictable offense and is liable to imprisonment for a term not exceeding five years; or
- An offense punishable on summary conviction.
- Stalking can be broadly defined as willfully, maliciously, and repeatedly following or harassing another person.

Being stalked can be a frightening, frustrating, and life changing experience.

## What is sexual assault/sexual abuse?

Sexual Harassment: Sexual harassment is any unwelcome behaviour, sexual in nature, that adversely affects, or threatens to affect, directly or indirectly, a person's job security, working conditions or prospects for promotion or earnings; or prevents a person from getting a job, living accommodations or any kind of public service.

# What is sexual assault/sexual abuse?

- suggestive remarks, sexual jokes or compromising invitations;
- verbal abuse;
- visual display of suggestive images;
- leering or whistling;
- patting, rubbing or other unwanted physical contact;
- outright demands for sexual favours; and
- physical assault

(Alberta Human Rights and Citizenship Commission, 2004).



# CONSENT (Your Rights About Saying Yes or No)

- The law about consent can be complicated.
- There are times when the offender sexually touches the victim without asking for permission.
- But, sometimes they do ask and the victim says "no" but the offender touches them anyway.
- If you say "no" then it means exactly that.

# CONSENT (Your Rights About Saying Yes or No)

- Your consent can't be forced.
- The courts can decide that consent was not given if the offender uses force, threats, fear of bodily harm, or by lying about what they wanted to do with you, or, if you are unable to give consent because you're mentally challenged.
- Even if you do say yes, there are some cases when the other person can still get charged.
- Sometimes, you're not legally allowed to consent to have sex (Canadian Criminal Code 2009):

# CONSENT (Your Rights About Saying Yes or No)

- Basically, the legal age of consent is 16 years.
- On May 1, 2008, the federal government amended the Criminal Code of Canada to raise the age of consent to sexual activity from 14 to 16 years of age.
- If you are 12 or 13 years old, and you have sex with somebody more than two years older than you are, the other person can be charged with Sexual Assault.

## CONSENT (Your Rights About Saying Yes or No)

- If you're 14 or 15 years old, you can consent to have sex with someone who is less than five years older than you.
- You can't legally consent to have sex with someone who is in a position of trust, power or authority over you, for example, a minister, coach, employer, teacher, police officer.

# CONSENT (Your Rights About Saying Yes or No)

Consent is not given if:

- It is given by someone else;
- The person is unconscious, drunk, stoned, or sleeping;
- It is an abuse of power, trust, or authority;
- The person does not say yes, says no, or through words or behavior implies no; or
- The person changes her or his mind.

## Who is at risk of sexual assault/sexual abuse?

- Survivors of sexual assault/abuse are boys and girls, women and men, young and old.
- 39% of Canadian women have experienced at least one incident of sexual assault since the age of 16 (Statistics Canada, 1993).
- 8% of adult victims of sexual assault were men, reported to 154 police agencies across Canada (Canadian Centre for Justice Statistics, 2003).

## Who is at risk of sexual assault/sexual abuse?

The most extensive study of child sexual abuse in Canada was conducted by the Committee on Sexual Offences Against Children and Youths (Badgley, 1988).

Study findings indicated that, among adult Canadians,

- 53 percent of women and
- 31 percent of men were sexually abused when they were children.

## Who commits sexual assault/abuse?

- Strangers were the assailants in 20% of sexual assaults reported to the police in 2003 (Canadian Centre for Justice Statistics).
- All other assaults were committed by someone known to the survivor with the highest proportion of acquaintance assaults (41%) committed by a casual acquaintance of the survivor.



## Who commits sexual assault/abuse?

- Children aged 12 and under are most often victimized by family members especially in the case of girls (Canadian Centre for Justice Statistics, 2003).
- In reported sexual assaults, 97% of sex offenders are men (Canadian Centre for Justice Statistics, 2003).
- Sobsey (1994) found that almost half of the perpetrators of abuse against people with disabilities made contact with the abuse survivor through services related to the survivor's disability.

## Who commits sexual assault/abuse?

- A study in the United States by the Centre for Research on Women with Disabilities (1999), suggests that women with disabilities are more likely to be abused by medical professionals and parents than women without disabilities.

## Where are people at risk of sexual assault/abuse?

- In 1993, Alberta had the second highest rate of sexual assault in Canada (Statistics Canada).
- In 2003, police reported sexual offences were highest in Saskatoon, Sudbury and Regina. Edmonton ranked 10th and Calgary ranked 19th out of 25 Canadian cities (Canadian Centre for Justice Statistics, 2003).

# Where are people at risk of sexual assault/abuse?

Of sexual assaults reported to police in Canada in 2002,

- 64% took place in a residence,
- 26% in a public place, and
- 11% in commercial places

(Canadian Centre for Justice Statistics, 2003).

- The risk for people with disabilities of being sexually abused in institutions is 2-4 times more likely, as the risk for being sexually abused in the community (Sobsey & Mansell, 1992)

# Women and Sexual Assault/Abuse

- 39% of Canadian women have experienced at least one incident of sexual assault since the age of 16 (Statistics Canada, 1993).
- Only 6% of these women report their experience of sexual assault to the police - the other 94% remain the silent majority (Statistics Canada, 1993).
- 58% of adult women in Alberta have experienced at least one incident of sexual or physical assault since the age of 16 (Statistics Canada, 1993).

## Women and Sexual Assault/Abuse

- In 2000, 27,154 sexual offences were reported in Canada, including 24,049 sexual assaults and 3,105 other types of sexual offences (such as sexual touching, invitation to sexual touching, sexual exploitation, incest, sodomy and bestiality).
- Women made up the vast majority of victims of sexual assault (86%) and other types of sexual offences (78%) (Statistics Canada, 2001).

# Women and Sexual Assault/Abuse

- Adult women sexually molested as children are more likely than non-victims to suffer from both physical and psychological problems.
- Abusive and manipulative offenders may target these women as victims in adult relationships because of their vulnerability (Moeller & Bachmann, 1993).

# Women and Sexual Assault/Abuse

- 83% of Canadian women fear walking to their cars in a public garage after dark alone.
- 75% fear waiting for/using public transportation.
- 60% fear walking alone in their own area.
- 39% fear being at home alone

(Statistics Canada, 1993).



# Women and Sexual Assault/Abuse

- It is estimated that women with disabilities are 1.5 to 10 times as likely to be abused as non-disabled women, depending on whether they live in the community or in institutions (Sobsey, 1988).
- A 1991 Canadian study estimated that 40% of women with disabilities have had some experience with assault, sexual assault, or childhood sexual abuse (Stimpson & Best, 1991).

## Women and Sexual Assault/Abuse

- A study found that 20% of lesbians had experienced some form of emotional/psychological or physical violence in a relationship with a woman.
- 11% had experienced physical violence, and 2% had been sexually assaulted in the relationship.
- The statistics are much lower than in male-female relationships, but it nevertheless remains an important issue, particularly because lesbians may not feel they can seek help from social services, police or the courts because of the stigma and discrimination around sexual orientation  
(Health Canada, 1998).

# Women and Sexual Assault/Abuse

- 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).
- What is unique about Indigenous women's experience is that fully 70 percent of all violent crimes against Indigenous people - and 90 percent of sexual assaults - are reported to be carried out by non-Indigenous people.

# Women and Sexual Assault/Abuse

Four percent of women over the age of 65 have experienced a sexual assault

(Statistics Canada, 2005).

## Men and Sexual Assault/Abuse

- Males made up 29% of child victims, 12% of youth, and 8% of adult victims of sexual assault reported to 154 police agencies across Canada.
- 53% of the offenders of police-reported adult male sexual assault victims are acquaintances and 23% are strangers

(Canadian Centre for Justice Statistics, 2003).

# Men and Sexual Assault/Abuse

Based on the examination of 166 studies, an American study found that common symptoms for men sexually abused as children include: included increased rates of posttraumatic stress disorder and suicide attempts, major depression, anxiety disorders, paranoia, dissociation, bulimia, anger, aggressive behavior, poor self-image, poor school performance, running away from home, and legal trouble

(Homes & Slap, 1998).

# Men and Sexual Assault/Abuse

While there is limited research around adult male sexual assault survivors, a study in the United States suggests the following:

- 93.7% of the offenders were male and 6.3% of the offenders were female.
- 68.5% of the offenders was someone known to the victim and 31.5% were strangers.

## Men and Sexual Assault/Abuse

- 89.5% of the offenders were heterosexual. 4
- 0.5% of the assaults involved more than one perpetrator.
- 48.8% of the assailants used a weapon during the assault.
- 59.9% used physical force to commit the assault.
- Victim response: depression (91.8%), increased use of alcohol or drugs (68.4%), thoughts of suicide (46.3%) and shame (89.3%)

(Isley & Gehrenbeck-Shim, 1997).



## Men and Sexual Assault/Abuse

- 5% - 10% of gay men reported being sexually assaulted by heterosexual male perpetrators as a form of gay bashing  
(Berrill, 1990).
- Research by McClennen, Summers and Vaughan (2002) suggests that 28.1% (N=63) of gay men experience sexual assault by their partner.
- Adult men with disabilities experience abuse more often than adult men without disabilities.
- Dick Sobsey (1994) found that 30% of abuse survivors with disabilities are male.

# Children and Sexual Assault/Abuse

- In a 1991 Canadian study, about 4% of boys and 10% of girls experienced severe sexual abuse before the age of 17  
(MacMillan, Fleming, & Trocme et al, 1997).
- In this study, severe sexual abuse is defined as an adult threatening to have sex with a child, touching a child's "sex parts", trying to engage in sex with a child, or sexually attacking a child.

# Children and Sexual Assault/Abuse

- The most extensive study of child sexual abuse in Canada was conducted by the Committee on Sexual Offences Against Children and Youths.
- Study findings indicate that, among adult Canadians, 53 percent of women and 31 percent of men were sexually abused when they were children

(Badgley, 1988).

## Children and Sexual Assault/Abuse

- In 2003, 61% of all victims of sexual assault reported to the police were children and youth under 18 years.
- Reports of girl victims were highest at ages 11 to 19 and reports of boy victims were highest at 3 to 14 years of age

(Canadian Centre for Justice Statistics).

# Children and Sexual Assault/Abuse

- There is little evidence that many children deliberately make false allegations or misinterpret appropriate adult-child contact as sexual abuse.
- In the few recorded cases in which children appear to have made false allegations, it has usually been the result of manipulation by an adult.
- False denials of sexual abuse (saying it did not happen when it did) and recanting a disclosure of abuse (denying that it happened after having told someone about being abused) are much more common than false reports

(Health Canada, 1997).

## Children and Sexual Assault/Abuse

- Among substantiated sexual abuse cases reported to Child Welfare Authorities in Canada, non-parental relatives represented the largest group of alleged perpetrators (28%), followed by biological fathers (15%), and step-fathers (9%). Biological mothers held 5%

(Trocme, MacLaurin, & Fallon, et al. 2001).

## Children and Sexual Assault/Abuse

- In an analysis of 23 research studies (Jumper, 1995), significant relationships were noted between the experience of child sexual abuse and subsequent depression, lowered self-esteem, and psychological symptomatology including anxiety related problems, personality disorders, suicidal behaviours, psychiatric illness and dissociative disorders.

# Children and Sexual Assault/Abuse

- A study by The Roeher Institute (1992) in Canada, found that 40-70% of female children with developmental disabilities and 15- 30% of male children with developmental disabilities experience sexual abuse.
- The legacy of sexual abuse in residential schools in Canada has resulted in generations of First Nations children and families living with the trauma associated with childhood sexual abuse (AASAC, 2005).



# Rape Protective Measures

- Rape is a violent crime, an invasion, a frightening experience.
- Rape affects all women, no matter what their age, race or economic status.
- All women are potential victims of sexual assault.
- By being aware, a woman can reduce the likelihood of becoming a rape victim.
- This does not mean all rapes can be prevented.
- Rapists commit rape -- NOT VICTIMS.

## Psychological Preparedness

- Accept the fact that you are a potential rape victim. Many women operate under the illusion "it will never happen to me. It may.
- Educate yourself concerning rape prevention tactics.
- Become familiar with community rape prevention and counseling.
- Become aware of locations and situations where rape is more likely to occur and avoid them, or take precautions.

## In a Dating/Friend Situation

- The majority of rapes that occur are termed "acquaintance rapes" - the rapist and victim know one another.
- Trust your feelings. If you become uncomfortable in a situation, assertively ask the person to leave. Don't worry about hurt feelings.
- If possible, let a friend or roommate know who you are with and where you will be.
- Leave an address and phone number when possible.

## In Your Car

- Keep windows and doors locked.
- If you should be followed into your driveway, stay in your car with the doors locked. Sound horn to get the attention of neighbors or scare the other driver off.
- When parking at night, select a place that will be well-lit when returning to the car.
- Always make sure the car is locked, and have the keys ready when returning to the car.
- Check interior of car before getting in.

## On the Street

- Be observant of things around you. If someone is following you, go to the nearest house or store.
- Walk near the curb and avoid passing close to shrubbery, dark doorways and other places of concealment.
- DO NOT HITCHHIKE.
- Avoid short cuts through parking lots and alleys.
- Walk with a friend if at all possible. Don't walk alone.

## On the Street

- If a car approaches you and you feel threatened, scream and run in the direction opposite of the one the car is going.
- When arriving home by taxi or private auto, ask the driver to wait until you are inside.
- Don't jog in secluded areas.
- Know the location of the special emergency phones campus.

## In Your Home

- The best lock cannot function if you fail to lock it. Be sure to keep your doors locked.
- All windows should have secure locks and frames.
- All entrances and garages should be well-lit.
- Never open the door after a knock. Require the person to give their name.
- In the case of service persons ask for proper I.D. and refuse entrance if you feel uneasy.

# If You Are Sexually Assaulted

- The best resistance you can use against an attacker is your common sense.
- Think!
- Don't panic.
- The most important element to remember is that you are not trying to fight the attacker, but are attempting to divert the person long enough to get away.
- Always look for a way to escape.



# If You Are Sexually Assaulted

If the attacker has a weapon, use your common sense.

Fighting against it could be dangerous.

- Stay calm. Do not do anything that may upset the attacker.
- Try to convince the person to put the weapon down.
- Talk to your attacker, show sympathy and understanding.
- Make the attacker see you as an individual, not as an object.

# If You Are Sexually Assaulted

If the attacker is unarmed, you may be able to scare, distract or injure the person enough to make your escape.

- Scream "FIRE," "POLICE," or create a disturbance that will attract attention.
- Assert yourself and fight back if you can do so safely.
- Break away and run toward areas with people.
- Be observant so that you will be able to remember and identify the assailant.
- Report the incident to the police as soon as possible.

# Checklist for Victims of Sexual Assault

You may want to call the Rape Crisis Line for instructions and support.

- Report the crime immediately to the police.
- Do not shower, douche, or change clothing.
- Have a medical exam and internal gynecological exam as soon as possible.

# Checklist for Victims of Sexual Assault

A delay in time may destroy evidence.

- Semen smears must be taken by a clinician.
- Inform clinician of exact acts committed upon you and have the clinician note any medical evidence of them.
- Clinician should note any bruises or injuries (bleeding, lacerations, etc.) external or internal.
- Have clinician test for venereal diseases (and pregnancy later, if relevant).

# Checklist for Victims of Sexual Assault

- Do not disturb the scene of the assault.
- Inform police of all details of attack, however intimate, and of anything unusual you may have noted about the attacker. Remember what the person said and how it was said. It may lead to the arrest of the assailant.
- Show police any external bruises or injuries, however minor, resulting from the attack.
- Police may request your clothes for purpose of evidence.
- Inform the police if you remember anything that was not previously reported.

# Frequently Asked Questions (FAQ)

**Question:** What constitutes sexual assault?

**Answer:**

Sexual assault is any unwanted act of a sexual nature imposed by one person upon another (kissing, touching, fondling, intercourse).

There does not have to be any sign of physical injury for criminal charges to be pressed.

## Frequently Asked Questions (FAQ)

**Question:** Sexual assault usually occurs between strangers, right?

**Answer:**

- Wrong.
- Actually, most women who are assaulted know the man. That's why an assault is so devastating, because there has been a betrayal of trust.
- Sexual assault could occur in a marriage, dating relationships, between acquaintances, anywhere and at anytime.

# Frequently Asked Questions (FAQ)

**Question:** Is there a difference between sexual assault and rape?

**Answer:**

- Under the law, sexual assault is any unwanted act of a sexual nature which includes rape (unwanted sexual intercourse.)



# Frequently Asked Questions (FAQ)

**Question:** Why does sexual assault happen?

**Answer:**

- First, you should realize that both men and women can be sexually assaulted; however, the vast majority of assault victims are women and the majority of perpetrators are heterosexual men.
- Sexual assault is about power, control and violence, not sex. The roots of this crime are in our cultural value system about male and female sexuality.

## Frequently Asked Questions (FAQ)

- There are still those who believe that men are supposed to be the sexual aggressors and women the gatekeepers of levels of sexual intimacy; that men cannot hold back once they get aroused and are therefore "entitled" to sex; and that all women really want it.
- The new "NO means NO" sexual assault law is an attempt to put more responsibility on men to ensure they obtain consent prior to sexual activity.
- If they are not positive about consent, they run the risk of being charged and tried for sexual assault.

## Frequently Asked Questions (FAQ)

**Question:** I think I've been sexually assaulted, what should I do

**Answer:**

- Tell someone you know and trust, or go to Student Health Services and talk to a counsellor. You need someone to confide in.
- You can also call The Sexual Assault Centre (438-2272) and speak to someone on their hot line.

## Frequently Asked Questions (FAQ)

**Question:** What about going to the hospital? Not showering or changing your clothes etc.

**Answer:**

- In order for a criminal investigation to take place, you must tell the police that you've been sexually assaulted.
- A medical examination may be necessary - if so, it should be done as soon as possible after the assault.
- Even if you do not want to press charges, you should be checked for sexually transmitted diseases or perhaps get the morning after pill to prevent a pregnancy from occurring.
- Remember that you are not to blame and you are not alone.

## Frequently Asked Questions (FAQ)

**Question:** My roommate was raped by a male acquaintance and she won't go to the police. What should I do?

**Answer:**

- You shouldn't push her into doing anything she doesn't want to. The assault was out of her control. Allow her to regain control of her life and actions. When she's ready and has built up her courage, maybe she'll act on your advice.
- However, encourage her to be checked out by a doctor to protect herself from possible STD's and pregnancy.
- Encourage her to seek professional counseling. Go with her, if necessary. Listen and be supportive.

# Frequently Asked Questions (FAQ)

**Question:** How can we prevent sexual assault?

**Answer:**

FOR MEN:

- Make sure you have a clear, "yes", from the woman you want to have sex with.
- If you are not clear, talk about it with her. If you are still not clear do not have sex.
- Don't pressure women to have sex.
- Remember that drugs and alcohol impair your judgment and hers.

## Frequently Asked Questions (FAQ)

- You can be charged with sexual assault if you have sex with a woman who is drunk and unable to refuse.
- Therefore, the best policy is not to have sex when you're drunk or she is drunk or impaired.

# Frequently Asked Questions (FAQ)

**Question:** How can we prevent sexual assault?

**Answer:**

## FOR WOMEN:

- Decide for yourself what you want to do and what you don't want to do.
- If you don't want to have sex with someone let them know, clearly, through words and actions.
- Trust your instincts about situations you feel uncomfortable in and get out.
- Let other people know where you are going and with whom.



## Frequently Asked Questions (FAQ)

- Remember that drugs and alcohol not only impair your judgement but impede your ability to protect yourself and to get away if necessary.
- Men who physically or sexually abuse women are characteristically jealous, possessive and controlling.
- If you are involved with someone who tries to control what you wear and who you see, then you are involved in an abusive relationship, which could become more dangerous.

# Frequently Asked Questions (FAQ)

## **Question:**

- My boyfriend is getting sort of rough with me.
- Every couple fights right?
- He started by just pushing me around a bit, kind of in fun.
- Lately he's been slapping me in the middle of arguments, and then he's always really sorry afterwards.
- He says that every couple fights like this, but I've never heard my friends talk about their boyfriends doing anything like this.
- Is this "normal" behavior?

# Frequently Asked Questions (FAQ)

## **Answer:**

- What you are experiencing is physical abuse.
- Physical abuse (and perhaps emotional abuse) is a way in which your boyfriend is controlling you, and perhaps trying to keep you from being independent.
- You may find that he has also been isolating you from your friends, and trying to dictate to you what you should wear, and where you should go.
- This is often done under the guise of caring and concern.

## Frequently Asked Questions (FAQ)

- He may tell you that he is the only person in the world who really cares about you, or that you are the only person in the world who cares about him.
- Sometimes men who control women like this say that they would die if they ever broke up with them, and actually threaten suicide.
- He may threaten that if he can't have you, no one can, and threaten to harm or kill you.

## Frequently Asked Questions (FAQ)

- It is often very difficult for women to extract themselves from these relationships for a number of reasons.
- The woman may have a low self-esteem, which is made even worse by the abuse.
- She may love her partner and be reluctant to demand that he stop this abuse because she is frightened of losing him.
- He may make her feel that she deserves this kind of treatment.
- No one deserves this kind of treatment.
- It sounds as though you are starting to question this kind of behaviour from someone who supposedly cares for you.

## Frequently Asked Questions (FAQ)

**Question:** How old do I have to be to make my own decisions about medical treatment?

**Answer:**

- There is no legislated age for having a procedure such as an abortion in a clinic rather than a hospital.
- In provinces that haven't legislated an age of consent, the concept of the mature minor applies.
- This means that a person can choose to have medical treatment, regardless of their age, if he or she is able to understand the information about the treatment, including possible risks and consequences.

## Frequently Asked Questions (FAQ)

- Permission from your parents is not required if your health practitioner believes you understand the information given to you.
- You can contact your local public health department or sexual health clinic for information on age of consent in your province.

# Frequently Asked Questions (FAQ)

**Question:** Can I get emergency contraception from a pharmacist even if I am under 18?

**Answer:**

- In Canada, the emergency contraceptive pill (ECP) is available without a prescription from licensed pharmacists.
- No other drugstore staff can give you ECP, it must be a pharmacist.
- It is not kept on the open shelves and so you must ask for it at the counter.



## Frequently Asked Questions (FAQ)

- Pharmacists are required to tell you about the drug, how it works and possible side effects.
- If you are a minor, a pharmacist can refuse to give you the drug only if they think you don't understand the information given to you.
- They are also bound by law to report cases of suspected sexual abuse for those under the age of 18.
- If you are over 18, it is a woman's own decision as to whether or not she wants to report any form of assault or abuse.

## Frequently Asked Questions (FAQ)

- Some pharmacists may have religious or moral objections to the use of ECP. If this is the case, they can refuse to give you the drug but they should direct you to other places where you can obtain it, such as nearby clinics, hospitals or pharmacies.
- You have the right to be treated with respect and sensitivity regardless of the personal beliefs of a pharmacist.
- Any record of your use of ECP is confidential and should not be made available to anyone else without your signed consent.

## Frequently Asked Questions (FAQ)

**Question:** Will they ask me for ID if I want to buy condoms in a drugstore?

**Answer:**

- Unlike cigarettes and alcohol, you don't have to prove you are a certain age to buy condoms.
- Sexual health products such as condoms, spermicides, lubricants or contraceptive sponges do not require a prescription and can be purchased by anyone regardless of age.
- No one should ask you for proof of age if you buy condoms in a store or from a vending machine.

## Frequently Asked Questions (FAQ)

**Question:** What are the rights and responsibilities of a father who is under the age of 18?

**Answer:**

- When a man fathers a child at any age he is financially responsible for that child until the child turns 19.
- If a man is legally acknowledged to be the father of a child then he has parental rights for custody and access to the child.
- When a child's birth is registered the name of the father must be recorded for paternity to be recognized.

## Frequently Asked Questions (FAQ)

- If a woman does not give the name of the father when the birth is registered, and a man wants to be acknowledged as the father, then there are other ways of establishing paternity.
- The biological father can make a formal application to the courts to be recognized as the father of a child.
- It might be necessary to use genetic testing to prove who the father of a child is.

## Frequently Asked Questions (FAQ)

- If a man denies he is the father of a child, the mother can ask the courts to recognize him as the father.
- Once paternity of a child is established, then the rights of the child to financial support must be met, and the rights of the father to have access to his child must also be considered.

# Frequently Asked Questions (FAQ)

**Question:** What is the age of consent for sexual activity?

**Answer:**

- The age of consent refers to the age at which a people are able to make their own decisions about sexual activity.
- In Canada, the age of consent was recently raised from 14 to 16, with some exceptions that still stand.
- Unmarried persons under the age of 18 cannot consent to anal sex.

## Frequently Asked Questions (FAQ)

- Someone under the age of 18 cannot legally consent to have sex with a person in a position of authority such as a teacher, health care provider, coach, lawyer or family member.
- As well, 12 and 13 year-olds can consent to have sex with other youth who are not more than 2 years older than themselves.



## Frequently Asked Questions (FAQ)

- There is also a provision called the 5 year peer group provision, which means that youth aged 14 or 15 will be able to consent to sex with partners who are no more than 5 years older than themselves.
- Many worry that raising the age of consent deters youth from asking for sexual health information and treatment.

## Frequently Asked Questions (FAQ)

**Question:** What types of material are considered to be child pornography?

**Answer:**

- The Canadian Criminal Code defines child pornography as pictures, films, videos or other visual representations that show persons under the age of 18 engaged in sexually explicit activities.
- These images can also be considered pornographic if they show the sexual organs or the anal region of a person under 18 for expressly sexual purposes.

## Frequently Asked Questions (FAQ)

- Child pornography can also include written or audio material that describes or records sexual activity with a person under the age of 18.
- It is an offense to possess, create, advertise or distribute any material that meets this definition of child pornography.
- It is also illegal to counsel or encourage illegal sexual activity with someone under the age of 18.
- Illegal sexual activity could include anal sex, sex with a person of authority, or sex for the purposes of prostitution.

## Frequently Asked Questions (FAQ)

- The interpretation of this definition of child pornography is not always clear cut.
- For example, it is legal for youth 16 and over to engage in sex but it is illegal for them to send pictures of themselves in sexual situations over the internet.
- However, pictures of nude children that have no sexual intent, such as pictures a parent might take of a child in the bath, are not considered pornographic.

## Frequently Asked Questions (FAQ)

- The definition of sexually explicit is not clearly stated in legislation and is open to interpretation.
- Photographs or images that some would define as artistic could be labeled as sexually explicit by others.
- The concept of advocating illegal sexual activity can also cause confusion in certain situations.
- Some might argue that educational materials that counsel gay youth on safe sex practices are actually forms of child pornography, since they advise youth under 18 on ways to safely practice anal sex.

## Frequently Asked Questions (FAQ)

- Sexual health material that describes sexual practices, and is aimed at youth under 18, could be interpreted as pornographic by some.
- These are examples of extreme interpretations of the concept of child pornography but they highlight some concerns that sexual rights advocates have with how the legislation could be applied.

## Frequently Asked Questions (FAQ)

**Question:** Can I get tested for HIV/AIDS without giving my name?

**Answer:**

- If you want to get tested for HIV/AIDS, and you don't want to give your name, you can choose anonymous testing.
- When you go to get tested you do not have to give your name.
- You are given a unique code which you then use to identify your results.

## Frequently Asked Questions (FAQ)

- You may be asked information about your age, gender or ethnicity, but this is for general statistical purposes and is not connected with your name.
- When you receive your test results they are not recorded on your health record.
- Only you can decide if you want to give this information to a health care professional.



# Frequently Asked Questions (FAQ)

- Anonymous testing is usually offered at clinics and by some health care providers.
- Alberta offers anonymous testing.
- Anyone can access a free HIV test in Alberta.

# Girls & Young Women

- Sexual abuse is a terrible crime with serious consequences.
- It can hurt a victim's sex life (for the rest of their life), cause anxiety or depression and can destroy a person's self-esteem.
- These consequences can haunt a victim for the rest of their life.
- If the abuse is frequent, committed by a family member or involves full-blown sex, things are likely to be even worse. Sexual abuse will make you feel alone, worthless and scared.
- Sadly, many cases are never reported, particularly when a family member is involved.

# Girls & Young Women

- If you're being abused, please talk to someone you trust, like your school's guidance counselor.
- Do it for yourself, so that you can feel safe and be happy.
- **Your body belongs to YOU AND ONLY YOU.**
- No one - not a parent, not a relative, not a friend that you trust - should ever have control over it.

# Girls & Young Women

- You may think, "but sex feels good and people have sex all the time, so why is sexual assault such a big deal?"
- Sexual assault isn't about sex.
- It's about fear and control, and it changes a victim for the rest of their lives.
- It robs them of their sense of security, something that may never fully come back.
- So yeah, it's a big deal. In fact, it's just about as big a deal as deals can get.

# Girls & Young Women

- Even if a person is not physically hurt during these crimes, the emotional scars left by these crimes last a long time, and people who have been assaulted often continue to be afraid, anxious or have trouble sexually throughout their lives.

# Girls & Young Women

- Date rape, or rape by someone you know is much more common than sexual assault by a complete stranger.
- The best way to avoid sexual assault is to make sure that you always feel safe and in control of a situation.
- If you don't, **GET OUT OF THERE**. You don't have to do anything you don't want to do.
- You don't have to go drink at that college party, and you don't have to go park with your boyfriend.

# Girls & Young Women

If someone tells you that they have been abused or sexually assaulted:

## Listen.

- Thank them for confiding in you, and acknowledge how hard it must be to talk about the abuse.
- Tell them that you believe them. It is important for someone who has been abused or sexually assaulted to have people believe what has happened.

## Girls & Young Women

- People rarely lie about being abused or assaulted.
- Support their feelings by saying things like: "It sounds like it was really scary" or "I understand why you feel so terrible."
- Let them know that it wasn't their fault. The only person to blame is the offender.
- Help them report the crime to the authorities



## Girls & Young Women

- Be their friend. It's not easy for victims to talk about being assaulted.
- Go with them to get help, and offer to stay by their side through the whole thing.
- It's impossible to put into words how important this is.
- This is a once-in-a-lifetime opportunity for you to **MAKE A HUGE DIFFERENCE IN SOMEONE'S LIFE**. So be strong; be there for them.
- Help them find places where they can get help (e.g. sexual assault centre).

# Girls & Young Women

## **Note:**

- If you know or suspect that someone under 16 is being, or is likely to be, neglected or emotionally, physically, or sexually abused, you have a legal obligation to report it to the Ministry of Children and Families or Child Protection Office in your province.

# Girls & Young Women

If someone tells you that they've been acting in a way that you think is abusive:

## Listen.

- Support change in the behavior.
- Speak out and address abusive comments.
- Help them understand that they are the only one responsible for the violence, even if their partner is responsible for other problems in the relationship.

# Girls & Young Women

- Violence is a learned behavior and can be unlearned.
- Encourage them to seek help in a counseling program.
- The violence will not stop on its own.

# Rape Myths

## What are rape myths?

- Rape myths are widely held, inaccurate beliefs about rape.
- Myths of rape give people a false sense of security by legitimizing sexual assault or denying that it even occurs.
- They often do this by blaming the victim for their experience or making excuses and minimizing their assault.
- In effect, these myths perpetuate sexual assault by not addressing the realities of rape.

# Rape Myths

**Myth 1:** Sexual assault does not occur often.

**Reality:**

- Sexual assault is experienced by Canadian women everyday at home, at work, at school, or on the street.
- A 1993 survey found that one half of all Canadian women have experienced at least one incident of sexual or physical violence. Almost 60% of these women were the targets of more than one of these incidents (Statistics Canada, "The Violence Against Women Survey," The Daily, November 18, 1993).

# Rape Myths

- Statistics also show that one in four Canadian women will be sexually assaulted during her lifetime.

# Rape Myths

**Myth 2:** Women lie about being sexually assaulted to get revenge, for their own benefit, or because they feel guilty afterwards about having sex.

**Reality:**

- Women rarely make false reports about sexual assault.
- Acquaintance sexual assault is the most underreported crime in Canada.
- Only 6% of sexual assaults are reported to the police.



# Rape Myths

- As well, false accusations of rape happen no more often than false reports of other types of crime: about 2 to 4%, which means 96 to 98% of the reports are true

(Source: University of Alberta "Sexual Assault and the Law in Canada").

# Rape Myths

**Myth 3:** Sexual assault is committed by strangers.

**Reality:**

- Sexual assault is not most often committed by strangers who jump out of bushes or wait in alleys for their victims.
- Over 80% of sexual assaults are committed by someone known to the victim.

## Rape Myths

**Myth 4:** The best way for a woman to protect herself from sexual assault is to avoid being alone at night in dark, deserted places such as alleys or parking lots.

### **Reality:**

- Most assaults occur in a private home (60%) and the largest percentage of these occur in the victim's home (38%)

(D. Kinnon, "Report on Sexual Assault in Canada," Canadian Advisory Council on the Status of Women, Ottawa, 1981).

# Rape Myths

**Myth 5:** Women who are sexually assaulted "ask for it" by the way they dress or act.

## **Reality:**

- Reports show that there is a lot of diversity in the way women who are assaulted act and dress.
- Any woman of any age and physical type, in almost any situation can be sexually assaulted.
- The number one thing convicted rapists report looking for in a victim is vulnerability, not appearance.

# Rape Myths

- This myth takes the responsibility of the rape away from the rapist and shifts it to the victim.
- No one asks to be hurt in this way.

# Rape Myths

**Myth 6:** Rape only happens to young "sexy" women.

**Reality:**

- Women from two months old to ninety years old have been sexually assaulted.
- According to previous accounts of rape, rapists chose women based on their vulnerability, not on their physical appearance.

# Rape Myths

**Myth 7:** Men who sexually assault women are either mentally ill or sexually starved.

## **Reality:**

- Studies of rapists state that rapists are "ordinary" or "normal" men.
- The majority of convicted rapists assaulted for the emotion gratification they received from the violent act, not out of sexual frustration (Helen Lenskyj, "An Analysis of Violence Against Women: A Manual for Educators and Administrators," Toronto: Ontario Institute for Studies in Education, 1992).

# Rape Myths

**Myth 8:** Rape is a sexual act that is taken too far.

**Reality:**

- Rape is an act of violence; it involves asserting control over another person and taking their power from them.
- Rapists use a person's sexuality against their will as a weapon.
- Rapists are not men who cannot control their sexual desires; rape is most often a premeditated crime.



# Rape Myths

**Myth 9:** Men of certain races and backgrounds are more likely to sexually assault women.

**Reality:**

- Men who commit sexual assault come from every economic, ethnic, racial, age, and social group.
- As well, women who are sexually assaulted are from every economic, ethnic, racial, age, and social group.

# Rape Myths

**Myth 10:** It is only sexual assault if weapons are used.

**Reality:**

- Sexual assault is any unwanted act of a sexual nature that one person imposes on another.
- A weapon and visible physical injuries do not have to be present in order for a woman's experience to be sexual assault.

# Rape Myths

**Myth 11:** Unless she is physically harmed, a woman who has been sexually assaulted will not suffer any long-term effects.

## **Reality:**

- Sexual assault can have serious effects on women's health and well-being.
- A recent survey of Canadian women found that 9 out of 10 incidents of violence against women have an emotional effect on the victim (Statistics Canada, "The Violence Against Women Survey," The Daily, November 18, 1993).

# Rape Myths

- It is important to remember that, although reactions like anger, mistrust, and sadness are common, not all women experience the same emotions or express them in the same way.
- Because a woman does not feel or act a certain way does not mean that her experience of sexual assault was not legitimate.

# Rape Myths

**Myth 12:** Women cannot be sexually assaulted by their husbands or boyfriends.

## **Reality:**

- Legally, women have the right to say "no", to any form of sex with anyone, including their spouse or the person they are dating.
- Sexual assault within relationships has been illegal in Canada since 1983, however many people still do not recognize it as a crime.
- Even within a relationship, each partner must give consent each time sexual relations occur.

# Rape Myths

**Myth 13:** If a woman consents to have sex at the start of making out with her boyfriend, then she is not assaulted if she changes her mind, but her partner keeps on going.

## **Reality:**

- Legally, a woman has the right to change her mind about having sex at any point of sexual contact.
- If her partner does not stop at the time she changes her mind and says "no", this is sexual assault.

# Rape Myths

- As well, just because a woman is in a relationship with someone or has sex with a person before does not mean that person cannot assault her.
- Consent must be given every time two people engage in sexual contact.

# Rape Myths

**Myth 14:** If a woman has had many sexual partners then she cannot be sexually assaulted.

## **Reality:**

- The amount of sexual partners a woman has had does not forfeit her right to say "no" to sexual contact at any time.
- A woman can also be assaulted by someone who she has been intimate with in the past.
- Consent must be freely given each time two people are intimate with each other.



# Rape Myths

**Myth 15:** If a man pays for dinner or a movie, the woman owes him sex.

**Reality:**

- "No" means "no", whether a man pays for a date or not.
- A woman is not obligated to have sex at any time.

# Rape Myths

**Myth 16:** When men become sexually aroused they have to have sex and cannot stop.

## **Reality:**

- Although a man may want to have sex, there are no negative consequences if he does not have sex when he is aroused.
- A man's desire is not more important than a woman's right to choose who she does and does not have sex with.

# Rape Myths

**Myth 17:** When a woman says "no", she really means "maybe" or "yes".

## **Reality:**

- Although a man may believe he is receiving mixed messages, this is no excuse for rape.
- When a woman says "no", her partner should stop; he should never assume that "no" means anything else but "no".
- If someone is unclear about what the partner wants, they should ask.

# Rape Myths

- The onus for obtaining consent is on the person initiating sexual contact.
- Ignorance or pleading misunderstanding is not a legitimate legal defense for sexual assault.

# Rape Myths

**Myth 18:** If a woman is drunk or passed out from drinking too much it is okay to have sex with her.

**Reality:**

- If a person is unconscious or their judgment is impaired by alcohol or drugs, legally, they cannot give consent.
- Having sex with a woman when she is drunk is sexual assault.

# Rape Myths

**Myth 19:** If the attacker is drunk at the time of the assault then they cannot be accused of rape.

**Reality:**

- The attacker is responsible for their actions no matter how intoxicated they are.
- Being drunk is not an excuse to force sex on anyone legally.
- Being drunk is not an acceptable legal defense an accused rapist can use.

# Rape Myths

**Myth 20:** It is okay for a man to pressure a woman into having sex.

**Reality:**

- Any type of verbal or physical coercion that is used to obtain sex is legally considered sexual assault.

# Rape Myths

**Myth 21:** Only young women are sexually assaulted.

**Reality:**

- Women of all ages from infancy to old age are survivors of sexual assault.
- However, most women who are assaulted are between the ages of 14 and 24.



# Rape Myths

**Myth 22:** Women secretly want to be raped.

**Reality:**

- There is a big difference between fantasizing about aggressive sex and wanting to be raped.
- A woman is in control of her fantasies; however, women are not in control when they are being sexually assaulted.
- Rape is a violent, terrorizing, and often humiliating experience that no woman wants or asks for.

# Rape Myths

**Myth 23:** A woman cannot be raped if she does not want to be assaulted.

**Reality:**

- Force or threat of force is often used by rapists to assault their victims.
- Rapists will often choose victims they believe they can physically overcome.

# Rape Myths

- This myth is used to blame the victim; it is important to remember that no matter what a woman does during an assault, whether she chooses to physically resist or not, it is not her fault.
- She did what she had to in order to get out of a very difficult experience alive.

# Rape Myths

**Myth 24:** Out of all the crimes committed in Canada, sexual assault accounts for only a small number of these offenses.

**Reality:**

- According to Statistics Canada, in the year 2000, sexual assault came in third for the highest number of violent crimes committed in Canada (24,049 reports).

# Rape Myths

**Myth 25:** You can tell if a woman is really sexually assaulted by the way she acts.

**Reality:**

- It is important to remember that, although reactions like anger, mistrust, and sadness are common, not all women experience the same emotions or express them in the same way.

# Rape Myths

- How a woman responds after a sexual assault can be influenced by factors such as her cultural background, whether she knows her attacker or not, her support system, how she views her experience, etc.
- Because a woman does not feel or act a certain way does not mean that her experience of sexual assault was not legitimate.

# Rape Myths

**Myth 26:** It is only sexual assault if a woman has been physically injured.

**Reality:**

- Most women who are sexually assaulted do not have visible injuries.
- This does not make the experience less of an assault; nor does it mean that a woman will not have any negative effects from her assault.

# Rape Myths

**Myth 27:** Men cannot be sexually assaulted.

**Reality:**

- Anyone can be sexually assaulted.
- However, most sexual assaults that occur are against women and are perpetrated by men.



# SECTIONS OF THE CRIMINAL CODE

- Section 271 – Sexual Assault
- Section 272 – Sexual Assault with a Weapon, Threats to a Third Party or Causing Bodily Harm
- Section 273 – Aggravated Sexual Assault
- Section 151 – Sexual Interference
- Section 152 – Invitation to Sexual Touching
- Section 153 – Sexual Exploitation
- Section 153.1 – Sexual Exploitation of Person with a Disability
- Section 159 – Anal Intercourse
- Section 173.2 – Indecent Acts – Exposure of Genitals to Person Under 16 Years of Age