**Sexual Assault** Source: <http://www.sexualityandu.ca/sexual-health/sex-and-the-law/sexual-assaul>

It is a myth (not true) that most sexual assaults involve a stranger who attacks a woman in a dark alleyway or park  or who breaks into a woman’s house or apartment to assault her. According to crime statistics, less that 20% of sexual assaults are committed by strangers. In other words, **in more than 80%** of cases, a woman is assaulted by **someone she knows** such as a friend or family member.

Over three quarters of sexual assaults involve unwanted sexual touching, kissing, grabbing, or fondling. In about 70% of sexual assaults, the victim is female and in close to 90%, the perpetrator is male. Young people are more likely than older people to be the victims of sexual assault. For example**, people who are aged 15 to 24 are almost twice as likely to be sexually assaulted** that people who are 25 to 34 years-old.

Sexual assault is a terrible crime with serious consequences. It can **hurt a victim’s sex life** (for the rest of their life), **cause anxiety** or d**epression** 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.

If you are forced into sexual activity against your will by a friend, relative or family member, or relationship partner it is still sexual assault and it is still against the law. 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.**

**Date Sexual Assault**  
Forced sexual activity that happens during a date is a form of sexual assault that is sometimes referred to as “date rape”. Sexual assaults that occur when **one dating partner forces unwanted sexual acts** on the other partner happen in all age groups but are most common among young people. Date sexual assaults are much **more likely** to occur when one or both dating partners have consumed large amounts of alcohol.

Like all forms of sexual assault, the perpetrators and victims of date sexual assaults can be either male or female. However, in the majority of cases **the perpetrator is male** and the victim is female. It is never your fault if you are sexually assaulted but, there are things you can do to reduce the chances that you will become the victim of sexual assault while on a date.

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.

**Both guys and girls can be victims of sexual assault or rape**  
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.

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.

**Sexual assault** is any sexual activity without consent, and it is against the law.

**Sexual violence** is not about sex: it is about power. It happens to men, but it’s almost always an issue of men trying to hold power over women.

**Levels of sexual assault in Canada**  
Many people assume that sexual assault is basically the same as rape. That is, rape happens when a man physically forces a woman to have sexual intercourse against her will. But, there are many other forms of sexual assault besides forced sexual intercourse. It is important to have a basic understanding of what the laws in Canada are concerning sexual assault. This can help you to more clearly identify if you have been a victim of sexual assault. As shown in the box below, *there are three different levels of sexual assault in Canada.*

**Sexual Assault Level 1:** Any form of sexual activity (e.g., kissing, touching, oral sex, vaginal or anal intercourse) forced on another person or nonconsensual bodily contact for a sexual purpose. Level 1sexual assaults involve minor physical injuries or no injuries to the victim. Conviction for a Level 1 sexual assault is punishable by up to 10 years in prison.

**Sexual Assault Level 2:** A sexual assault in which the perpetrator uses, or threatens to use, a weapon or threatens the victims friends or family members, or causes bodily harm to a third party, or commits the assault with another person (multiple assailants). Conviction for a Level 2 sexual assault is punishable by up to 14 years in prison.

**Sexual Assault Level 3:** A sexual assault resulting in wounding, maiming, or disfiguring or endangering the life of the victim. Conviction for a Level 3 sexual assault is punishable by a maximum penalty of life in prison.

**There are some additional points about the laws on sexual assault that you should be aware of:**

● Unlike most other laws, there is **no statute of limitations** for sexual assaults. This means that if you were a victim of a sexual assault many years ago you can still report the assault to police and criminal charges can still be laid.

● For many cases of Level 1 sexual assault, the issue of consent is of primary importance. As far as the law is concerned a person cannot freely consent to sexual activity if they are **drunk**, **under the influence of drugs**, or **unconscious or asleep.**

●  The laws on sexual assault are gender neutral. That is, both men and women can be victims of sexual assault and both men and women can be charged with sexual assault. Also, a husband can be charged for committing a sexual assault against his wife.

●  A person can be charged **with sexual assault if they have HIV and do not disclose their HIV status** to their partner before having sex.

About **20,000 sexual assaults** are reported to the police in Canada each year. Since many cases are never reported to police the actual number of sexual assaults that occur each year is much higher. In fact, according to survey data, **What**

**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.**