



Help Starts Here.

Information on Sexual Assault

Sexual Assault means... any form of sexual contact without a person's consent, including the threat of sexual contact without consent.

Sexual assault can range from unwanted sexual touching to forced sexual intercourse. It can involve situations where agreement to sexual activity is obtained by someone abusing a position of trust, power, or authority. Sexual assault is a crime, whatever the past or present relationship between the people involved (e.g., married or living together, dating, friends, acquaintances, strangers). No one has the right to threaten or force another person to have sexual contact. No one has the right to abuse a position of trust, power, or authority to get another person to have sex. If you have been sexually assaulted, recently or in the past, **help is available**.

Who does it happen to?

Sexual assault can happen to anyone. It happens to people of different ages, abilities, and cultural and economic backgrounds. It happens to females and males, regardless of sexual orientation.

Sexual assault can occur anywhere—in private homes, community facilities or institutions, or public places.

Sexual assault is an act of violence used to exert power and control over others. Although some sexual assaults are committed by strangers, most are committed by someone known to the victim – such as a family member, spouse, date, acquaintance, co-worker, or someone in a position of trust or authority (e.g., employer, instructor, health care provider).

Whatever type of relationship, past or present, that a victim has with someone, **sexual assault is the fault of the person who commits it**.

How may victims be affected?

Victims of sexual assault may experience a range of emotions. Some may initially be shocked or numb. Other emotions may include shame, fear, anxiety, confusion, anger, depression, isolation, and grief. A sense of violation, powerlessness, and loss of trust are experienced by many victims. Victims of sexual assault may withdraw from others. Or, they may be afraid to go out alone or stay home alone.

Emotional distress can have other health effects, resulting in symptoms such as stomach trouble, headaches, or sleeping or eating problems.

Sexual violence can result in sexually transmitted diseases or pregnancy. If physical violence was also used, victims may have bruises, broken bones, or other physical injuries.

An important step in dealing with the effects of sexual assault is to talk about it with someone. Emotional support from others is important to the healing process.





Why don't some victims seek help?

Some victims may be embarrassed to talk to another person about sexual assault. Some may not know how to get help, or may be unsure if what they have experienced is considered sexual assault. Or, they may worry about not being believed or how others will react.

Sometimes victims may be too shocked or upset to talk about what happened right away. Sometimes emotional effects may not emerge until long after the sexual assault, particularly if it happened in childhood.

Some victims may have difficulty seeking help because of cultural or language barriers, disability, or social or physical isolation. Others may be afraid to tell. They may fear retaliation from the person who sexually assaulted them. Or, they may fear ending a relationship or breaking up a family.

If you have been sexually assaulted, **talk to someone you trust.**

What about reporting to the police?

Victims may wish to report the sexual assault to the police. Reporting immediately after a sexual assault helps to ensure that as much evidence as possible can be obtained. This increases the chances of successfully prosecuting the person who committed the assault. However, there is no time limit on when a sexual assault can be reported to police. Even if it happened months or years ago, the police can still investigate. A support person can be with the victim when reporting to the police.

Victims can get help from victim services and other agencies whether or not the police are involved.

Victims Under 19 Who Need Protection

If anyone believes that a child (a person under 19) needs protection, that person has a legal duty to report the matter to the Ministry of Children and Family Development (more about this under B.C.'s Child Protection Legislation section). This may result in a report being made to the police.

What are the laws related to sexual assault?

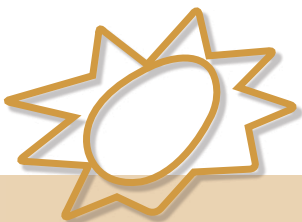
The Criminal Code

A sexual assault is an assault committed in circumstances of a sexual nature. "Assault" means that the victim did not, or could not, consent (voluntarily agree). The legal age of consent to sexual activity is 14 (with an exception where young people are close in age).

There are specific types of sexual assault offences; for example, depending on whether or not a weapon was used or serious bodily harm was caused.

Examples of situations in which there was no consent to sexual activity:

- a victim's words or actions indicated that the sexual activity was not wanted;
- a victim's words or actions indicated that the victim did not want to continue sexual activity;
- a victim submitted or did not resist because force was threatened or used;
- a victim was not able to give consent (e.g., from being drugged or because of a disability);
- a victim was persuaded to have sexual activity through someone abusing a position of trust, power, or authority.





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Information for Victims of Crime

Sometimes the very nature of the relationship means that there can be no real consent to sexual activity, such as in trust or dependency relationships involving particularly vulnerable victims. There are two “sexual exploitation” offences: one involving victims 14 to 17 years of age, and another involving victims of any age who have a physical or mental disability.

B.C.’s Victims Legislation

Victims of crime have rights. The Victims of Crime Act sets out victims’ rights to be treated with dignity and respect and to obtain information.

The Crime Victim Assistance Act provides for benefits to help with recovery from injuries and other costs resulting from violent crime.

B.C.’s Child Protection Legislation

The Child, Family and Community Service Act requires reporting when a child (a person under 19) is believed to “need protection” under the act. Among other circumstances, this includes circumstances where:

- a child has been, or is likely to be, sexually assaulted by the child’s parent; or
- a child has been, or is likely to be, sexually assaulted by another person and the child’s parent is unwilling or unable to protect the child.

Reports are made to the Ministry of Children and Family Development, and can be made by calling the Helpline for Children (see **resources** section on back page). A child protection social worker will determine the most appropriate response, which may include conducting a child protection investigation jointly with a police investigation.

What kind of help is available?

Police

Police respond to reports of persons in immediate danger or possible criminal offences. They investigate offences and provide information about other agencies that may be able to help.

Victim Services

Victim services are located in community agencies or police stations. They provide emotional support, justice system information, safety planning, referrals to counselling and other services, help in accessing **crime victim assistance benefits**, and support to victims going to court. The VictimLINK line provides information and referrals to all victims, as well as immediate crisis response to victims of sexual and family violence. Call 1-800-563-0808.

Victims who are injured from violent crime can apply to the Crime Victim Assistance Program for benefits under the Crime Victim Assistance Act. Call 1.866.660.3888.

Other Services

Community agencies, health clinics, and hospitals provide emergency and longer-term services to help victims of sexual assault recover from physical and psychological trauma. BC NurseLine provides telephone access to health information and advice from registered nurses. Call 1-866-215-4700.

Some agencies provide specialized health, information, or advocacy services. For example, specialized services for persons with disabilities or persons of a particular age group, gender, sexual orientation, or cultural background.

The VictimLINK line can connect victims to a network of community and government resources, including social, health, and justice resources such as victim services, counselling resources, and transition houses. Call 1-800-563-0808.





Steps to take if you need help

- If the sexual assault has just occurred, go to a safe place.
- If you are in immediate danger or need urgent medical attention, contact the police or ambulance services, by calling 911 or the emergency number for your community.
- Tell someone you trust what happened. If a friend or family member can provide emotional support or help you in practical ways, ask for help.
- Contact victim services by calling VictimLINK. Victim services can help you directly and can also refer you to other community agencies.
- Go to a hospital, a walk-in clinic, or your doctor for a medical examination and treatment as soon as possible after a sexual assault. Even if the sexual assault is not recent, it may be important to go for a checkup.
- If you want to report to the police and the situation is not urgent (e.g., the sexual assault is not recent, you are not in danger), call the non-emergency number for police in your community.
- If you have questions about sexual assault, or your rights, don't hesitate to ask a victim service worker.

Please note: *This pamphlet provides general information only. It is not a legal document.*

Resources

BC NurseLine

- Call toll free in B.C. at 1-866-215-4700, 24 hours every day
- If you are deaf or hard of hearing, call 1-866-889-4700
- Translation services in over 130 languages on request

Crime Victim Assistance Program

- Call toll free in B.C. at 1-866-660-3888
- E-mail: SGCrimeVictimAssistanceProgram@gov.bc.ca

Helpline for Children

- Call 310-1234 (no area code required), 24 hours every day, to report a person under 19 who needs protection to the Ministry of Children and Family Development
- To use the TTD (Telephone Device for the Deaf), call 1-866-660-0505

VictimLINK (Victim Services Information and Referrals)

- Call toll free in B.C. at 1-800-563-0808, 24 hours every day
- If you are deaf or hard of hearing, call Information Service Vancouver's TTY Service at (604) 875-0885. If calling from outside the Lower Mainland, call collect.
- Multi-lingual

