

## APPENDIX

### Use of the term “Rape” in the context of Sexual Violence

This policy refers to the offence of sexual assault to align with the current offence contained in the *Criminal Code*. The word “rape” is no longer used in criminal statutes in Canada. The term was replaced many years ago to acknowledge that sexual violence is not about sex but is about acts of psychological and physical violence. The term “sexual assault” provides a much broader definition and criminalizes unwanted behaviour such as touching and kissing as well as unwanted oral sex and vaginal and anal intercourse. Although the term no longer has a legal meaning in Canada, the term rape is still commonly used.

### DISPELLING THE MYTHS AND MISCONCEPTIONS ABOUT SEXUAL ASSAULT

| Myth  | Fact  |
|---|---|
| It wasn't rape, so it wasn't sexual violence.   | As outlined above, sexual assault and sexual violence encompasses a broad range of unwanted touching. Any unwanted sexual contact is considered to be sexual violence. A survivor can be severely affected by all forms of sexual violence, including unwanted fondling, rubbing, kissing, or other sexual acts. Many forms of sexual violence involve no physical contact, such as stalking or distributing intimate visual recordings. All of these acts are serious and can be damaging. |
| Sexual assault can't happen to me or anyone I know.                                       | Sexual assault can and does happen to anyone. People of all socioeconomic and ethnic backgrounds are victims of sexual assault. Young women, Aboriginal women and women with disabilities are at greater risk of experiencing sexual assault.   |
| Sexual assault is most often committed by strangers.                                      | Someone known to the victim, including acquaintances, dating partners, and common-law or married partners, commit approximately 82 per cent of sexual assaults.   |
| Sexual assault is most likely to happen outside in dark, dangerous places.                | The majority of sexual assaults happen in private spaces like a residence or private home.  |
| If an individual doesn't report to the police, it wasn't sexual assault.                  | Just because a victim doesn't report the assault doesn't mean it didn't happen. Fewer than one in ten victims report the crime to the police.   |
| It's not a big deal to have sex with someone while he/she is drunk, stoned or passed out. | If a person is unconscious or incapable of consenting due to the use of alcohol or drugs, he/she cannot legally give consent. Without consent, it is sexual assault.  |
| If the person chose to drink or use drugs, then it isn't                                  | This is a prominent misconception about sexual assault. No one can consent while drunk. Some people drink to  |

| Myth  | Fact   |
|---|--|
| considered sexual assault.  | lose their inhibitions. If you're going to be drinking with a sweetheart and maybe hooking up later while drunk, discuss boundaries ahead of time, but know that consent can't truly be given in advance.  |
| <p>If the victim didn't scream or fight back, it probably wasn't sexual assault.</p> <p>If the victim does not fight back, the sexual assault is his/her fault.</p> | <p>When an individual is sexually assaulted he/she may become paralyzed with fear and be unable to fight back. The person may be fearful that if he/she struggles, the perpetrator will become more violent. If the person is under the influence of alcohol or drugs, he/she may be incapacitated or unable to resist.</p>  |
| If you didn't say no, it must be your fault.  | <p>People who commit sexual assault/abuse are trying to gain power and control over their victim. They want to make it extremely difficult, if not impossible, for their victim to say no. A person does not need to actually say the word "no" to make it clear that he/she did not want to participate.</p>  |
| If a victim isn't crying or visibly upset, it probably wasn't a serious sexual assault.   | <p>Every person responds to the trauma of sexual assault differently. They may cry or may be calm. They may be silent or very angry. A victim's behaviour is not an indicator of their experience. It is important not to judge someone by how they respond to an assault.</p>   |
| If someone does not have obvious physical injuries, like cuts or bruises, he/she probably was not sexually assaulted.   | <p>Lack of physical injury does not mean that a person wasn't sexually assaulted. An offender may use threats, weapons, or other coercive actions that do not leave physical marks. The person may have been unconscious or been otherwise incapacitated.</p>  |
| If it really happened, the victim would be able to easily recount all the facts in the proper order.  | <p>Shock, fear, embarrassment and distress can all impair memory. Many survivors attempt to minimize or forget the details of the assault as a way of coping with trauma. Memory loss is common when alcohol and/or drugs are involved.</p>  |
| Individuals lie and make up stories about being sexually assaulted; and most reports of sexual assault turn out to be false.  | <p>According to Statistics Canada, fewer than one in 10 sexual assault victims report the crime to the police. Less than 2% of sexual assault reports are false, the same false reporting rate as for all other major crimes.</p> <p>The number of false reports for sexual assault is very low, consistent with the number of false reports for other crimes in Canada. Sexual assault carries such a stigma that many people prefer not to report.</p> |

| Myth  | Fact  |
|---|---|
| Persons with disabilities don't get sexually assaulted.                                 | Individuals with disabilities are at a high risk of experiencing sexual violence or assault. Those who live with activity limitations are over two times more likely to be victims of sexual assault than those who are able-bodied.  |
| A spouse or significant other cannot sexually assault their partner.                    | Sexual assault can occur in a married or other intimate partner relationship. The truth is, sexual assault occurs ANY TIME there is not consent for sexual activity of any kind. Being in a relationship does not exclude the possibility of, or justify, sexual assault. A person has the right to say "no" at ANY point.  |
| People who are sexually assaulted "ask for it" by their provocative behaviour or dress. | This statement couldn't be more hurtful or wrong. Nobody deserves to be sexually assaulted. Someone has deliberately chosen to be violent toward someone else; to not get consent. Nobody asks to be assaulted. Ever. No mode of dress, no amount of alcohol or drugs ingested, no matter what the relationship is between the survivor and the perpetrator or what the survivor's occupation is, sexual assault is always wrong. |
| Sexual assault only happens to women  | Not true. The majority of sexual assaults are committed against women by men, but people of all genders, from all backgrounds have been/can be assaulted.   |
| Sexual abuse of males is rare.  | Estimates show that 1 in 8 men will experience some form of sexual violence during their lifetime. Sexual assault/abuse occurs in every economic, ethnic, age and social group.   |
| If you got aroused or got an erection or ejaculated you must have enjoyed it.           | It is normal for your body to react to physical stimulation. Just because you became physically aroused does not mean that you liked it, or wanted it or consented in any way. If you experienced some physical pleasure, this does not take away the fact that sexual abuse happened or the effects or feelings of abuse.  |