



PRESENTS

“SEX & THE LAW”

WHO CAN “LEGALLY” HAVE SEX?

- ☼ According to Canadian law, a person must be 16 years old before they can legally give consent to have sex.
- ☼ Even if it is legal for a person, they **must give consent** and decide to have sex.
- ☼ Anal sex is illegal if under 18, unless married.
- ☼ THE ABOVE is for all sexes and orientations, genders, races, cultures.
- ☼ Sex with someone under the age of 12 is illegal regardless of consent.
- ☼ 12 and 13 year olds can consent to have sex with other youth who are not more than 2 years older than themselves.
- ☼ There is also a provision called “the 5 year peer group”. It states 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.
- ☼ It is illegal to have sex with someone under the age of 18 if the older person is in a position of authority over the person (employer, teacher, coach, parent etc.)



Regardless of a person’s age, race, gender, sexual orientation, religion or culture, they **ALWAYS** have the **RIGHT TO SAY “NO.”**

WHAT IS “CONSENT”, “MUTUAL CONSENT” AND “INFORMED CONSENT”?

- ☼ According to Criminal Code of Canada, consent is defined as: “the voluntary agreement of the complainant to engage in the sexual activity in question.”
- ☼ Mutual consent is making sure both people get a clear “yes” from the other person, **before** having sex. They must agree without pressure from you or anyone else. They cannot be drunk, high, feel scared, forced or be unconscious.
- ☼ Informed consent means that a person knows all the facts about what they about to do before they do it.

**KEEP CALM
&
ASK FOR
CONSENT**

DUTY TO REPORT

- ☼ Everyone must report if they know if a child (person under 19) is being (or was) physically or sexually abused/harmed. Everyone means teachers, coaches, counsellors, family members etc...including **YOU**

WHAT IS “SEXUAL ASSAULT?”

- ☼ An assault that occurs of a sexual nature including, but not limited to: undated vaginal, anal, or oral penetration, groping/touching your body and forced kissing or not stopping when asked to.
- ☼ A spouse, girlfriend, or boyfriend can be charged with sexual assault just as a stranger can be.



WHAT IS “AGGRAVATED SEXUAL ASSAULT”?

- ☼ According to the Criminal Code of Canada, Aggravated Sexual Assault is anyone who, in committing a sexual assault, wounds, maims, disfigures, or endangers the life of the complainant.

HOW CAN CAMERAY HELP?

- ☼ Support to children and youth (under 19) who are victims or witnesses of a crime, along with their non-offending family members.
- ☼ Referrals must meet one of the following criteria:
 - Reside in Burnaby or New Westminister.
 - Court proceedings are taking place in New Westminister or Vancouver (for Burnaby cases)
- ☼ Program is voluntary and involvement can begin at any stage of the legal process.
- ☼ Cameray also provides free counselling services to children & youth who reside in Burnaby or New Westminister.
- ☼ Service is provided by well-trained, caring, and non-judgmental staff.
- ☼ Cameray's Child and Youth Victim Support Services program provides emotional support, resources and referrals to various community agencies.
- ☼ Assist with safety planning.
- ☼ Help explain the criminal justice process and the roles within (e.g. Police, Crown Counsel, Judge, etc.).
- ☼ Provide up-to-date information about the status of an investigation or the latest court update.
- ☼ Assist with justice-related forms and applications (such as the Crime Victim Assistance Program applications, Victim Impact Statements, etc.).
- ☼ Help young victims/witnesses prepare for testifying in court.
- ☼ Accompany victims/witnesses to court and justice-related meetings.

Since 1972, Cameray Child and Family Services has been offering a spectrum of counselling, education, advocacy and outreach services to children and families in Burnaby & New Westminister. We are committed to providing specialized services that empower children, youth, and families in an inclusive, accessible, and safe environment.

This handout cannot replace specific legal advice. Particular problems relating to behaviour or sexual health must be addressed with either a legal or healthcare professional.

NO TIME LIMIT

- ☼ In Canada, there is no time limit to report an assault of a sexual nature. A person can make a report at any time in their life and the police will investigate.
- ☼ Reporting does several things:
 - helps with the healing process
 - let's the accused know they acted inappropriately
 - there may be others who made reports to police about the same person
 - makes others aware that the accused is dangerous
 - may empower others to come forward
 - allows the victim to access supports

To connect with
Cameray Child & Family Services
Call: **604-436-9449**
Email: info@cameray.ca
Visit our website: www.cameray.ca

Adapted from the “Canadian Criminal Code” & the Options for Sexual Health pamphlet, “Sex & the Law in Canada”