

Sexual Assault

A Guide for Students, Faculty, and Staff

WHAT IS SEXUAL ASSAULT?

Under the Criminal Code of Canada, sexual assault has been interpreted as an actual or threatened advance, gesture, touch, or any other sexual act to which an individual has not consented. It includes a person being forced to perform sexual acts against their will. *It is determined by a lack of consent, and not by the act itself.*

Sexual assault falls on the continuum of sexual violence. Sexual violence is defined by the World Health Organization as “any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic or otherwise directed against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work”.

WHAT IS CONSENT?

Consent is active, ongoing, informed, and voluntary agreement to engage in sexual activity through words or body language. Consent:

- Must be sought throughout all sexual activities; if someone says ‘yes’ to one activity, it does not mean they consent to all sexual activities
- Should be enthusiastic; someone does not consent if they say “No”, “Not sure”, “I’m uncomfortable”, “I’m scared”, “I think I’ve had too much to drink”. Communicating “No” non-verbally may include staying silent, turning away and/or crossing arms

- Cannot be obtained through threats, coercion, or other forms of control and intimidation
- Cannot be given by someone who is intoxicated or unconscious. For more about intoxication, see 4th point under “How to Ask for Consent”.

HOW TO ASK FOR CONSENT

- **Know yourself and what you want.** This is the best way to encourage healthy, consensual sex.
- **Just Ask.** Tell a partner what you want to do and ask about their comfort level: *Can I kiss you? Would you like a hug? How far do you think you would be comfortable going? Have you ever done..... Would you like to try it with me? I'd really like to.... What do you think? You seem quiet...Are you sure?* It is important to keep checking in.
- **Listen, Listen, Listen:** to both words and body language. When someone yells “More”, keep going. When someone whispers “Stop”, then STOP. If your partner doesn’t seem into it, there is probably a reason. Stop all physical engagement and have a conversation.
- **Watch your substance use.** Alcohol and drugs make communication more difficult. It is harder to hear someone else, to check in with ourselves about what we want and need, and to respond to your partner’s desire to participate in sex or stop when they want to.

YORK UNIVERSITY POLICY

York University has a Policy on Sexual Assault Awareness, Prevention, and Response. York is committed to providing and maintaining an environment in which sexual assault is recognized to be unacceptable and is not tolerated. The University commits to addressing reported incidents of sexual assault and responding appropriately. Survivors will be supported and individuals who are members of the York community – who have been found to have committed sexual assault – will be held accountable through due process. Allegations of sexual assault will be addressed through the University complaint procedures. Those who have been found to have committed sexual assault will be subject to related sanctions and discipline, up to and including expulsion and/or termination where appropriate.

WHAT IF SOMEONE DISCLOSES THAT THEY HAVE BEEN SEXUALLY ASSAULTED?

- **Believe them.** Try not to ask questions that sound like you don’t believe their story – for example, questions that start with “Why did/didn’t you...?”. Allow survivors to disclose what they want rather than asking for details. Communicate that survivors are never to blame for an assault
- **Actively listen to the survivor.** Stay focused on what the survivor is saying and what they need
- **Be aware of your body language.** Empathetic words have to be supported by empathetic body language. Recognize that a survivor may not feel comfortable with physical contact

Sexual Assault can:

- Be experienced or perpetrated by any person - regardless of gender, gender identity, sexual orientation, position of power and/or other defining characteristics
- Have a serious impact on a survivor's ability to study and work
- Result in:
 - » Anxiety and/or Depression
 - » Self-blame
 - » Anger
 - » Eating problems
 - » Feeling helpless
 - » Undertaking self-harm or high risk behavior (including substance abuse)
 - » Having difficulty trusting others
 - » Hypervigilance
 - » Sexually transmitted infections (STIs) and/or unwanted pregnancy
- Affect survivors differently

There are groups who are more vulnerable to experiencing sexual assault including young people, people with disabilities, transwomen, racialized women, and Aboriginal women. These groups of people experience higher rates of harassment, assault and violence.

CONFIDENTIAL YORK RESOURCES FOR SURVIVORS OF SEXUAL ASSAULT

Counselling & Disability Services (CDS)

yorku.ca/cds

Sexual Assault Survivors' Support Line & Leadership (SASSL) 24/7 Student Peer Support

416-650-8056, yorku.ca/sassl

Centre for Women & Trans People at York University

416-736-2100 ext 33484

LINKS TO OTHER YORK RESOURCES

If using these resources, York Security will be informed and will contact Toronto Police Services, but it is your choice whether or not you wish to speak to police.

Office of Student Community Relations (OSCR)

yorku.ca/oscr

Security (24/7)

Urgent matters 416-736-5333 or ext 33333

Non-urgent matters 416-650-8000 or ext 58000

yorku.ca/security

LINKS TO YORK POLICY

York University Policy on Sexual Assault Awareness, Prevention, and Response

<http://secretariat-policies.info.yorku.ca/policies/sexual-assault-awareness-prevention-and-response-policy-on/>

EXTERNAL RESOURCES

Assaulted Women's Helpline (24/7)

1-866-863-0511; TTY 1-866-863-7868

Ontario Coalition of Rape Crisis Centres

<http://www.sexualassaultsupport.ca/support>

Toronto Rape Crisis Centre (24/7)

416-597-8808

<http://www.womenscollegehospital.ca/programs-and-services/sexual-assault-domestic-violence-care-centre/>

Women's College Hospital (24/7)

416-323-6040

<http://trccmwar.ca/>

SOURCES

Utt, Jamie. "Want the Best Sex of Your Life? Just Ask". Everyday Feminism 13 December 2012

<http://everydayfeminism.com/2012/12/want-the-best-sex-of-your-life-just-ask/>

MAKING YORK UNIVERSITY REDI

The Centre for Human Rights (CHR) contributes to York University's vision of social justice and accessible education. We strive to build a respectful, equitable, diverse and inclusive (REDI) community at York by advancing, promoting, and upholding human rights at York in accordance with provincial human rights legislation and the University's policies.

Contact the Centre for Human Rights if you:

Have questions or concerns about human rights on campus

Are seeking human rights education

Are interested in human rights research

CENTRE FOR HUMAN RIGHTS

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This fact sheet provides general information about sexual assault to York University students, staff, and faculty members and should not be construed as legal advice.