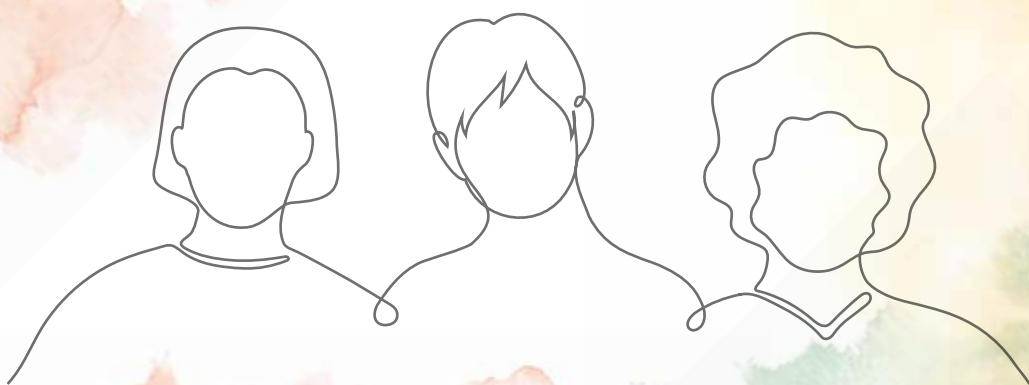


**IF YOU THINK YOU'VE BEEN
SEXUALLY ASSAULTED OR
IF YOU'RE NOT SURE,
THIS BROCHURE
COULD BE FOR YOU**





Writing and coordination

Direction de la lutte à la violence sexuelle
et à la violence conjugale
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WHAT IS SEXUAL ASSAULT?

Let's start with a definition

« Sexual assault is defined as an act of a sexual nature, with or without physical contact, committed by an individual without the consent of the victim or, in some cases, particularly in the case of children, through emotional manipulation or blackmail. It is an act intended to subject another person to the perpetrator's desires through an abuse of power, the use of force or coercion, or implicit or explicit threats. Sexual assault violates the victim's fundamental rights, including the right to physical and psychological integrity and security of the person¹. »

This definition applies regardless of:

- the age, sex, gender, culture, origin, civil status, religion or sexual orientation of the victim or the sexual assailant;
- the type of sexual act;
- the location or setting in which the sexual act was committed;
- the relationship between the victim and the sexual assailant.

The government's definition of sexual assault is broader than the three sections of the *Criminal Code* that refer to sexual assault (sexual assault, sexual assault with a weapon and aggravated sexual assault) and includes other sexual offences, such as sexual interference and invitation to sexual touching, luring or non-consensual sharing of intimate images. Regardless of the definition used, sexual assault is an act intended to subject a person to a direct or indirect sexual act without that person's consent.

1. GOUVERNEMENT DU QUÉBEC. *Orientations gouvernementales en matière d'agression sexuelle*, [Online], 2001. [scf.gouv.qc.ca].

THE NOTION OF CONSENT

Sexual consent is the free and informed act of agreeing to sexual activity.

In some situations, even if the assailant claims to have obtained the victim's consent, it is still a sexual assault. For example:

- if the person has not given their consent at the time the act is performed;
- if the person is under the age of 16*;
- if the person is temporarily incapacitated (unconscious or asleep) or too intoxicated by alcohol, drugs or medication to consent;
- if the person is immobilized by surprise or fear, or is afraid to react;
- if the person agreed to have sex after the assailant insisted, threatened or manipulated them;
- if, in the course of consensual sexual activity, the person is forced to perform certain acts to which they have not given their consent.

Consent must be renewed for each sexual act or activity. It can be withdrawn at any time during the sexual relationship. Silence or inaction does not imply consent.

* There are exceptions for teenagers who have voluntary and consensual sex with each other, depending on their age group. For more details, visit: [Québec.ca/famille-et-soutien-aux-personnes/violences/evaluer-relation#c61978](https://quebec.ca/famille-et-soutien-aux-personnes/violences/evaluer-relation#c61978)

THE MAIN FORMS OF SEXUAL ASSAULT

Sexual assault can take many forms, with or without contact. The degree of violence used can vary and different acts may be perpetrated:

- Sexual kissing (on the mouth, buttocks, breasts or genitals)
- Oral contact with intimate body parts (cunnilingus, fellatio, anilingus)
- Sexual touching (including over clothing):
 - touching the genitals;
 - touching the breasts, buttocks or thighs;
 - being masturbated by or masturbating someone without their consent;
 - engaging in vaginal or anal penetration (with the penis, fingers or objects).

Certain forms of assault are often trivialized, but according to the government definition, they are sexual assaults like any other, such as:

- the sharing of unsolicited sexual content;
- sexual harassment (inappropriate comments, insistent advances, vulgar jokes, etc.);
- frotteurism;
- exhibitionism;
- voyeurism.

VICTIMS

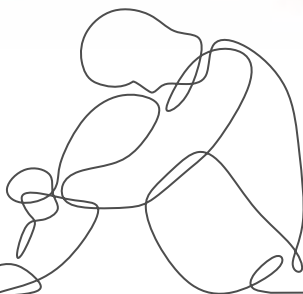
While there is no standard profile for victims of sexual assault, they are more likely to be women or children. Men, boys and people of sexual and gender diversity can also be victims. In 2022, 89.2% of sexual assault victims reported by police forces in Québec were women and girls².

Regardless of the circumstances surrounding a sexual assault, the victim's clothing, condition or behaviour, the victim is NOT RESPONSIBLE for the assault. The reality is that it can happen to anyone, at any age, be it childhood, adolescence or adulthood.

Generally speaking, the assailant is known to the victim³. They could be a sports coach, a teacher, an employer, a co-worker, an intimate partner, a family member, a relative, a friend or a professional consulted by the victim.

2. MINISTÈRE DE LA SÉCURITÉ PUBLIQUE. *Infractions sexuelles en 2022*, [Online], 2001. [cdn-contenu.quebec.ca/cdn-contenu/adm/min/securite-publique/publications-adm/publications-secteurs/police/statistiques-criminalite/infractions-sexuelles/stats_infr_sexuelles_2022.pdf].

3. *Ibid.*



POTENTIAL REACTIONS AND CONSEQUENCES OF ASSAULT

Victims can have different reactions while experiencing a sexual assault. The following reactions are common:

- freezing;
- submitting;
- defending oneself;
- fleeing.

It's important to remember that how someone will react to such an event cannot be predicted, and that all these reactions are normal. They are defence mechanisms, aimed above all at survival.

Certain emotions are more likely to be felt after an assault, such as incomprehension, humiliation, shame, rage, sadness, fear or guilt. Moreover, because victims generally know their assailant, we can add betrayal, denial, uncertainty as to whether or not it was an assault, mistrust and more to this list of emotions.



After a sexual assault

It is recommended to go to a designated centre as soon as possible after the sexual assault. To find the designated centre nearest you, call the Sexual Violence Helpline at **1 888 933 9007** or contact a counsellor by chat.

Although each victim of sexual assault will experience the aftermath in their own way, certain psychological and physical consequences are common. They can affect different aspects of your daily life, on various fronts:

- Mental health (from difficult emotions to serious psychological disorders);
- Physical and physiological health (injuries or disordered use);
- Intimacy and sexuality;
- Socializing.

Whatever the consequences, many resources are available to help victims and their loved ones, well as witnesses of sexual assault. See the “Resources” section of this brochure for details.

DISCLOSURE



**You're not alone,
it's important to talk about it**



There are many reasons why a person might not disclose the assault, including fear of not being believed, feelings of guilt or fear of reprisals. However, just talking to someone about it can make a difference. Some victims don't know whom to tell about their assault. If this is the case, you can contact the Sexual Violence Helpline at **1 888 933-9007** or use their online chat service. Counsellors are there specifically to help.

If victims feel unable to talk about their assault, they can put their story in writing and give it to someone they trust, such as a loved one or a resource person. The important thing is not to keep it secret.



MAKING A REPORT

Reporting a sexual assault to the police is the first step in the judicial process. To report an assault, victims can call 911 or go to a police station.

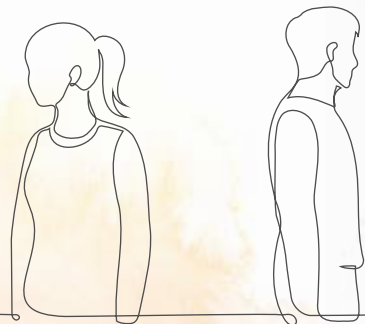
In Canada, there is no maximum time limit for reporting sexual assault. So it's never too late to come forward. For victims aged 18 and over, there is no obligation to report the crime. However, in the case of a minor, anyone who has reasonable cause to believe that a child under 18 is being sexually abused or is at serious risk of being a victim of sexual abuse has a **duty to report it** to the Director of Youth Protection (DYP)⁴.

The legal process can seem intimidating, since it involves telling your story to several people, reliving strong emotions and possibly seeing your assailant in court. It's also possible that coming forward will not lead to the assailant's conviction.

However, reporting the assault can provide significant relief for the victim and allow them to take back control of the situation.

An Act to create a court specialized in sexual violence and domestic violence was assented to on November 30, 2021. It is intended to rebuild trust in the justice system for persons who are victims of sexual or domestic violence. It also aims to provide these individuals with integrated and adapted psychosocial and judicial services, from their first contact with the police.

4. As stipulated in the *Youth Protection Act* (CQLR, chapter P-34.1).



I'M A WITNESS



Sexual assault affects everyone



Witnesses of sexual assault can **intervene**. If a witness feels able, they can challenge the assailant and make that person aware of their actions. A witness can also provide assistance and support to the victim, create a diversion, etc.

If the witness senses that they or the victim is in danger, they can **call 9-1-1**.

Where there is reasonable cause to believe that a child is being sexually abused, or is at serious risk of being a victim of sexual abuse, the witness has a duty to report it to the DYP.



I'M A LOVED ONE

The support of loved ones plays an important role in the victim's healing process, whether the sexual assault is recent or dates back many years.

Here are some examples of helpful conduct to support the victim through their ordeal:

- Listen to what the person has to say;
- Help them express their feelings;
- Avoid judging the person;
- Believe what they say;
- Avoid minimizing or amplifying the facts;
- Show the person you appreciate them;
- Be available;
- Help the person feel less guilty.



RESOURCES



Many resources are available for victims, loved ones and witnesses.

- **Emergency: 911**
- **Sexual Violence Helpline**

The Sexual Violence Helpline is a listening, support, information and referral service available to anyone affected by sexual violence (victims, witnesses, loved ones, etc.). Sexual Violence Helpline services are anonymous, confidential, free, bilingual and accessible 24/7.

Contact: 1 888 933-9007 or sexualviolencehelpline.ca

- **Designated centres**

Designated centres are facilities offering various medical, legal and psychological services to victims of sexual assault. A forensic kit or medico-social kit can be prepared on site, whether or not the victim wishes to file a complaint. To find the designated centre nearest you, **call the Sexual Violence Helpline at 1 888 933 9007** or contact a counsellor by chat.

- **Sexual assault help centres (CALACS)**

CALACS work mainly with women and girls who are victims of sexual assault. They offer telephone support and psychosocial assistance through support groups and meetings with counsellors. Many CALACS are members of the Québec Coalition of Sexual Assault Help Centres (RQCALACS).

Contact : 1 877 717-5252, Find a CALACS - RQCALACS (rqcalacs.qc.ca/trouver-un-calacs)

- **Organizations for men who have experienced sexual assault**

Member organizations of the Regroupement d'organismes québécois pour hommes agressés sexuellement (ROQHAS) offer services to men who experienced sexual assault as children or adolescents. They offer psychosocial assistance through a series of one on one or group meetings.

Contact : info@roqhas.org, ROQHAS (roqhas.org)

- **Centre d'expertise Marie-Vincent**

The Centre d'expertise Marie-Vincent supports children under the age of 12 who are victims of sexual violence and children who display problematic sexual behaviours by providing all the necessary services under one roof.

Contact: 1 514 362-6226, Home | Marie-Vincent (marie-vincent.org)

- **DPCP helpline for domestic and sexual violence**

This is the telephone line used by prosecutors working for the Directeur des poursuites criminelles et pénales (DPCP) to provide legal information on the criminal justice process to victims of domestic and sexual violence, and to accompanying support workers when victims are reluctant to file a complaint.

Contact: 1 877 547-DPCP (3727)

- **Crime victim assistance centres (CAVAC)**

CAVACs exist in every region of Québec and offer services such as legal guidance and information, preparation for testimony, information on rights and recourses, and technical assistance.

Contact: 1 866 532-2822, Centre d'aide aux victimes d'actes criminels (cavac.qc.ca)

- **Commission des services juridiques: Rebâtir**

Rebâtir offers a legal consultation service, free of charge and delivered by a lawyer, to victims of sexual and domestic violence. Victims can receive four hours of legal advice, free of charge, in all areas of the law relating to the violence they have experienced.

Contact: 1 833 732-2847, Rebâtir (rebatir.ca)

- **Director of Youth Protection (DYP)**

The Director of Youth Protection (DYP) is the Québec body that can step in if a child's safety or development is in danger. A report can be made to the DYP 24/7, by phone or in writing.

Contact: DYP contact information - Report a situation to the Director of Youth Protection (DYP) | Gouvernement du Québec (Quebec.ca/famille-et-soutien-aux-personnes/enfance/services-jeunes-difficulte-famille/protection-de-la-jeunesse/faire-un-signalement-au-dpj/coordonnees-du-dpj)





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