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[Event Calendar](#)

[What's New?](#)

[Resources](#)

[Definitions](#)

[Myths About Sexual
Violence](#)

[Common Myths About Sexual
Assault](#)

[Myths Fact Sheet](#)

[Links](#)

[OCRCC Member Centres](#)

[Contact Us](#)

[How to Hide Your Visit to
this Site](#)

Dispelling The Myths About Sexual Assault:

Our society's understanding of sexual assault is complicated by myths. Many of these myths blame or shame the survivor of sexual assault, instead of holding the offender responsible for his actions. To dispel these myths we need to ask ourselves:

Do I believe that . . .

1. . . . *women often provoke sexual assault by their behaviour or manner of dress?*

Fact: No behaviour or manner of dress justifies an assault. Such a belief takes the onus off the offender and places it on the survivor. A man should always ask to ensure his advances are wanted. The idea that women "ask for it" is often used by offenders to rationalize their behaviour. Offenders are solely responsible for their own behaviour.

2. . . . *most women lie about sexual assault?*

Fact: Sexual assault is actually one of the most under-reported crimes. A Canadian statistic tells us that victimization surveys show that less than 10% of women who are sexually assaulted report the assault to the police; most women do not report due to humiliation or fear of re-victimization in the legal process.. (Federal/Provincial/Territorial Ministers Responsible for the Status of Women, 2002, *Assessing Violence Against Women: A Statistical Profile*, p.19).

3. . . . *when a woman says "no" she secretly enjoys being forced, teased or coerced into having sex?*

Fact: No one enjoys being assaulted. No one asks to be hurt. "No" means "no". It's the law. When someone says NO to any form of sexual activity it is the responsibility of the other person to respect this.

4. . . . *saying "no" is the only way of expressing your desire to not continue?*

Fact: Many offenders will rationalize their behavior by saying that because she didn't actually say "no", so they thought consent was obtained. The law is clear: without consent, it is sexual assault. Consent means saying Yes to sexual activity. In addition to saying No, there are many ways of communicating non-compliance.

- "I'm not into this right now"
- "Maybe later"
- "I'm not sure"
- silence
- crying
- body language (squirming, stiffness, shaking)
- If a person is too intoxicated to say No, there is no consent
- If a person is too scared to say No, there is no consent
- If a person is asleep or unconscious, there is no consent

Misconceptions about the use of alcohol and/or substances and sexual violence shift the blame to the victim/survivor. This minimizes the perpetrator's responsibility for obtaining clear consent. Any altered state that inhibits someone's ability to say NO does not constitute consent.

5. . . . *sexual assault only occurs when there is a struggle or physical injury?*

Fact: Many survivors are too afraid to struggle. They may freeze in terror or realize that the overwhelming size and strength of their attacker makes resistance very dangerous. In cases reported to police, 80% of sexual assault survivors knew their abusers (Statistics Canada, 2003, *The Daily*, 25 July). Acquaintances, friends or relatives are more likely to use tricks, verbal pressure, threats or mild force like arm twisting or pinning their victim down during an assault. Assaults may also be drug assisted. Lack of obvious physical injury or knowing the attacker doesn't change the fact that sexual assault is violent and against the law.

6. . . . *if it really happened, the survivor would be able to easily recount all the facts in the proper order?*

Fact: Shock, fear, embarrassment and distress can all impair memory. In addition to this, many survivors actively attempt to minimize or forget the details of the assault to help them cope with its memory.

7. . . . Experiencing sexual violence is not harmful in the long run.

Fact: Sexual assault can have serious effects on people's health and well being. People who have been sexually assaulted feel fear, depression and anger. Survivors can experience harmful physical and emotional effects regardless of the age at which the violence occurs.

8. . . . *a person who has agreed to sex previously with the offender (for example, their spouse, an acquaintance, or a client who has paid for sexual services) cannot be sexually assaulted by that person?*

Fact: Sexual assault is any unwanted sexual activity forced on one person by another. Sexual assault occurs whenever a person does not want to have sex but is forced into the act, regardless of previous consensual sexual relations. The Canadian Panel on Violence Against Women found that 38% of sexually assaulted women were assaulted by their husbands, common-law partners or boyfriends. Although illegal in Canada since 1983, few of these assaults are reported to police.

In addition, consent is active and ongoing. This means it ceases to be present if someone changes his/her mind. This also means that person can say *no* to further continuance once any sexual activity has already begun.

9. . . . *some people are less likely to be targeted for sexual assault: for example, lesbians, gay men and people who are gender variant, women of color, people with disabilities including psychiatric labels, transpeople, boys, and sex workers?*

Fact: Many of the above mentioned groups are at higher risk for any type of violence, including sexual violence.

- Women and young women from marginalized racial, sexual and socioeconomic groups are more vulnerable to being targeted for sexual harassment and sexual assault (Wolfe and Chiodo, CAMH, 2008, p. 3.)
- Women with low household incomes, low levels of education and/or who are unemployed are at higher risk of being sexually assaulted than women in general. (H. Johnson, 1996, *Dangerous Domains: Violence Against Women in Canada*, p.108-109)
- 83% of women with disabilities will be sexually assaulted during their lifetime. (L. Stimpson and M. Best, 1991, *Courage Above All: Sexual Assault against Women with Disabilities*)

10. . . . *There is no such thing as a male survivor of sexual assault?*

Fact: Men and boys can be sexually assaulted too. Women and girls are considerably more likely than men to be targeted; however for males, being under 12 years old heightens their vulnerability to sexual offences (Measuring Violence Against Women: Statistical Trends 2006, Statistics Canada). When adult men are assaulted they face stigma imposed by patriarchal views about masculinity.

11. . . . *if someone - for example, a partner, date or acquaintance - buys dinner or drinks, gives a present, or does a favour, the recipient owes them sex?*

Fact: No one owes anyone sex. It cannot be assumed that friendliness and openness are an invitation to sex.

12. ...if two people are married, or in a relationship, sex is an assumed part of the agreement?

Fact: Consent to any sexual activity can only be given by the individual regardless of context. Spousal relationships, including arranged marriage or any other relationship that implies indebtedness does not constitute consent to sexual activity. Sexual activity cannot be expected or condoned in advance.

13. ... at work, a certain amount of sexual banter, flirting or jokes is just part of the job?

Fact: Harassment in the workplace is a common abuse of authority. In a 1993 national survey, 23% of Canadian women reported that they had encountered work-related sexual harassment in their lifetime. (H. Johnson, 1994, *Work-related sexual harassment. Perspectives on labour and income.*)

Consent cannot be obtained by abusing a position of trust, power or authority (for example, teachers, physicians, employers). "Sexual abuse by health professionals remains an important public safety problem whose importance is magnified when we consider the specific impact and severity of sexual abuse due to breach of trust", (Special Task Force on Sexual Abuse of Patients, M. McPhredran, 2000, *What about accountability to the patient?*)

14. . . . once a sexual assault report has been made, the alleged offender will be prosecuted and found guilty?

Fact: Sexual assault is a difficult crime to prove as there are rarely witnesses, there is not always physical evidence of the crime, and sexual assault myths affect the efficacy of the criminal justice system. The majority of all reported sexual assault cases are not resolved through the criminal justice system. According to Statistics Canada, only 6% of all sexual assaults are reported to police. Of the 6% of sexual assaults that are reported, only 40% result in charges being laid; and of those cases where charges are laid, just two-thirds result in conviction (www.citizenship.gov.on.ca/owd/english/publications/sexual-assault/reporting.htm).

These figures continue to deter women from reporting sexual assault, in particular if their offender is known to them.

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