



SEXUAL ABUSE AND EXPLOITATION OF CHILDREN AND YOUTH: A FACT SHEET FROM THE DEPARTMENT OF JUSTICE CANADA

What is Sexual Abuse and Exploitation of Children and Youth?

Definition

Sexual abuse and exploitation of children and youth occurs when an older child, adolescent or adult takes advantage of a younger child or youth¹ for sexual purposes, including for participation in prostitution, pornographic performances and in the production of pornography. Sexual abuse and exploitation is perpetrated on children of all ages, from infancy to adolescence.

According to the *Criminal Code of Canada*, children and youth under the age of 14 cannot legally give informed consent to sexual activity. According to the *Criminal Code of Canada*, children and youth under the age of 14 cannot legally consent to sexual activity. Sexual activity includes all sexual contact ranging from sexual touching to sexual intercourse. Except for a narrow close in age exception,² all sexual activity with a child under the age of 14 is a criminal offence, regardless of the child's consent. Youth between the ages of 14 and 17 also cannot legally consent to sexual activity with a person in a position of trust or authority or with whom the youth is in a relationship of dependency. In such cases, sexual activity with 14 to 17 year olds is a criminal offence, notwithstanding their consent.³

There are many overlapping dimensions to the sexual abuse and exploitation of children and youth. A child or youth may be sexually abused and exploited by one or more family members or by others outside the family, including by others known to the child or youth or by a stranger. The perpetrator may be acting alone or in an organized group or network. The perpetrator may be either the same or the opposite sex as the victim although current data suggest that the majority of perpetrators are male. Regardless, however, of where and how it occurs, or who commits it, or whether the child or youth consents, the sexual abuse and exploitation of children and youth is a betrayal of trust and an abuse of power.

Types of sexually abusive or exploitive behaviour

The sexual abuse and exploitation of children and youth may involve a range of behaviours. Non-contact sexual abuse may involve making sexual comments to the child or youth, exposing intimate body parts, voyeurism, having a sexual fixation on a child or youth's clothing or body parts, luring, making sexually related phone calls and engaging in sexually related correspondence through the Internet. Contact sexual abuse may involve making the child or youth participate in acts such as touching (fondling) or digital or object penetration of intimate body parts. Sexual exploitation may involve prostitution as well as making children and youth participate in pornographic acts or performances for

personal or commercial use.⁴ There is an increasing international dimension to the sexual exploitation of children through sex tourism and also through the Internet.⁵ In Canada, acts of sexual abuse and exploitation against children and youth are crimes. Child sexual abuse and exploitation is a serious violation of the basic human rights of the child.

Dynamics of sexual abuse and exploitation

Perpetrators may use various tactics to gain access to, isolate, manipulate and control their young victims. Typically there is a power differential between the perpetrator and the victim. Perpetrators tend to be older than their victims and are likely to be more knowledgeable about sexual activity. They may spend a lot of time befriending and grooming their victims. They may use threats, physical force, bribery, trickery or other forms of psychological coercion to gain access to, and make their victims compliant. Sexual abuse or exploitation may be a single act, or repeated acts. These acts may become more serious, frequent and intrusive over time. Victims may experience lifetime negative effects.

How Widespread is Sexual Abuse and Exploitation of Children and Youth in Canada?

Although child sexual abuse and exploitation has occurred throughout history, it was not publicly recognized as a societal problem in Canada until the 1984 publication of *The Badgely Report*.⁶ Although there have been a number of studies on child sexual abuse and exploitation, it is not possible to know the extent of the problem within Canada because victims may not disclose, or known incidents may not be reported to authorities. In addition, some forms of sexual abuse and exploitation against children and youth may not be fully reflected in national-level crime reporting, and in provincial/territorial child protection reporting mechanisms.⁷ However, the available national data indicates that sexual abuse and exploitation of children and youth is disturbingly common in Canada.

Extent of sexual abuse and exploitation

In 2002, 8,800 sexual assaults against children and youth were reported to a subset of 94 police departments in Canada.⁸ This included 2,863 sexual assaults against children and youth by family members. According to the Canadian Incidence Study of Reported Child Abuse and Neglect (CIS) — the first national study of the incidence of child abuse and neglect reported to and investigated by child welfare authorities in Canada — sexual abuse was the primary reason for investigation in 10% of all child maltreatment referrals to social services agencies in 1998. Thirty-eight percent of these cases were substantiated.⁹

Why victims may not disclose

There are many different reasons why victims may keep the abuse secret:

- *Age and/or developmental stage:* In some cases, they may be too young (developmentally, cognitively or emotionally) to articulate what happened to them.
- *Feelings of powerlessness:* Some victims may feel trapped by circumstances or have been threatened that harm will come to them, or someone close to them if they disclose.
- *Dependency:* They may be in a situation of dependency on the perpetrator.
- *Fear:* They may fear that they will not be believed. They may fear that they will be stigmatized, and that their sexual identity will be called into question. They may be afraid of the perpetrator's reprisals or other negative consequences of telling others. They may want to protect family members (including the perpetrator).
- *Conflicting emotions:* They may feel conflicted and suffer confusion or shame. They may believe that the abuse is their fault.

Even in cases where victims tell others about the abuse, the recipient may not report the abuse to authorities for reasons such as disbelief, shame, fear of and dependency on the perpetrator.

Types of sexual abuse

According to the CIS, the most common form of substantiated child sexual abuse in child protection cases was touching and fondling of the genitals (68% of cases), while attempted and completed intercourse accounted for 35% of cases. An adult exposing genitals to a child accounted for 12% of the substantiated cases of child sexual abuse.¹⁰ Six percent of cases involved an adult sexually exploiting a child for purposes of financial gain or other profit, and 4% of cases involved sexual harassment (including proposition, encouragement or suggestions of a sexual nature).¹¹ In 2002, according to the Incident-based Uniform Crime Reporting (UCR) Survey, children and youth accounted for 61% of the victims of sexual assaults reported to a subset of 94 police departments. This included crimes such as sexual assault, sexual assault with a weapon, aggravated sexual assault and a range of other sexual crimes including sexual interference, sexual touching, sexual exploitation and incest.

Perpetrators

Perpetrators are more often individuals who know the victim, rather than strangers. About half (51%) of sexual assaults against children and youth reported to a sub-set of police departments in 2002 involved friends or acquaintances, while a quarter of these assaults (25%) involved family members. About 18% involved assaults by strangers. Most (but not all) are male. According to the CIS, most alleged perpetrators of sexual abuse were either "other" (non-parental) relatives (44% of cases) or non-relatives (29%), and only

very few (2%) of substantiated cases of sexual abuse involved a stranger. Alleged perpetrators who were related to the victim were equally likely to be a biological father or step-father and less likely to be the child's biological mother or a foster or adoptive parent.¹² Individual factors associated with sexual offending are complex, however, some of the common elements that child sexual abuse offenders may share are family histories marked by physical, sexual and emotional abuse as well as frequent experiences of failure, problems in social functioning and unsatisfactory peer relationships.¹³ Some perpetrators use child and/or adult pornography and others do not.¹⁴

What Factors Play a Role in Sexual Abuse and Exploitation of Children and Youth?

Many factors may play a role in the sexual abuse and exploitation of children and youth. At the societal level, the dynamics of socialization as well as society's collective history of denial of child sexual abuse and exploitation may contribute to environments in which opportunities for abuse and exploitation can occur. At the community level, the absence of adequate safety precautions and educational supports in spiritual, cultural, recreational, child care, educational, residential and therapeutic care settings may place children and youth in situations of risk.¹⁵ Inter-generational patterns of abuse within the family, as well as family problems such as substance abuse and inadequate supervision¹⁶ are also considerations.

At the individual level, the developmental age and gender of the child may also contribute to risk. While any child or young person is potentially at risk, the interactions between various risk factors can be complex. Some children and youth may be more vulnerable due to factors that isolate and marginalize them in their homes and communities, such as poverty, disability, racism and other forms of discrimination.

For Aboriginal peoples, the experience and devastating consequences of colonization - in particular the undermining of traditional beliefs and values and family and community structures through the residential school system — have contributed to social problems (including sexual abuse and exploitation) experienced within some Aboriginal communities today.¹⁷

Gender of Child Sexual Abuse Victims

Both police-reported data and the CIS findings indicate that the majority of victims of child sexual abuse are young females. In 2002, 81% of the victims of family-related sexual assaults reported to a subset of police departments were girls.¹⁸ The rate of reported family-related sexual assault for young females was nearly four times higher than that of males.¹⁹ Similarly, according to the CIS, girls were the victims in 69% and boys in 31% of substantiated sexual abuse cases.²⁰

Age of Child Sexual Abuse Victims

There is evidence that the risk of child sexual abuse may differ for females and males at specific ages:

- For girls, the risk may be highest either when they are very young or when they are in their pre and early adolescence. According to the CIS, girls aged 4-7 and

- 12-15 were the victims in about twice as many cases of sexual abuse as girls aged 0-3 or 8-11.²¹ In 2002, the rates of sexual offences reported to police were highest among girls between the ages of 11 and 14, with the highest rate at 13 (165 per 100,000 females).²²
- For boys, the risk may be highest when they are very young. According to the CIS, 4-7 year old boys accounted for three times more cases than other age groups of boys.²³ Among boys, rates of family-related sexual assault reported to police in 2002 were highest for those between the ages of 3 and 7.²⁴

What are Some Potential Warning Signs of Sexual Abuse and Exploitation?

It is important to remember that the signs of sexual abuse and exploitation may vary based on factors such as the victim's age and developmental stage, gender, their experience of abuse, family functioning and community support. Moreover, current research suggests that approximately one-third of victims do not show signs of abuse (even when they have disclosed the abuse).²⁵ Criminal justice practitioners and professional clinicians employ various investigative and assessment strategies to determine the possibility of sexual abuse and/or exploitation and to address its impacts.²⁶

Sexually abused and/or exploited children and youth who do show signs of sexual abuse and exploitation may, for example:

- Express sexual statements or demonstrate sexual behaviours when they are not typically old enough to possess that knowledge (for example, in cases where they have not received any sex education, or are unlikely to have peers who might have exposed them to sexual materials, and are unlikely to be sexually active).
- Express sexual aggression towards younger or more naïve children.
- Make verbal or behavioural sexual advances towards older individuals.
- Engage in promiscuous behaviour as a consequence of their victimization (for example, they may have low-self esteem and perceive sex as a way to gain acceptance and acquire relationships).²⁷

They may also show a range of non-sexual signs, however many of these signs may also be responses to other types of abuse (such as psychological or physical abuse). They may show:

- Physical signs, such as sleeping problems, eating problems (in particular anorexia or bulimia) and bowel and bladder problems. There may be physical evidence of trauma to their oral, genital and/or anal areas.
- Emotional signs, such as becoming quiet and depressed, preoccupied, hyperactive or anxious.

- Behavioural problems, such as physical aggression, running away, suicidal behaviour, substance abuse.²⁸
- Developmental signs, such as lags in their cognitive development and school performance.

What are the Consequences of Sexual Abuse and Exploitation of Children and Youth?

Being sexually abused and exploited may have immediate impacts on a young person's experiences of childhood and personal development.²⁹ According to the CIS, children who are sexually abused may experience disruptions in their developing view of themselves and the world. These disruptions can result in significant emotional and behavioural changes as they find ways to cope with these events.³⁰ Their sense of personal integrity, safety and security is violated. They may experience shame and guilt. Opportunities to play, learn and have healthy social interactions with others may be lost. They may try to cope with the abuse by acting in a secretive manner and behaving in a helpless way. They may delay disclosure, or disclose in conflicting and unconvincing ways. They may retract their statements.³¹

The impact of sexual abuse and exploitation may have far-reaching effects that may not be apparent until later in the individual's life. For example, some research suggests that child sexual abuse experiences may (among other factors) also contribute to a young person's later experiences of sexual exploitation. Many young people who are sexually exploited ran away or were abandoned at an early age from home environments that frequently included physical, sexual and emotional abuse.³² The impacts of sexual abuse and exploitation may persist into adulthood. Adolescent and adult women sexually molested as children are more likely than non-victims to suffer from both physical and psychological problems.³³ Research indicates that women who have a history of child sexual abuse are also significantly more likely than non-victims to experience a subsequent sexual revictimization.³⁴

Although the research on male victims of child/youth sexual abuse and exploitation is limited compared with research on female victims, it also indicates that male victims are also more likely than non-victims to experience physical and psychological problems.³⁵ They may suffer from depression, anxiety and suicidal thoughts and behaviour and adopt poor coping strategies, such as substance abuse.

Impacts on families

Non-offending family members may also experience negative consequences when a child or sibling is sexually abused or exploited. These consequences may vary by factors such as the nature of their relationship with and dependency on the perpetrator. For example, they may feel shame, anger and guilt about their failure to protect the child.

Impacts on perpetrators

Perpetrators may experience negative consequences of their behaviour — including criminal sanctions and incarceration. They may experience shame, personal rejection and social condemnation. Many were victims of sexual abuse and exploitation as children and youth. Few seek treatment on their own initiative. Clinicians may conduct non-forensic and forensic assessments of offenders who enter the criminal justice system, to assist in determining appropriate sentencing and treatment options.³⁶

Costs to society

Although it is not possible to measure the personal and social costs of sexual abuse and exploitation of children and youth, most people would agree they are enormous. There are also financial costs to society as a whole. According to the Day model, which measures the judicial, social services, education, health, employment and personal costs of violence, the total costs of child abuse (including child sexual abuse) are estimated to be **\$15,705,910,947** annually.³⁷

<i>Costs of Child Abuse in Canada</i>	<i>\$</i>
<i>Judicial</i>	<i>\$616,685,247</i>
<i>Social Services</i>	<i>\$ 1,178,062,222</i>
<i>Education</i>	<i>\$ 23,882,994</i>
<i>Health</i>	<i>\$ 222,570,517</i>
<i>Employment</i>	<i>\$11,299,601,383</i>
<i>Personal</i>	<i>\$ 2,365,107,683</i>
<i>Total</i>	<i>\$15,705,910,047</i>

Preventing and Responding to Sexual Abuse and Exploitation of Children and Youth

The Government of Canada has taken many steps to protect children and youth from sexual abuse and exploitation and is regarded as a world leader in addressing sexual exploitation of children due to its criminal prohibitions concerning child victimization and pornography. Further, federal criminal law (offences and penalties) functions together with provincial and territorial child protection legislation to create a comprehensive framework.³⁸

The Government of Canada participates in collaborative initiatives at the international, national, provincial and territorial levels and offers support for the many ongoing efforts of communities and organizations. In May 2004, as part of the Government of Canada's national strategy to protect children from on-line sexual exploitation, the National Child Exploitation Coordination Centre (NECC) was created

http://www.rcmp.ca/factsheets/fact_ncecc_e.htm. The NECC is an integral part of Canada's National Police Services. In addition, on January 2004, a national tipline for reporting on-line sexual exploitation (Cybertip.ca) was announced.

The Department of Justice Canada contributes to the prevention of child sexual abuse and exploitation and a comprehensive response to it by supporting the development and adoption of international instruments to protect children and youth; reforming the law and enhancing its implementation; undertaking research; supporting public legal education programs and services; and supporting communities and organizations to enhance their capacity to prevent and respond to the sexual abuse and exploitation of children and youth. Much of this work is linked to the federal government's current [Family Violence Initiative](#).

The Department of Justice Canada's international activities

The Government of Canada is a world leader in promoting international cooperation to address the sexual abuse and exploitation of children and youth:

1991 — The Government of Canada ratified the *United Nations Convention on the Rights of the Child* on December 13, 1991. The Convention recognizes that children by reason of their physical and mental development need special safeguards and care.

2001 — The Government of Canada signed the *Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography* on November 19, 2001. Canada actively participated in the development of this protocol, which expands on Articles 34 and 35 (protection of children from sexual exploitation and abuse, abduction, sale and trafficking) of the *United Nations Convention on the Rights of the Child*.

2002 — The Government of Canada played a leading role in the development of the *United Nations (UN) Convention against Transnational Organized Crime* and its two supplementing protocols, the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, and the *Protocol Against the Smuggling of Migrants by Land, Sea and Air*.

2005 — The Department of Justice Canada continues to work internationally and domestically to combat the trafficking in persons (which includes trafficking in children and youth for forced labour, prostitution or other forms of servitude) <http://canada.justice.gc.ca/en/fs/ht/index.htm>. The Department of Justice and Foreign Affairs co-chair the Interdepartmental Working Group on Trafficking in Persons (IWGTIP), which coordinates federal efforts related to trafficking in persons.

2005 — The Department of Justice Canada has also been actively involved in the United Nations General Assembly Session on Children (<http://www.unicef.org/specialsession>) as well as in the World Congress Against Sexual Exploitation of Children (<http://www.unicef.org/events/yokohama>)

Strengthening the criminal justice system's approach to the sexual abuse and exploitation of children and youth

The Department of Justice Canada and its provincial and territorial counterparts continue to reform the law and enhance its implementation. Many of the changes to the *Criminal Code* and the *Canada Evidence Act* have catalyzed the criminal justice system's efforts to become more aware of the needs of children and to make the legal process more sensitive to their needs.³⁹ The current legal framework to protect children in Canada includes:

- *The Canadian Charter of Rights and Freedoms*
- *Canadian Human Rights Act*
- *Criminal Code of Canada*
- *Youth Criminal Justice Act*
- *Canada Evidence Act*
- *Immigration and Refugee Protection Act*
- *Immigration and Refugee Protection Regulations and Rules, 2002*
- Provincial and territorial family violence legislation
- Provincial and territorial child protection legislation. A cross-Canada list of Child Protection Acts can be found through the Centre of Excellence for Child Welfare Web site at www.cecw-cepb.ca/Policy/PolicyLeg.shtml.

For information on federal legislation, refer to the Department of Justice Canada Web site at <http://laws.justice.gc.ca/en>.

The Department of Justice Canada continues to strengthen the criminal justice system's response to child/youth sexual abuse and exploitation. This process began in 1988 (following the Badgely Report⁴⁰) with the introduction of Bill C-15. Over the past decade, Canada's criminal justice system has seen a considerable shift in attitudes about — and intensity of actions to address — the sexual abuse and exploitation of children and youth. As a result of these changes, for example, there has been an increase in the number of child abuse cases being prosecuted along with an increase in the number of younger complainants (four to nine years of age) testifying in the courts.⁴¹

The legal instruments available to respond to sexual offences against children and youth depend, to some extent, on the age of the offender. Some of the *Criminal Code* provisions that may apply in cases of child/youth sexual abuse and exploitation include:

- consent no defence — s.150.1
- sexual interference — s.151
- invitation to sexual touching — s.152
- sexual exploitation of a young person — s.153
- incest — s.155
- bestiality — s.160
- order of probation, which prohibits an offender convicted of a sexual offence involving a young person from attending at or near certain public places where children may be present or seeking, obtaining or continuing employment that involves being in a position of trust or authority towards a young person — s.161
- corrupting morals— s.163
- child pornography— s.163.1

- parent or guardian procuring sexual activity — s.170
- householder permitting sexual activity — s.171
- corrupting children — s.172
- luring a child — s.172.1
- indecent acts — s.173 (1)
- exposure — s.173(2)
- vagrancy — s.179
- living off avails of child prostitution — s.212(2)
- obtaining for consideration, or communicating to obtain the sexual services of a child — s.212(4)
- criminal harassment — s.264
- sexual assault — s.271
- sexual assault with a weapon, threats by a third party or causing bodily harm— s.272
- aggravated sexual assault — s.273⁴²
- purpose of sentencing — s.718
- peace bond, if a person fears that another person will commit a sexual offence against a child — s.810.1

For further information on *Criminal Code* provisions that pertain to the sexual abuse and exploitation of children and youth <http://laws.justice.gc.ca/en>; on legislation pertaining to victims <http://canada.justice.gc.ca/en/ps/voc/vocleg.html>; on legislation pertaining to trafficking in persons <http://canada.justice.gc.ca/en/fs/ht/index.html>.

An overview of legislative reform pertaining to the sexual abuse and exploitation of children and youth is presented below:

- Bill C-2, introduced on October 8, 2004, proposes amendments to the *Criminal Code* and the *Canada Evidence Act* that are intended to protect children and others who are vulnerable from sexual exploitation, violence, abuse and neglect. Bill C-2:
 - expands the scope of some existing offences related to sexual exploitation;
 - narrows the availability of statutory defences and/or increases penalties available following conviction;
 - proposes the creation of two new hybrid offences of “voyeurism”;
 - proposes amendments that will allow children and other vulnerable witnesses greater access to testimonial aids (such as screens and closed-circuit television) and will eliminate the need for a competency hearing prior to the admission of testimony from a child under 14.⁴³
- Bill C-15A (proclaimed into force in July 2002), among other things, created new *Criminal Code* offences and enforcement measures to deal with the sexual exploitation of children, particularly in relation to child pornography and the Internet as well as luring of children over the Internet. It also amended the *Criminal Code* to facilitate the prosecution of individuals involved in child sex tourism; and amended existing provisions in the *Criminal Code* to better protect children from sexual predators, and to ensure that a person with a disability who

is the victim of sexual exploitation receives the same evidentiary protection as is afforded to other victims of sexual offences. It also raised the maximum penalty for criminal harassment from five to 10 years imprisonment.⁴⁴

- Bill C-7, the *Youth Criminal Justice Act* replaced the *Young Offenders Act* on April 1, 2003. The new Act holds young people (12-17 years old) accountable for their actions through interventions that are fair and in proportion to the seriousness of the offence committed. The new Act recognizes the interests and needs of victims, and the importance of rehabilitation and reintegration of young offenders (including adolescent sex offenders) <http://canada.justice.gc.ca/youth>.
- Bill C-79 (proclaimed into force in December 1999) amended the *Criminal Code* and the *Canada Evidence Act* to facilitate the participation of victims and witnesses in the criminal justice process. Measures were put in place to prevent victims from being re-victimized by the system. For example, bail decisions must take the safety of victims into account, and publication bans are now permitted to protect the identity of any victim or witness.
- Bill C-27 (proclaimed into force May 1997) amended the *Criminal Code* to specifically prohibit female genital mutilation in Canada and to allow for the Canadian prosecution of Canadian citizens or permanent residents who sexually abuse children, including engaging in child prostitution, while outside Canada.
- Bill C-46 (proclaimed into force on May 12, 1997) amended the *Criminal Code* to ensure that only relevant documents from the complainants' and witnesses' personal and confidential records are made available to the accused in sexual offence proceedings.
- Bill C-41 (proclaimed into force in June 1995) amended the *Criminal Code* to require the court to take into account as an aggravating factor for the purpose of sentencing: evidence that the offence was motivated by bias, prejudice or hate, based on race, national or ethnic origin, language, colour, religion, sex, age, mental and physical disability, sexual orientation or other similar factors; and, evidence that an offender, in committing an offence, abused the offender's spouse, common-law partner or child, or abused a position of trust or authority in relation to the victim.
- Bill C-42 (proclaimed into force in February 1995) amended the *Criminal Code* to make it easier to for persons to obtain peace bonds that can assist in protecting children and youth from abusers.
- Bill C-72 (proclaimed into force on June 1995) amended the *Criminal Code* to clarify that self-induced intoxication is not a defence to general intent crimes of violence such as assault and sexual assault.

- Bill C-126 (proclaimed into force in August 1993) created the new anti-stalking offence of criminal harassment.
- Bill C-49 (proclaimed into force in August 1992) defined consent for the purpose of sexual activity. Section 273.1 of the *Criminal Code* now specifies the situations in which consent has been obtained. The onus is now on the accused to ensure that a complainant was, in fact, consenting.
- Bill C-15 (proclaimed into force January 1988) stipulated the age of 18 as that of full sexual autonomy. Bill C-15 created new child sexual abuse offences (including criminalizing the sexual procurement of youth) and also revised some of the existing offences and created new provisions governing the giving of evidence by children as follows:⁴⁵
 - removing the legal necessity of having the un-sworn child witness's testimony corroborated;
 - allowing the admissibility of a videotape of the child witness's disclosure of sexual abuse, provided the child witness testifies and other preconditions are met;
 - allowing for a child witness to give testimony outside the court via closed-circuit television or from behind a screen;
 - allowing child witnesses to give un-sworn testimony where they demonstrated "an ability to communicate" and "promise to tell the truth."

Support for public legal education and community-based prevention programs and services

The Department of Justice Canada has supported a number of education and prevention initiatives for practitioners and for communities including, for example:

- A Canadian Red Cross manual for practitioners, *A Shared Responsibility: Preventing Child Sexual Abuse through Intervention, Protection and Canada's Laws*, 2005. <http://www.redcross.ca/article.asp?id=012685&tid=030#course>
- A user-friendly Web site for the International Centre to Combat the Commercial Sexual Exploitation of Children. www.iccec.ca/home.html
- The Manitoba Cybertipline (Child Fund Manitoba). The Manitoba Cybertipline will allow the public to report incidents of child sexual exploitation and will also provide prevention information and referrals to other agencies. www.ccta.com/english/View.asp?t=&x=33
- Save the Children Canada to draft a framework for helping youth to exit the sex trade and to prevent others from entering it. This paper was presented at the Second World Congress on Sexual Exploitation of Children in December 2001, in Yokohama, Japan.

- The identification and assessment of public legal education needs regarding child sexual abuse which will help to guide the development of future resources, as well as their dissemination.

- The Department of Justice Canada supports Aboriginal communities in developing culturally appropriate approaches to addressing violence and abuse in their communities. For example, the Spousal Abuse Counselling Program for Rankin Inlet is a pilot project aimed at reducing spousal abuse in the community. It consists of a culturally appropriate counselling program for abusers, victims, and an educational community outreach program.

SUGGESTED RESOURCES ON SEXUAL ABUSE AND EXPLOITATION OF CHILDREN AND YOUTH

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WHERE TO GET MORE INFORMATION ON CHILD/YOUTH SEXUAL ABUSE AND EXPLOITATION

Department of Justice Canada Family Violence Initiative Web site at <http://canada.justice.gc.ca/en/ps/fm/>

National Crime Prevention Centre Web site at <http://www.prevention.gc.ca>

National Clearinghouse on Family Violence Web site at <http://www.hc-sc.gc/nc-cn>

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- 1 In this fact sheet, "children" refers to individuals under the age of 12 and "youth" refers to individuals under the age of 18.
 - 2 A child who is 12 or 13 can consent to sexual activity with another child who is 12 years of age or more but under 16, no more than two years older, and is neither in a position of trust or authority towards the younger child, nor a person with whom the younger child is in a relationship of dependency. All non-consensual sexual activity is a criminal offence, regardless of age.
 - 3 Canada. Library of Parliament, *Canada's Legal Age of Consent to Sexual Activity*, (Ottawa: Revised April 12, 2001.) Available on Internet: <http://www.parl.gc.ca/information/library/PRBpubs/prb993-e.pdf>.
 - 4 Kathleen Coulborn Faller, *Understanding and Assessing Child Sexual Maltreatment* (Thousand Oaks, California: Sage, 2003): pp.19-21.
 - 5 International Tribunal for Children's Rights, *Global Report: International Dimensions of the Sexual Exploitation of Children* (Montreal: International Bureau for Children's Rights. Available on Internet: www.web.net/tribunal).
 - 6 Canada. Committee on Sexual Offences against Children and Youth, *Sexual Offences against Children: Report of the Committee on Sexual Offences against Children and Youth (the Badgely Report)*, vols. 1 and 2 (Ottawa: Department of Supply and Services, 1984).
 - 7 The Incident-based Uniform Crime Reporting (USR2) Survey is based on data provided by participating police departments across Canada (in 2002, this represented 56% of the national volume of crime). The data are not considered nationally representative. There are also definitional and reporting differences in provincial/territorial child welfare/child protection information systems.
 - 8 Canada. Statistics Canada, *Family Violence in Canada: A Statistical Profile, 2004* (Ottawa: 2004. Cat. no. 85-224-XIE): p. 16. Available on Internet: <http://www.statcan.ca/english/freepub/85-224-XIE/free.htm>.
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- ¹¹ Canada. Public Health Agency of Canada, *Child Maltreatment in Canada: Canadian Incidence Study of Reported Child Abuse and Neglect: Highlights*, report prepared by Nico Trocmé and David Wolfe (Ottawa: Minister of Public Works and Government Services Canada, 2001): p. 3.
- ¹² Canada. Public Health Agency of Canada, *Child Maltreatment in Canada: Canadian Incidence Study of Reported Child Abuse and Neglect: Selected Results*, report prepared by Nico Trocmé and David Wolfe (Ottawa: Minister of Public Works and Government Services Canada, 2001): pp. 20-21. Available on Internet: <http://www.phac-aspc.gc.ca/cm-vee/cishl01/index.html>.
- ¹³ Canadian Red Cross, "Chapter 3: Sexual Offenders, 2005," *A Shared Responsibility: Preventing Child Sexual Abuse through Intervention, Protection and Canada's Laws*. Available on Internet: www.redcross.ca.
- ¹⁴ Canada. Department of Justice, *The Relationship between Child Pornography and the Commission of Sexual Offences against Children: A Review of the Literature*, report prepared by L. Jill Rettinger (Ottawa: 2000). Available on Internet: <http://canada.justice.gc.ca/en/ps/rs/rep/rr00-5.html>.
- ¹⁵ See, for example, the report prepared for the Law Commission of Canada by David A Wolfe, Peter G. Jaffe, Jennifer L. Jette and Samantha E. Poisson, *Child Abuse in Community Institutions and Organizations: Improving Public and Professional Understanding*. (Ottawa: Law Commission of Canada, n.d.). Available on Internet: <http://www.lfcc.on.ca/institutional.html>.
- ¹⁶ Christine Walsh, Harriet L. MacMillan and Ellen Jamieson, "The relationship between parental substance abuse and child maltreatment: findings from the Ontario Health Supplement," *Child Abuse and Neglect* 27, 2003: pp. 1409-1425, which found that parental substance abuse is associated with a more than twofold increase in the risk of exposure to both childhood physical and sexual abuse.
- ¹⁷ Dr. John H. Hylton, with the assistance of Murray Bird, Nicole Eddy, Heather Sinclair Heather Stenerson, *Aboriginal Sexual Offending in Canada* (Ottawa: The Aboriginal Healing Foundation; the Law Commission of Canada, 2002). *Restoring Dignity: Responding to Child Abuse in Canadian Institutions* (Ottawa, Ministry of Public Works and Government Services, 2000): pp. 51-70. Available on Internet: http://www.ahf.ca/newsite/english/pdf/ab_sex_offend.pdf
- ¹⁸ Canada. Statistics Canada, *Family Violence in Canada: A Statistical Profile, 2004* (Ottawa: 2004. Cat. no. 85-224-XIE): p. 17.
- ¹⁹ Canada. Statistics Canada, *Family Violence in Canada: A Statistical Profile, 2004* (Ottawa: 2004. Cat. no. 85-224-XIE): p. 17.
- ²⁰ Canada. Health Canada, *Child Maltreatment in Canada: Canadian Incidence Study of Reported Child Abuse and Neglect: Selected Results*, report prepared by Nico Trocmé and David Wolfe (Ottawa: Minister of Public Works and Government Services Canada, 2001): p. 24.
- ²¹ Canada. Health Canada, *Child Maltreatment in Canada: Canadian Incidence Study of Reported Child Abuse and Neglect: Selected Results*, report prepared by Nico Trocmé and David Wolfe (Ottawa: Minister of Public Works and Government Services Canada, 2001): p. 24.
- ²² Canada. Statistics Canada, *Family Violence in Canada: A Statistical Profile, 2004* (Ottawa: 2004. Cat. no. 85-224-XIE): p. 17.
- ²³ Canada. Health Canada, *Child Maltreatment in Canada: Canadian Incidence Study of Reported Child Abuse and Neglect: Selected Results*, report prepared by Nico Trocmé and David Wolfe (Ottawa: Minister of Public Works and Government Services Canada, 2001): p. 24.
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- ²⁵ For a brief summary of the literature on signs, see Wendy Van Tongeren Harvey and Paulah Edwards Dauns, *Sexual Offences Against Children and the Criminal Process* (Toronto, Butterworths Canada Ltd., 2nd edition, 2001): pp. 35-38 and see Kathleen Coulborn Faller, *Understanding and Assessing Child Sexual Mistreatment* (Thousand Oaks, California: Sage, 2003): pp. 36-52. See also Julia R. Heiman and Amy R. Heard-Davison, "Child Sexual Abuse and Adult Sexual Relationships: Review and Perspective," in *From Child Sexual Abuse to Adult Sexual Risk: Trauma, Revictimization, and*

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- Intervention*, edited by Linda J. Koenig, Lynda S. Doll, Ann O'Leary, and Willo Pequegnat. (Washington, D.C., American Psychological Association, 2004): pp. 13-47.
- ²⁶ For example, the William Friedrich's Child Sexual Behaviour Inventory (CSBI) is a tool used to assess the sexual histories of children aged 2-12; clinical observation may also be helpful. See Wendy Van Tongeren Harvey and Paulah Edwards Dauns, *Sexual Offences against Children and the Criminal Process* (Toronto, Butterworths Canada Ltd., 2nd edition, 2001) for an overview of good practice guidelines for criminal justice practitioners. See the Canadian Red Cross, "Chapter 6: Intervention: Sexual Abuse," *A Shared Responsibility: Preventing Child Sexual Abuse through Intervention, Protection and Canada's Laws*, 2005. Available on Internet: <http://www.redcross.ca>.
- ²⁷ Kathleen Coulborn Faller, *Understanding and Assessing Child Sexual Mistreatment* (Thousand Oaks, California: Sage, 2003): pp. 37-49.
- ²⁸ Kathleen Coulborn Faller, *Understanding and Assessing Child Sexual Mistreatment* (Thousand Oaks, California: Sage, 2003): pp. 37-49.
- ²⁹ Elizabeth Oddone Paolucci, Mark L. Genuis and Claudi Violato, "A meta-analysis of the published research on the effects of child sexual abuse," *Journal of Psychology* 135, 1 (2001): 17-36. Frank W. Putnam, "Ten-year research update review: child sexual abuse," *Journal of the American Academy of Child Adolescent Psychiatry* 42, 3 (2003).
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- ³⁷ Audra Bowlus, Katharine McKenna, Tanis Day and David Right, *The Economic Costs and Consequences of Child Abuse in Canada* (Ottawa: Law Commission of Canada, 2003). Available on Internet: <http://www.lcc.gc.ca/en/themes/mr/ica/mckenna/mckenna.pdf>
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- ⁴⁰ Canada. Committee on Sexual Offences against Children and Youth, *Sexual Offences against Children: Report of the Committee on Sexual Offences against Children and Youth (the Badgely Report)*, vols. 1 and 2. (Ottawa: Department of Supply and Services, 1984).
- ⁴¹ Louise Dezwirek Sas, David A. Wolfe and Kevin Gowdy, "Children and the Courts in Canada," *Criminal Justice and Behavior* 23, 2 (1993): pp. 338-357.
- ⁴² Aggravated sexual assault is a "presumptive offence" and a youth found guilty of such an offence could be tried as an adult.
- ⁴³ Canada. Library of Parliament, *Bill C-2: An Act to Amend the Criminal Code (Protection of Children and Other Vulnerable Persons) and the Canada Evidence Act*, Legislative Summary LS-480E (Ottawa: revised February 18, 2005. Available on Internet: http://www.parl.gc.ca/common/Bills_ls.asp?Parl=38&Ses=1&ls=C2).
- ⁴⁴ Canada. Library of Parliament, *Bill C-15A: An Act to Amend the Criminal Code and to Amend Other Acts: Legislative History of Bill C-15A*, Legislative Summary LS-410E (Ottawa: revised September 30, 2002. Available on Internet: http://www.parl.gc.ca/common/Bills_ls.asp?Parl=37&Ses=1&ls=C15A).
- ⁴⁵ C. Stewart and N. Bala, *Understanding Criminal Prosecutions for Child Sexual Abuse: Bill C-15 and the Criminal Code* (Toronto: The Institute for the Prevention of Child Abuse, 1988).