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# NO means NO

## Violence Against Women Date Rape/Rape Drugs

Violence against women is a significant social problem that all Canadians have a role to play in preventing. Rape is often referred to as a women's issue but men have a responsibility for men's violence and need to encourage each other to respect the right of women to decide if, how, when, and with whom they have sex.

In rape, sex is not the end, it is the means. Sex is used as a tool to demean and degrade women - and it works. Rape is about power - not sex.

Canadian statistics have shown that in Canada one woman is sexually assaulted every minute. And this doesn't include battering, or sexual harassment, or the women who never say anything out of fear, shame or fear of disbelief. These outrageously high statistics mean that everyone knows some of the one in four women who are, or will be, survivors of sexual assault. They are people's mothers, sisters, family members, co-workers and friends.

The most common form of violence on campus is rape. One in six women attending college or university is a survivor of rape. Men and women students must work together to raise awareness about date rape, to challenge people's attitudes and behaviours, and to dispel common myths concerning the incidence and circumstances of sexual assault.

### Incidence of Violence

Violence against women, including date rape, still accounts for the majority of violent crimes in our society. According to a 1997 Crime Statistics Report by Statistics Canada, male on female violence accounts for the majority, making up 48% of all violent crime in Canada. Female on male violence accounted for the lowest percentage of all violent crime in Canada at 6%.

The Statistics Canada 1993 Violence Against Women Survey found that

one in three Canadian women were victims of sexual assault and one in four Canadian women were victims of assault by a spouse or partner.

### Violence and Date Rape/ Acquaintance Rape

Women are most at risk when they are with a man that they know. While the 1997 Crime Statistics Report by Statistics Canada reported that male against female violence was the most common type of violence in Canadian Society, it is also the least likely to involve a stranger:

- In 87% of reported cases, the women knew their assailants;
- In 46% of the reports, the woman was assaulted by her spouse.

The Statistics Canada 1993 Violence Against Women Survey found that:

- One in five Canadian women has been involved in at least one incident of sexual attack by a date or boyfriend since the age of 16;
- 24% of women, age 18-24, have been sexually attacked by a date or boyfriend.

### Date Rape/Acquaintance Rape and Students

College and university students have every reason to be concerned about date rape. A national survey on the victimisation of women on university and college campuses found that:

- 20.2% of female students said they gave into unwanted sexual intercourse because they were overwhelmed by a man's continued arguments and pressure;
- 6.6% of female students said that they had unwanted sexual intercourse because a man threatened or used some degree of physical force;
- 13.6% of female students said that, when they were drunk or high, a man attempted unwanted sexual intercourse.<sup>1</sup>

**"[The RCMP] had been under the impression, up 'til now, that there wasn't any Rohypnol [problem] in Canada ...Guess what - it's here, so we need to be concerned."**

- RCMP Sergeant Chuck Doucette, Vancouver Sun, January 26, 1999

**"A belief that silence, passivity or ambiguous conduct constitutes consent is a mistake in law and provides no defence...An accused cannot say that he thought 'no' means 'yes.'"**

-Supreme Court Ruling, February 25, 1999

## Drug-Induced Rape

Sometimes they're called mind erasers, party poppers, liquid ecstasy, micky finns or roofies. Sometimes they're called Valium, Librium, Rohypnol, GHB, Robaine and Chloral Hydrate. Some of these drugs are illegal in Canada.

In a drink these drugs are colourless, odourless and tasteless. The effects of these drugs can be muscle relaxation, blood-shot eyes, disorientation, hallucinations, loss of inhibitions, slowing of psycho-motor performance, black-outs. Some of these drugs such as Rohypnol, can have the effect of memory loss for ten to twelve hours. In this drugged state, an individual would be unable to protect herself from sexual assault.<sup>2</sup>

## Incidence of date rape drugs in Canada

While there are no available statistics on the use of rape drugs in Canada, there have been reported incidents of the use of rape drugs. As well, there is evidence of cases in the United States and reports of seizures of rape drugs in Canada.

It is difficult to track the incidence of drug induced rape because it is much more difficult for the victim to accurately report the crime. Because the effects of the drug include black-out and memory loss, victims are unable to recall the details of the crime. Another problem is that the drugs can be difficult to detect in a person's system, depending on the length of time that the drugs remain in the system.

Canada's first seizure of Rohypnol occurred in January 1999. The RCMP found 3,500 doses in a home in North Vancouver, British Columbia. Following this seizure, Sergeant Chuck Doucette of the RCMP's drug awareness in B.C. stated, "[The RCMP] had been under the impression, up till now, that there wasn't any Rohypnol [problem] in Canada...Guess what - it's here, so we need to be concerned."<sup>3</sup> This was one of the first acknowledgments by law enforcement officers of the criminal presence of rape drugs in Canada.

In the United States, federal Drug

Enforcement Administration seizures of Rohypnol have increased dramatically since the mid-1980's.

- between 1985 and 1991: 3 federal rape cases;
- between 1991 and 1996: 108 federal rape cases and 271 customs seizures;
- in 1996 alone: 2,607 state and local rape cases.<sup>4</sup>

## Supreme Court Ruling on Consent - No Means No

Even though it has been almost a decade since Parliament rewrote the Criminal Code to make it clear that voluntary consent is a prerequisite to any sexual activity, old myths and stereotypes continue to surface in Canada's courtrooms and in the minds of Canadians. On February 25, 1999, the Supreme Court of Canada's ruling overturned the Alberta Court of Appeal's defense of Steve Ewanchuk, who was originally acquitted of sexual assault. Below are some excerpts from this ruling:

*"A belief that silence, passivity or ambiguous conduct constitutes consent is a mistake in law and provides no defence ... An accused cannot say that he thought 'no' means 'yes.'"*

*"The complainant either consented or not ... There is no third option. There is no defense of implied consent to sexual assault in Canadian law."*

*"A belief by the accused that the complainant in her own mind wanted him to touch her, but did not express that desire, is not a defense."<sup>5</sup>*

Date rape and the use of rape drugs clearly constitutes a criminal act in Canada. The No Means No campaign is an opportunity to raise the issue of violence against women and change the attitudes, behaviours and beliefs that allow violence to continue at the individual, community and societal level.

### Sources

1. Walter DeKeseredy and Katherine Kelly, "The Incidence and Prevalence of Woman Abuse in Canadian University and College Dating Relationships," Canadian Journal of Sociology, 1993.
2. Some Facts About Violence Against Women, Information Bulletin, BC Ministry of Women's Equality, April, 1999.
3. Vancouver Sun, January 26, 1999, A1.
4. The Varsity, March 31, 1997.
5. Globe and Mail, February 26, 1999, A1, A7.