

If you need help, call...

Justice for Children and Youth
Canadian Foundation for Children, Youth
and the Law

Ontario Toll Free: 1.866.999.JFCY (5329)
info@jfcy.org
www.jfcy.org

Sexual Assault Centre of Brant
Crisis / Support Line 519.751.3471
519.751.1164
www.sacbrant.ca



For more information, contact a public health nurse in the Sexual Health program at the Haldimand-Norfolk Health Unit.

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Simcoe
P.O. Box 247, 12 Gilbertson Drive
Simcoe, ON N3Y 4L1
519.426.6170 / 905.318.6623
Email: info@hnhu.org
Web: www.hnhu.org

Caledonia
282 Argyle Street South
Caledonia, ON N3W 1K7
905.318.5367



THE AGE OF
CONSENT

Young People,
Sex and the Law...

THE AGE OF CONSENT IN CANADA

Canadian law says that **the age of consent for sexual activity is 16 years old**. This law protects young people from sexual exploitation*.

By law, adults (18 or older) cannot have sexual relations with people under 16.

There are exceptions for people who are close in age. These exceptions make sure the law does not label consensual sexual activities between young people as criminal offences. It is not a criminal offence if:

- a young person aged 14 or 15 consents to sexual activity with someone less than 5 years older.
- a young person aged 12 or 13 consents to sexual activity with someone less than 2 years older.

These exceptions only apply if the older person is not in a position of authority or trust and there is no exploitation.

Important! By law, adults cannot have sexual relations with a person aged 16 or 17 if the adult is in a position of trust or authority over the young person. This would include coaches, teachers, and employers.

The law also says that **young people under 12 cannot give consent at all**.

What counts as sexual activity?

Sexual activity includes any sexual behaviour from touching for a sexual purpose (kissing, for example) to sexual intercourse.

*What is sexual exploitation?

Sexual exploitation happens when someone older or in a position of trust or authority takes advantage of a younger or more vulnerable person for sexual purposes.

The law recognizes that a sexual relationship can be exploitative even if the young person is older than 16. The age of the young person, the age difference between the people, how the relationship developed, and the amount of control or influence the older person has over the younger person are all considered when deciding if a sexual relationship is exploitative.

It is a crime to involve people under the age of 18 in exploitative sexual activity, including prostitution and pornography.

Isn't the age of consent 14?

From 1890 until 2008, the age of consent was 14 years old in Canada. Changes to the Criminal Code in 2008 increased the age of consent to 16.

What if I don't tell my age?

The law says adults must take all reasonable steps to determine the age of the young person.

What if I say no?

No means no. If you say no and the person will not stop, it is sexual assault. Sexual assault is against the law no matter what age you are.



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