



**VESTA**  
Social Innovation  
Technologies

# YOUR RIGHTS

## A Sexual Violence Survivor's Handbook

### Chapter 12: Glossary



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# Glossary

## **Bail Hearing**

A bail hearing is where a Justice of the Peace or Judge determines if a person who is charged should be released or stay in custody until trial.

## **Complainant**

A term used in the Canadian legal system which refers to the victim of an alleged offence.

## **Crown Attorney**

If the police charge the abuser with a crime, a police officer will prepare the case and a Crown Attorney will present the evidence in court. A Crown Attorney is a government lawyer who presents the case against the person accused of a crime in criminal court. They work for the government, they are not the victim's lawyer.

## **Crown Counsel**

Crown counsel is not and can never function as the victim's lawyer. The Crown is the lawyer for the Queen and the government during the trial. In Canadian criminal cases, the harm is perceived to have been committed against the State. The Crown is truly representing the society, of which you are a part.

## **Consent**

Actively and verbally expressing that you are into a sexual activity with someone. You cannot give consent while you are sleeping, underage or under the influence of drugs or alcohol. Consent can be withdrawn at any time.

## **Cyber Harassment**

The use of communication technologies such as the internet, social networking sites, websites, email, and text messaging to repeatedly intimidate or harass others. This can include insulting or threatening emails, posts, spreading embarrassing or private photos online, and blackmailing an individual with private information.

## **Gender-Based Violence (GBV)**

Violence that is directed at people because of their gender. Studies have shown that women and LGBTQ2+ people are more likely to experience sexual assault than men and non-LGBTQ2+ people in Canada. GBV covers many forms of violence, including sexual assault, sexual harassment, intimate partner violence, and domestic violence.

### **Grooming**

The start of the sexual abuse process that involves building trust with a child, and the adults around them.

### **Intimate Partner Violence**

A form of Gender Based Violence that refers to a broad range of behaviours such as emotional, physical, financial and sexual abuse caused by a current or former intimate or domestic partner.

### **Legal Aid Certificate**

A document that confirms Legal Aid Ontario has agreed to pay for a certain number of hours of a lawyer's time to work on your legal issues. Not all lawyers accept these certificates.

### **Rape**

Any non-consensual penetration of the vagina or anus with any object or body part. Rape also includes penetration of the mouth with someone's sexual organ without consent.

### **Restorative Justice (RJ)**

Focuses on repairing the harm caused by looking and thinking about crime using a holistic, collaborative, and humanizing approach.

### **Sexual Assault Evidence Kit (SAEK)**

A sealed box used to collect evidence. Physical evidence can be collected within 12 days of the assault, however, there is a greater chance at collecting forensic evidence within 72 hours. The kit is voluntary, can be completed even if the survivor does not want to involve police and will be held for 6 months before it is destroyed.

### **Sexual Assault Nurse Examiner**

A specially trained nurse who may collect evidence from anywhere on your body in addition to a toxicology screening. You can choose to have a support person present during your examination.

### **Sexual Assault Response Team (SART)**

A community based team that coordinates the response to victims of sexual assault. This team can include hospital personnel, advocates, law enforcement and other professionals with a specific interest in assisting victims of sexual assault.

### **Sexual Assault/Domestic Violence Care Centre (SA/DVCC)**

Hospital clinics that specialize in supporting survivors of sexual assaults and/or domestic violence. They provide emergency services, follow-up health care, counsellors and safety planning to all survivors regardless of gender identity. They also document, take photos and collect evidence if the survivor chooses.

### **Sexual Assault**

Any non-consensual sexual activity, such as unwanted sexual grabbing, kissing, fondling as well as rape. Anyone can be sexually assaulted at anytime, anywhere by anyone such as a sex trade worker by a client. Sexual assault can be experienced by any gender, within domestic partnerships, friendships or with strangers.

### **Sexual Exploitation**

When a person in a position of trust or authority uses that power to start or attempt sexual activity with another person. It can be direct or indirect and may include touching, violence, coercion or the use of threats.

## **Sexual Harassment**

Defined by engaging in a course of unwelcome actions or words that are annoying, distressing or agitating to the person experiencing them. More than one event must take place for there to be a violation, however, depending on the circumstances, one incident could be significant or substantial enough to be sexual harassment.

The most common understanding of sexual harassment is conduct such as making passes, soliciting sexual favours, sexual touching, etc. However, the definition of sexual harassment also includes conduct that attack a woman's sexuality or conduct that is directed at a woman because of her sex.

Human rights law clearly recognizes that sexual harassment is often not about sexual desire or interest at all. In fact, it often involves hostility, rejection, and/or bullying of a sexual nature.

## **Stalking**

A behaviour rooted in power and control which is often used to cause fear. It is the repeated patterns of unwanted behaviours used to harass, threaten or intimidate.

## **Statement**

A written record of the assault and includes everything that is remembered about the victimization. This report will be used by officers conducting the investigation and may be used at a later time during court proceedings.

## **Survivor**

This term is often used instead of victim when referring to someone who experienced sexual violence. The term victim often focuses on the harm that was caused, whereas a survivor is defined by their resilience, strength and reclaiming of power.

## **Transformative Justice (TJ)**

Seeks to change the larger social structure as well as the personal structure of those who are involved.

## **Victim**

Defined in the Canadian Criminal code as “a person against whom an offence has been committed, or is alleged to have been committed, who has suffered, or is alleged to have suffered, physical or emotional harm, property damage or economic loss as the result of the commission or alleged commission of the offence and includes, for the purposes of sections 672.5, 722 and 745.63, a person who has suffered physical or emotional harm, property damage or economic loss as the result of the commission of an offence against any other person.”

## **Victim/Witness Assistance Program (VWAP)**

The program’s staff will help you understand the court process and give you updates on the court case. They will help you communicate your needs to the Crown Attorney and the police. In some cases, they can set up a pre-trial interview with the Crown Attorney. Throughout the court process, the staff can also give you emotional support.

## **Victim Notification System**

A service that provides victims with telephone notifications when there are changes to the abusers' status of incarceration or those under community supervision such as probation, parole, and conditional sentences. You can call the Victim Support Line to request this service.

## **“Voir Dire”**

A trial within a trial. It is a hearing held, without the presence of the jury, to determine whether an issue of fact or law will be admissible. For example, a voir dire may be used in order to decide whether certain aspects of an expert witness’ testimony will be allowed during the trial.

## **Voyeurism**

The secret observation by any means or recording of any person for a sexual purpose, in circumstances where there is a reasonable expectation of privacy.