



**VESTA**  
Social Innovation  
Technologies

# YOUR RIGHTS

## A Sexual Violence Survivor's Handbook

### Chapter 6: Barriers to Reporting



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# Barriers to Reporting

Deciding to report sexual violence may not be an easy decision.

Below are some barriers to reporting as identified by survivors for you to consider so that you are prepared to make an informed decision.

## 1. Beliefs About the Justice System

Some biases are implicit, others are explicit, but all biases such as those relating to gender, race and sexual orientation affects how the legal system may respond to different groups. These varying responses can result in unfortunate outcomes such as consequences for perpetrators and the types of solutions available to survivors.

## 2. Legal System Employees' Attitude

Even though there are many employees who are exceptionally helpful, some police, lawyers and other legal system employees have been seen abusing their power and perpetuating myths and stereotypes. This does not need to become a reason not to report, just something to be aware of so that you can be prepared to self advocate or bring someone with you who can help advocate for you.

### *In Canada...*



Almost 90% of sexual assaults are perpetrated against women.

*Rainn*



Approximately 5% are reported to police.

*Canadian Women's Foundation*



Only 11% of the cases reported eventually lead to a conviction.

*Statistics Canada*

### 3. Personal Repercussions of Reporting

There may be personal risks to consider such as retaliation by the perpetrator, privacy violations, impacts on financial security and employment, and a range of unwanted legal and other ramifications.

In order to mitigate these risks it is important to protect yourself by documenting the events, opening up to someone you can trust and creating a safety plan. Reporting to police may ripple into other areas such as your place of employment, your lifestyle or struggles with mental health, children services becoming involved if you have children or any history with the justice system being brought up. You can prepare yourself and make an informed decision by talking to a lawyer first to understand how reporting your experience may impact other areas of your life.

Retaliation from a perpetrator can impact your finances if you are dependent on the offender, their family or their close social circle. Retaliation can also be abusive; physically, mentally and/or emotionally. If the perpetrator is a professional such as a co-worker or caregiver, retaliation can impact your access to support or your professional life. For these reasons it is important to have a safety plan.

#### How to Make a Safety Plan

- Where are your safe places? This could be a friend you trust that the perpetrator does not know about or a domestic violence shelter.
- Inform your support network. This can include Human Resources at work, a counsellor, family or friend.
- Come up with a safe word that signals you need help. This is a word you can casually use in a sentence to your children or friend so that they know you may be in trouble.
- Pack a bag. If you are living with the perpetrator or they know where you live, it may be necessary to go somewhere safer. Make sure to pack identification, clothing, money and medication.
- Get your own money. If you are financially dependent on the offender getting your own bank account, applying for social services or getting your own credit card will help you obtain financial freedom.

#### **HELP Tool Kit - Safety Planning**

*Source: Department of  
Justice Canada*

#### **RAINN Safety Planning**

*Source: RAINN*

#### **Safety Planning For Those Living With Abuse**

*Source: VESTA Resource  
Library*

## 4. Criminal Justice System Process

From filing a police report to the trial, there may be demands on time and energy. There is also the concern of psychological impacts such as the risk of re-traumatization.

During a trial you may be asked about past sexual experiences, involvement with the justice system, lifestyle choices or mental health struggles. You may also need to express details of the event that can be re-traumatizing. Prepare yourself for the possibility of a long process as it may take several months to a couple of years from the time you report to the end of the court proceedings and trial.

Some other barriers to reporting may include enduring recurring abuse, stigmas associated with drug and alcohol use, fear of not being believed and a lack of knowledge of the justice system. Despite these barriers survivors have expressed that they decided to report in order to take back their power, protect other women and hold the perpetrators accountable.

### Survivor Stories Courtesy of RAINN

**Click each box to read different survivor stories.** There are resources available to help you with your decision and support you through the process regardless of your decision to report.

L'Tomay

Drew

Nikki & Lisa

***We Are Here: Women's Experiences of the Barriers to Reporting Sexual Assault***

*Source: westcoastleaf.org*