

Fact Sheet

Sexual Harassment

What you need to know as Private Refugee Sponsors

In the context of private refugee sponsorship, sexual harassment can happen to a sponsored individual as well as to a member of a sponsoring group. It can occur among members of the refugee family or sponsoring group. Because it has been experienced in some sponsorship cases, there is growing concern about how to recognize and respond to sexual harassment.

This information has been prepared for private refugee sponsoring groups, in an effort to raise awareness and support their work during the settlement phase. It serves as a starting point for discussion on what can be done to raise awareness and develop prevention strategies around sexual harassment in the context of the Private Sponsorship of Refugees program.

Sexual Harassment vs. Sexual Assault

Sexual harassment generally refers to unwanted conduct or comments of a sexual nature. It does not have to be intentionally discriminatory to constitute harassment. Examples of sexual harassment include:

- unwelcome sexual invitations or requests
- demands for sexual favours
- unwelcome touching or patting of another person's body
- leering at a person's body
- unwelcome and repeated innuendos or taunting about a person's gender, gender identity, sex (including pregnancy and breast feeding) or sexual orientation
- unwelcome remarks or verbal abuse of a sexual nature
- visual displays of sexual images perceived to be degrading or offensive
- unwelcome remarks or verbal abuse based on gender, gender identity, sex (including pregnancy and breast feeding) or sexual orientation which are demeaning or degrading
- threats of a sexual nature
- sexual assault
- any other unwanted verbal or physical conduct of a sexual nature

Sexual harassment can be a single incidence or occur more than once at a workplace, place of study, in public or in a home. It is not limited to members of the opposite sex, and can happen within marital relationships.

Sexual assault constitutes a form of sexual harassment. Section 265 of the Criminal Code of Canada defines sexual assault as the act, threat or gesture of intentionally applying force to another person.

NO MEANS NO

Unless you have said YES there is no consent



Preventing Occurrences of Sexual Harassment

Orienting newly arrived individuals as well as members of Constituent Groups about their rights and obligations, including Canadian laws can empower newcomers and help in raising awareness about sexual harassment. For those involved directly in the sponsorship endeavour, training on sexual harassment can also raise awareness, help recognize it and review what constitutes inappropriate and unacceptable conduct.

Knowledge is power

While you will not be able to control another person's behaviour or actions, it will be important to communicate expectations and what constitutes inappropriate behaviour in the Canadian context. Be aware that for many newly arrived persons, this may be the first time they will be faced with such dialogue and information, as some originate from countries with differing expectations and laws around sexual conduct. As well, a person's previous experience of sexual violence and trauma will dictate how you will need to approach the matter, and when and in what format you will be able to deliver the information.

You may chose to include an information sheet in the welcome package provided to newly arrived refugees and follow-up with the persons to ensure the information was reviewed and address any questions that have arise.

The following are a few points you may want to consider when organizing an orientation session for sponsored families or CG members:

- Will a guest speaker with expertise in this area be invited to speak to the group?
- Does the facilitator speak the language of the refugees? If not, will you provide interpreters who are familiar with the subject matter?
- Will this information be delivered on a one-by-one basis or in a small group format?
- Will men and women be separated for the purpose of the orientation?
- Will you make this information part of a mandatory training for your CGs or will their participation be voluntary?
- What local resources will you share?
- What are the power imbalances which you will need to address?

Orientation Resources

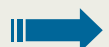
These resources may help you integrate the topic of sexual harassment and assault into your orientation activities:

Abuse is Wrong in any Language

Produced by the Department of Justice Canada, this booklet is for immigrant and refugee women who are experiencing abuse in a relationship or in a family. It discusses Canadian law, what people's rights are, and what kind of help is available. It is available in English, French, Albanian, Amharic, Arabic, Chinese, Czech, Hungarian, Punjabi, Romanian, Serbian, Somali, Spanish, Swahili and Tagalog from: www.cleonet.ca/resources/661

Sexual Assault and Harassment

This webinar is part of a series presented by Zahra Dhanani, the Legal Director of Metropolitan Action Committee on Violence Against Women and Children (METRAC). It looks at legal and social aspects of sexual assault and sexual harassment, legal options for women who experience violence, and the changes needed to end it. You can view and listen to it here: http://cleonet.ca/training/sexual_assault



Action Steps

These are some action steps which you may need to take once an incidence of sexual harassment has occurred or has been reported:

- If your group will be investigating an alleged incidence, ensure that those investigating are not implicated in the incident.
- Work with authorities if legal action has been brought forward.
- Refer the alleged perpetrator and victim to appropriate services and/or support groups.
- Keep the matter confidential to avoid gossip from spreading and to ensure that victims of the incidence are not further victimized.
- Extend support to witnesses and those indirectly affected through debriefing sessions, preferably with a qualified counsellor or social worker.
- Remind CGs of their responsibilities and obligations as sponsors.
- Revisit your policies and practices in place to prevent and deal effectively with potential future incidences of sexual harassment or assault.

Where to go for help

Legal clinic

In Canada, provincial human rights legislations protect against (sexual) harassment in the public sphere. Sexual harassment also falls within the Canadian Human Rights Act and can be pursued as a claim to the Canadian Human Rights Commission. In terms of sexual assault, the most common legal response is the criminal process.

Police

If you or someone you know is in immediate danger or injured call 911. If you have reported a sexual assault, follow-up with the police to find out whether your claim is or will be investigated. When the police are satisfied that they have a case, they will lay charges. Also contact the police if the accused has contacted the victim while released on bail. In the criminal justice system, crown attorneys represent the broader society, and may therefore subpoena the person affected to appear in court as a witness.

Sexual assaults can be reported to police regardless of how long ago they happened.

Reporting a sexual assault to the police should be the decision of the victim. Be careful not to push anyone into reporting it. Some women do not report sexual assault to police because of shame, fears, barriers, or re-victimization in the criminal process. Orienting newly arrived refugees about sexual harassment and what supports are available, will help in empowering those affected and reduce intimidation by the system.

Sexual Assault centres

Local sexual assault centres can play an important educative role, and act as advocates for those affected by a sexual assault.

Help Lines

- Assaulted Women's Help Line: 1-866-863-0511
- Victim Support Line: 1-888-579-2888
- Femaide (French): 1-877-336-2433