

If you need help, call...

PEI Rape & Sexual Assault
Centre:
566-8999 or 1-800-289-5656

Victim Services:
Charlottetown 368-4582
Summerside 888-8218

Kids Help Phone:
1-800-668-6868

If you need info, call...

Community Legal
Information Association:
892-0853 or 1-800-240-9798



Need legal info?
Check us out at
www.cliapei.ca



Community Legal
Information Association
PO Box 1207,
Charlottetown, PE C1A 7M8

Phone: 902-892-0853
1-800-240-9798
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The Age of Consent



Young People, Sex and the Law

▶ Community Legal
Information Association
of Prince Edward Island

► 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.

