

No. 1 – OCTOBER 25, 2006

Bill C-22: Enflaming An Anti-Sex Crusade?

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Bill C-22, the proposed Age of Protection legislation would raise the age of sexual consent from 14 to 16 years of age. The purpose of the legislation is to protect young teens from adult sexual predators. Some organizations that care for youth and oppose sexual abuse such as Toronto Public Health, and Canadian Federation for Sexual Health, are protesting Bill C-22. Which leaves many wondering why, and rightly so.

Rewind to a 2002 discussion paper from the office of Canadian Senator Landon Pearson written for a Department of Justice roundtable discussion that suggested making contraception more widely available to teens as part of an alternative solution to raising the age of sexual consent. In addition to better enforcement of the criminal code of the day, the paper called for a strong commitment to sex education and availability of contraception, which it argued would "have a measurable impact on both the numbers of sexually exploited youth and the degree of exploitation." [1] The 2002 discussion paper juxtaposed increasing the age of consent against sexual health services. The organizations speaking out against Bill C-22 have firmly declared that the legislation stands in direct opposition to sexual health services.

Allie Lehmann, manager of sexual health promotion for Toronto Public Health aptly summarized the revolt against Bill C-22 when she declared, "The people that are supporting this bill are anti-sex." [2] Toronto Public Health and other organizations have predicted that if Bill C-22 gains royal assent, 'normal' teen sex will be criminalized driving adolescents away from sexual health resources, and into risky sexual behaviour. A spokesperson for Jessie's Centre for Teenagers in Toronto, a pro-choice youth pregnancy centre, suggested that some teens may seek abortions rather than risk revealing an 'illegal' relationship. [3] The Canadian Federation for Sexual Health maintains that the proposed legislation will offer nothing new to protect youth. [4]

It appears that Lehmann and her colleagues fear that raising the age of consent would enflame an anti-sex crusade. Perhaps this fear compelled the 2002 discussion paper calling for the allocation of resources for birth control education, contraception and education against homophobia as an adequate combatant against sexual exploitation rather than 'mere' age of consent legislation. [5]

This is not how the Canadian Association of Police Boards sees it.

It is improbable that the Canadian Association of Police Boards passed several resolutions in support of raising the age of consent because it is anti-sex or interested in arresting the Romeos and Juliets of our day:

WHAT'S NEW

EVENT OCTOBER 26TH, 2006

Euthanasia versus Palliative Care

Terri Schiavo's brother, Bobby Schindler and Dr. Margaret Cottle discuss palliative care.

OTTAWA

OCTOBER 26TH, 2006

4-5:30 pm

362 EAST BLOCK, PARLIAMENT HILL

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Teens engaged in sexual activity. Bill C-22 (Sec.150.2.1) proposes an allowance of five years between older sexual partners of 15 and 16 year olds to protect teens who engage in consensual inter-teen sexual relationships from being criminalized. Additionally C-22 does not propose any amendment that would criminalize teens who have sex with adults. In short, the criminal code places the blame on adult predators and not on teens.

Youth workers and organizations who want to advocate for policies that protect teens, need to consider how sexual predators work. A research project based in the United States examined 129 cases where predators targeted youth under 18 through the internet. The study found that an overwhelming 76% of victims were between 13 and 15 years of age. [6] Furthermore, female victims accounted for 75% of the targeted youth. Sadly over half the victims described themselves as in love or as having strong feelings for their abuser. The study found that most of the predators were upfront with their young victims about being older adults looking for sex with teens. [7] Predators are not hiding in the shadows, but are openly manipulating young teens into consensual abuse.

University of Ottawa criminology Professor Wade Deisman reports that cross-boarder internet-luring is becoming an increasing risk in Canada. One reason for this trend maybe that Canada has a lower age of consent than most states and Western industrialized countries. [8] Last year a 31-year-old Texan lured a 14-year-old boy to an Ottawa hotel for sex. The adult was charged with internet luring but could not be charged with a sex crime. [9] Since this incident the criminal code was amended to address 'exploitive' sex with youth under 18, however the onus is on the judiciary to determine when a relationship is exploitive. Judges must apply four considerations on a case-by-case basis that include the age of the teen, the age of the defendant, the evolution of the relationship and the degree of control by the adult. This provides a potential legal loophole for abusers. C-22 would eliminate this subjective aspect of the criminal code and would clearly state that teens under sixteen are hands off to adults.

Now in some ways, those agencies and groups are right. Amending the criminal code is a good step, but not a stand alone solution. Educating teens about the dangers of sexual predators is essential and parents must take the initiative to teach their teens about these dangers and many other sexual health issues. But making contraception available just isn't part of educating teens about sexual predators.

Increasing the age of consent to at least 16 is not an attack on sexual health services. It does not concern homophobia education or condom use. It is a public policy initiative that will protect teens from exploitation at the hands of sexual predators; something a condom simply cannot do.

[1] Rabinovitch, J. (2002) Considerations on the Age of Consent to Sexual Activity. Office of the Honourable Landon Pearson. p. 4. [Electronic version] Retrieved from <http://www.sen.parl.gc.ca/lpearson/Age%20of%20Consent.pdf>

[2] Lehmann, A. as quoted by Black, D (2006, June 19) Age of Consent Uproar; Will law protect vulnerable kids...or criminalize teenage sex? Police welcome protection against child exploitation youth workers see criminalization of teen sex. Toronto Star, A1.

[3] Ibid., A1.

[4] Ibid., A1.

[5] Rabinovitch, 4.

[6] Wolak, J., Finkelhor, D., Mitchell, K. (2004) Internet-initiated Sex Crimes against Minors: Implications for Prevention Based on Findings from a Nation Study. Journal of Adolescent Health, Vol. 35, No. 5, p.15.

[7] Ibid., 15.

[8] Web luring case raises age-of-consent issue (2005, March 11) CBC News. [Electronic version] Retrieved from <http://www.cbc.ca/canada/story/2005/03/08/internet-luring-050308.html>

[9] Rupert, J. (2005, March 8) U.S. Man Accused of Luring Boy 14 to Hotel for Sex: Charge Relates to Internet. Ottawa Citizen, D1.



THE GREAT CANADIAN FAMILY CHECKUP

Do You Know Where Your Youth Are?

Table 1: Youth Population (Age 15-24) and Percentage of Provincial/Territorial Populations, 2001
Table 1: Youth Population (Age 15-24) and percentage of Provincial/Territorial

	Population	% of total of P/T population	% change 1996 - 2001 ⁵
CA	4,009,140	13.4	-
NF	73,325	14.3	-17.0
PEI	18,955	14.0	-2.3
NS	117,935	13.0	-4.6
NB	97,430	13.4	-8.1
QC	949,480	13.1	+0.2
ON	1,487,835	13.0	+6.2
MB	153,280	13.7	-0.3
SK	144,240	14.7	+2.0
AB	438,090	14.7	+16.2
BC	514,345	13.2	+6.3
YK	3,930	13.7	-3.9
NWT	5,650	15.1	-5.5
NVT	4,655	17.4	+6.3

Source: Statistics Canada 2001 Census: 95F0300XCB01004, 97F0003XCB01002
<http://www.youth.gc.ca/yoaux.jsp?&lang=en&flash=1&ta=1&auxpageid=849>