

What is sexual assault?

Information sheet 0004

"At the time I didn't think that it was sexual assault because he made me do it by threatening to hurt my family and not me" - sexual assault survivor.

For the purposes of this information sheet, sexual assault on an adult includes any behaviour of a sexual nature which:

- is unwanted OR
- occurs without the victim's consent OR
- makes the victim feel uncomfortable or afraid.

This behaviour can take various forms including:

- Putting a penis, object or other body part (e.g. finger) in the victim's vagina or anus, or putting a penis in the victim's mouth.
- Contact between the mouth and genitals.
- Touching, fondling or kissing or being forced to touch the abuser.
- Being made to look at, or pose for, pornographic photos/videos.
- Voyeurism (i.e. the abuser watching while the victim is made to perform sexual acts).
- Exhibitionism (i.e. making the victim watch while the abuser performs sexual acts).
- Sexual talking, innuendo or harassment.

At one end of the scale sexual assault may involve bribery or coercion, while at the other end of the scale it may involve threatened or actual injury, mutilation or death.

Legally, a person cannot be said to have "consented" to a sexual act if they:

- submitted because of force, or the threat of force, against them or someone else.
- submitted because they were held captive.
- were asleep, unconscious or so drunk or under the influence of another drug that they were incapable of freely agreeing.
- did not understand the sexual nature of the act.
- were mistaken about the sexual nature of the act or the identity of the person performing it.
- believed mistakenly that the act was being performed for medical or hygienic purposes.

Most adults and children who are subjected to this kind of behaviour know at once that it does not feel "okay". Even if they are not physically hurt, the fact that the other person is in a position of power, and that they therefore do not have a free choice in the matter, is often very traumatic.

Adult women often feel uncertain about "making a fuss" if they object to unwanted touching or verbal harassment by someone known to them or they feel uncertain about whether what occurred was "really" sexual assault.

Children, of course, can never truly consent to sexual activity with someone much older and/or bigger because they are taught to be obedient and because they are physically small. Neither do they usually fully understand what is being required of them and its implications.

Sexual assault is all about power and a victim/survivor may be physically or emotionally unable to resist even where there is no actual threat or violence involved. However, it must also be acknowledged that men have the responsibility to listen to what women are saying and to respect women's decisions. People must accept that when a person does say "no" that is precisely what they mean, they do not mean "yes" or "maybe".

South Eastern Centre Against Sexual Assault is a service of Southern Health

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