



HANDBOOK ON THE SEXUAL OFFENCES ACT

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HELP & SHELTER

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INTRODUCTION



This booklet is a guide to better understanding the 2010 Sexual Offence Act as amended by the Sexual Offences (Amendment) Act 2013 (the SOA). It covers the various sexual offences, police investigation, court proceedings including evidence and sentencing, and sexual violence prevention.

Some important things you need to know about the SOA:

- It is gender neutral: males or females can be offenders or survivors/victims
- Persons charged with sexual offences are called the accused and persons who have been sexually abused are called claimants
- There are new sexual offences, including those for the protection of children and vulnerable adults
- Rape in marriage is now an offence and husbands or wives can give evidence against each other
- Offences such as rape and sexual assault have been expanded to include forcing victims to engage in sexual acts with others
- It is now more difficult for the accused to prove the claimant (victim) consented to sex or sexual activity
- Evidence of the complainant's previous sexual activity or reputation is restricted
- The courts can make special orders, including treatment/rehabilitation of the accused and victim protection and financial compensation orders
- Paper committals by magistrates have replaced the old preliminary enquiry
- The ways in which evidence can be given have been expanded

WHAT IS SEXUAL VIOLENCE?

According to the World Health Organization (WHO), sexual violence is any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic a person's sexuality by any person, using coercion regardless of their relationship to the victim in any setting, including but not limited to home and work

Sexual violence is a traumatic and widespread human rights violation that can result in the death of the victim or in deep and long lasting effects on the physical and mental health of survivors, including:

- Increased risk of sexual and reproductive health problems, HIV and STI infections
- Anxiety and depression, suicide, post traumatic stress and panic disorders
- Fear, shame, inability to trust and form lasting relationships
- Promiscuity, sexual dysfunction and high risk sexual behaviours
- High risk of perpetrating sexual violence (for boys)
- High risk of experiencing sexual violence (for girls)
- The need for psychological and physical treatment, including reconstructive surgery

IF YOU ARE RAPED OR SEXUALLY ASSAULTED

- Try to get away from the person who raped or sexually assaulted you as soon as possible
- Find or ask someone you trust to go with you or take you to report the sexual offence to the police
- Report the sexual offence to the police station yourself
- If victim is a child (male or female under the age of 18) report the sexual offence to the Child Care & Protection Agency
- Keep on the clothes you or the child was wearing and take a change of clothes, including underwear, with you to the police station or if you've taken them off, don't shake or wash them but fold them wrong side out and put them in a paper bag (not a plastic one as it will cause moisture and interfere with DNA evidence) or a clean pillowcase or cloth bag and take it with you, as these clothes will be needed as evidence
- Request that a rape kit or other appropriate method for collecting evidence for DNA and other testing is used
- Ensure you are given post-exposure-prophylaxis (PEP) treatment for HIV prevention at the hospital
- Request emergency contraception (morning after pill) to prevent pregnancy. Emergency contraception is effective if taken within 5 days of being raped

Until you've been medically examined and a rape kit has been used to collect evidence do not:

- Wash your hands, shower, bathe, douche or clean any part of your body
- Brush or comb your hair
- Brush your teeth
- Eat or drink anything or use mouthwash

- Change your clothes (see above)
- Tidy or clean the place where the assault took place; leave everything exactly as it was so that the police can collect evidence

Many survivors of rape and sexual assault feel frightened, guilty, powerless, angry, ashamed, depressed and numb and experience a loss of self- confidence. Counselling and other forms of therapy will help them to cope with the trauma of sexual violence.

Some survivors may find it difficult to eat, sleep or concentrate on school or studies. Sometimes there can be a long gap between the time of the sexual violence and the emotional reaction. Some survivors will find it difficult to talk about the rape or sexual assault, and this may be even more difficult in the case of a child. Support and understanding from family members and help from trained counsellors are very important

SEXUAL OFFENCES

Rape

- Rape is sexual penetration of the vagina, anus or mouth of one person by a penis, other body part or object of another person without their consent

A person can also be charged with rape if they

- Force two or more persons to have sex against their will where sexual penetration of the vagina, anus or mouth takes place with a penis, other body part or object



Note

Penetration means placing any part of a person's body or an object into the vagina or anus of another person, and any contact between the mouth of one person and the genitals or anus of another, however slight

Sexual assault

- Sexual assault is sexual touching of another person without consent
- Sexual assault takes place if someone touches your breast, vagina, buttocks, penis, testicles or other parts of your body in a sexual way without your consent

A person can also be charged with sexual assault if

- They force you to touch them in a sexual way on their breast, vagina, buttocks, penis, testicles or other part of their body without your consent
- They force you to touch another person in a sexual way on their breast, vagina, buttocks, penis, testicles or other part of the body without your or their consent



Note

Touching includes touching with any part of the body with an object or through clothes or underwear

Consent and belief in consent

There are a number of conditions under which it will be presumed that the complainant/victim did not consent to sexual activity:

- If any violence was used or threatened against them or someone else
- If they were unlawfully detained at the time, for example locked in a room or tied up
- If they were asleep or otherwise unconscious
- If they were drugged
- If they had a physical disability preventing them from letting the accused know whether or not they consented
- If they have a mental disability that made them unable to refuse and the accused knew or should have known about this
- If they were incapable of consenting due to any other reason
- If someone other than them agreed to what happened
- If the accused was in a position of power or authority over them and used this to force or frighten them into consenting
- If the presence of someone else was used to force, frighten or intimidate them
- If they at first agreed but then changed their mind and by words or conduct expressed their lack of agreement to the activity continuing
- If they were deceived or fooled by the accused or the accused tricked them into consent by impersonating someone they know and the accused did not believe that they consented

Consent and belief in consent cannot be inferred:

- If the person was silent, did not put up resistance or fight up
- If they were involuntarily sexually aroused, for example had an orgasm or ejaculated

Belief in consent

If the defence of belief in consent is raised:

- the belief must be objectively reasonable to all the circumstances, including whether the accused took any steps to find out whether consent to sexual activity was given
- the defence will not succeed if the accused's belief was due to self-induced intoxication, reckless or willful blindness or did not take reasonable steps to find out if consent was given

CHILD SEXUAL OFFENCES

Rape

- Child rape is sexual penetration, however slight, of the vagina, anus or mouth of a child under the age of 16 by a penis, other body part or object

A person can also be charged with child rape if they

- Cause a child under the age of 16 to have sex with another person where sexual penetration, however slight, of the vagina, anus or mouth takes place with a penis, other body part or object

Sexual assault

- Sexual assault of a child is the touching of a child under 16 years in a sexual way on their breast, vagina, buttocks, penis, testicles or other part of their body by another person

A person can also be charged with child sexual assault if they

- Cause a child under the age of 16 to touch another person in a sexual way on their breast, vagina, buttocks, penis, testicles or other part of the body
- Cause a child under the age of 16 to perform a sexual act including masturbation



Note

Touching includes touching with any part of the body, with an object or through clothes or underwear

Age of consent is the age at which persons can legally agree to have sex. In Guyana the age of consent is 16 years for both boys and girls, so children under 16 cannot consent to any sexual activity.

An exception, called close in age defense, is explained next.

Sexual activity with a child family member (previously known as incest)

A family member who is 16 years and over can be charged with this offence if:

- They have sex or sexual activity with another child family member

- They force a child family member to take part in sex or sexual activity with another person
 - They force a child family member to perform a sexual act, including masturbation
-



Note

If sexual penetration of any sexual organ of the child takes place this will be rape. Consent or agreement to sex or sexual activity does not apply here, so this cannot be used as a defence.

There would not be an offence if the accused is married to the child family member or if they had a sexual relationship before becoming relatives.



Note

Family members who can be charged with this offence include parents, grandparents, older siblings (brothers or sisters) including half- brothers or half- sisters, uncles, aunts, foster parents, step parents, and other family relatives of persons in former common law relationships where they would have cared for, trained or supervised the child..

Abuse of position of trust: sexual activity with a child

Any person who cares for, looks after, teaches, coaches or has responsibility over a child can be charged with this offence if they:

- Have sex or engage in sexual activity with a child in their care who is under 18 years of age
 - Cause or force a child under the age of 18 to have sex or engage in sexual activity with another person
 - Cause or force a child under the age of 18, to perform a sexual act, including masturbation
-



Note

Persons in positions of trust include doctors; nurses or care workers in private or public health institutions; care workers in children's homes; day care workers; teachers; social workers; counsellors; probation officers; sports coaches/ instructors; ministers of religion, Sunday school teachers; guardians of children, legal or reputed; the spouse of the child's parent(s) or guardian(s); baby sitters or child minders

Causing a child under the age of 16 to watch a sexual act

- A person can be charged with this offence if they cause a child under the age of 16 to watch them or another person having sex, or
- If they cause a child under the age of 16 to look at an image (picture, photo, movie, DVD etc) of a person having sex or engaging in sexual activity

Obstruction of prosecution

A person, can be charged with this offence if they prevent a child from:

- Giving a statement to the police
- Giving evidence for a paper committal
- Testifying (giving evidence in court)

Meeting a child after sexual grooming

- A person aged 18 or over who befriends a child under 16 whom the person does not reasonably believe is 16 or over, and meets or travels to meet the child in any part of the world in order to do an act that would be a sexual offence is guilty of a sexual offence.

Arranging or facilitating a child sexual offence

It is an offence to help someone else to commit a child sexual offence anywhere in the world.

Sexual offences against vulnerable persons

Sex with an adult family member

A family member commits this offence if s/he is 16 years old or over and engages in sexual penetration with another family member who is 18 or older, whether or not the other family member consents.



Note

Family members who can be charged with this offence include parents; grandparents; children; grandchildren; siblings of the whole or half blood; uncles; aunts; nephews and nieces. **The list of relatives is narrower than for the offence of 'sex with a child family member'.**

There is no need to prove **consent** or **belief in consent** as this is not a defence

Sexual offences against a person with a mental disorder (a mental health condition)

A person can be charged with this sexual offence: if they:

- Use threats, lies or false promises in order to have sex or sexual activity with a person with a mental disorder
- Force a person with a mental disorder through threats, lies or false promises to watch a sexual act

Offences by a care worker

It is an offence for a care worker to:

- Engage in sexual activity with a person with a mental disorder
- Force, encourage or incite a person with a mental disorder to engage in sexual activity with another person
- Force, encourage or cause a person with a mental disorder to perform a sexual act, including masturbation
- Force, encourage or cause a person with a mental disorder to watch a third person engage in a sexual activity or to look at any image of anyone engaging in sexual activity for the purpose of sexual gratification



Note

Consent on the part of the person with a mental disorder cannot be used as a defence.

But no offence is committed if the person with the mental disorder is over 18 and the parties are legally married or if they did not have an unlawful sexual relationship before the care relationship started

OTHER SEXUAL OFFENCES

Voyeurism (spying or peeping)

A person commits this offence if for the purpose of sexual pleasure they:

- Spy or peep on a person doing a private act without their consent
- Install equipment, or construct or adapt a structure, to spy on another person without their consent
- Operate equipment with the intention of allowing another person to observe a third person or an image of that person doing a private act without their express consent



Note

A private act is any activity in which the person expects privacy and the person's genitals, buttocks or breasts are exposed or covered only with underwear or the person is using a toilet, bathing or doing a sexual act that is not ordinarily done in public.

Administering a substance (drugging a person) with intent

A person commits the offence if:

- They give drugs, alcohol or another substance to a person without their consent with the intention of drugging, intoxicating or overpowering that person in order to engage in sexual activity

Exposure of genitals (indecent exposure)

A person commits this offence if:

- They intentionally expose their genitals intending that someone will see, so as to cause alarm and distress

Intercourse with an animal

A person commits this offence if:

- They penetrate a sexual organ of a living animal with their penis
- Allow their vagina or anus to be penetrated by the penis of a living animal

Committing an offence or trespass with intent to commit a sexual offence

A person who commits an offence or trespasses in order to commit a sexual offence is guilty of a sexual offence.

Conspiracy, attempt, incitement and aiding

A person who attempts to commit, conspires with someone else to commit, encourages, aid or assists someone else to commit any sexual offence is guilty of an offence.

INVESTIGATION OF SEXUAL OFFENCES

Police investigation

The police are required to record and investigate every sexual offence report and within 3 months of the report to either bring charges or send the file to the Director of Public Prosecutions (DPP) for advice.

Failure by the police to report, investigate, charge or seek advice from the DPP within 3 months, is neglect of duty and disciplinary charges may be brought.

Any person making a false sexual offence report is liable on summary conviction to a fine of \$50,000 and imprisonment for 3 years

No confrontation

Confrontations between complainant and accused are unlawful. Complainants should never be in the presence of the accused or other witnesses for the accused unless for an identification parade by way of audio-visual link, two way mirror or other means whereby the accused cannot see the complainant

COURT PROCEEDINGS

Barring of the public from court hearings (closed door hearings)

During sexual offence hearings the judge or magistrate must order that members of the public including the media be excluded from the court unless s/he is of the opinion that excluding the public is not necessary to ensure

- that all relevant evidence is heard
- that the interests of witnesses under 18 are safeguarded at all times
- the protection of all involved

Before the magistrate or judge allows members of the public into the courtroom s/he must take into account:

- The type of sexual offence
- The consequences of public disclosure to the life of the complainant
- Any decrease in the reporting of sexual offences that may result
- The right of the complainant and other witnesses to personal security and full protection and benefit of the law
- The need to balance the holding of criminal cases in public against prejudice to the complainant's personal dignity and right to privacy
- Any other factor considered relevant

The judge or magistrate must ask the complainant if s/he wishes to give oral or written evidence on whether the public should be excluded from the court hearing, and if the judge or magistrate does not exclude the public s/he must give reasons for the decision



Note

An accused found guilty of a sexual offence will be sentenced in open court

The complainant's right to anonymity/privacy

- It is an offence to print, publicize, broadcast or transmit by TV, radio, internet or social media any information that could identify the complainant or any other witness in a sexual offence case
- Any person who reveals any information so as to enable the identification of the complainant or any witness can be fined \$2 million
- The complainant's name and address must not be given in court and the magistrate or judge must advise the complainant not to give them

Special measures

Unless the complainant requests that no measures be put in place, the court must direct that the complainant be protected by special measures

These measures can include:

- Screens to prevent the complainant or other witnesses from seeing the accused, but they must not block the judge, jury, magistrate, lawyers and other court appointed persons from seeing the complainant or other witnesses
- Giving evidence by audio-visual link, the use of anatomically correct dolls for children and specially appointed persons (intermediaries) to assist child witnesses in giving evidence, such as counsellors, interpreters and psychologists
- Dispensing with the wearing of gowns while evidence is being given

The judge or magistrate may vary or discharge any special measures as s/he thinks fit in the interests of justice, but must give reasons for doing so.

Paper committals

The SOA provides for paper committal as a first stage in the court process instead of an oral preliminary enquiry.

At the time of writing this booklet, a challenge to the constitutionality of paper committals had been successful in the High Court but it is hoped that it will fail on appeal.

The procedure is as follows:

- All the prosecution and defence evidence is delivered to the magistrates' court registry and each side gives the other copies
- If the accused or his/her lawyer does not submit that there is not enough evidence for the accused to be sent for trial and the

magistrate is satisfied that the evidence submitted is admissible s/he will not consider the evidence itself but will simply commit the accused for trial in the High Court

- If the accused or his/her lawyer submits that there is not enough evidence for the accused to go to trial, the magistrate will then consider the evidence and decide whether or not to commit the accused for trial. S/he must give reasons for the decision
- If the magistrate decides that there isn't sufficient evidence to go to trial and discharges the accused, the DPP can send the matter back to the magistrate's court with directions to reopen the paper committal and commit the accused for trial or to take evidence or more evidence as directed

Bail

Before granting bail to an accused person the magistrate or judge should take into account:

- The security, health, safety and well-being of the complainant or any witness or child affected by the offence or by the decision on bail
- Any hardship that may be caused to the accused or family members of the accused if bail is not granted
- The record of the accused relating to committing violent acts and whether there is evidence on record of physical or psychological abuse to children
- If there is good reason to believe that if the accused is released on bail s/he would disappear, commit an offence, interfere with witnesses or obstruct the course of justice
- Any other relevant issue

But if the accused is charged with an offence that involves sexual penetration and has a prior sexual offence conviction or is charged with a child sexual offence, the accused must be kept in custody unless s/he can show good reason why s/he should be granted bail.

The magistrate or judge in granting bail may also set the following conditions:

- The accused not communicate directly or indirectly, with the complainant, witness or other persons
- The accused not harass, molest, or cause another person to harass or molest, the complainant or any relevant child or other person

- The accused not be present in any location where the complainant or any relevant child, resides, works, goes to school or visits
- The accused not be allowed to remain in a place of residence, employment, or place of education where the complainant, any relevant child or specified person continues to reside, work or go to school
- The accused report to a specified police station at set times and inform the police of any changes to address, employment or occupation
- The accused hand over their passport to the police and comply with any other condition made by the court



Note

If a police officer reasonably believes that a person on bail has broken any conditions of bail, s/he can arrest the person without a warrant and in such a case bail can be forfeited.

If an accused person is released on bail the prosecutor must immediately inform the complainant of this and of the conditions of bail

Presentation of the complainant’s views and concerns during bail and sentencing

During bail hearings and before sentencing the complainant has the right to present her/his views and concerns to the court in a way that does not prejudice the rights of the accused

Evidence

- Any person can give evidence unless the judge or magistrate thinks that s/he cannot understand questions put to her/him and give answers that can be understood
- The husband or wife of an accused can be compelled to give evidence
- The judge must also inform the jury that corroboration (verification, or other statements of confirmation or proof) of a complainant’s evidence, or the sworn or unsworn evidence of a child is not needed for a conviction
- When appropriate, the judge must warn the jury that survivors of sexual offences display a wide range of responses and that behaviour that they might not expect from a survivor of a sexual

offence, such as not reporting a sexual offence quickly, should not lead them to believe that the offence did not take place

- Only in restricted circumstances can evidence that a complainant engaged in previous sexual activity be allowed
- Evidence of the complainant’s sexual activity or reputation is restricted

Sentences

Offence	Penalty
Rape	Life imprisonment
Rape of a child under 16	Life imprisonment
Sexual activity with a child family member: if sexual penetration other cases	Life imprisonment Summary conviction – 5 yrs + fine of \$1 million Indictable conviction – 14 yrs
Sexual activity with a child by abusing a position of trust: if sexual penetration other cases	Life imprisonment Summary conviction – 5 yrs + fine of \$1 million Indictable conviction – 10 yrs
Care worker engaging, causing or inciting sexual activity (rape)	Life imprisonment
Sexual activity with a child family member: if sexual penetration other cases	Life imprisonment Summary conviction – 5 yrs + fine of \$1 million Indictable conviction – 14 yrs
Sexual assault (adult or child)	Summary conviction – 5 yrs Indictable conviction – 10 yrs
Causing a child to watch a sexual act	Summary conviction – 5 yrs + fine of \$1 million Indictable conviction – 10 yrs
Meeting a child under 16 after sexual grooming	Summary conviction – 5 yrs + fine of \$1 million Indictable conviction – 10 yrs

Offence	Penalty
Abuse of position of trust (excluding rape of child)	Summary conviction – 5 yrs + fine of \$1 million Indictable conviction – 10 yrs
Obstruction of prosecution	Summary conviction – 5 yrs + fine of \$1 million
Arranging or facilitating commission of child sex offence	Summary conviction – 5 yrs + fine of \$1 million Indictable conviction – 10 yrs
Sexual activity with adult family member	Summary conviction – 2 yrs + fine of \$500,000 Indictable conviction – 5 yrs
Obtaining sexual activity with a person with a mental disorder by inducement, threat or deception: if sexual penetration other cases	Life imprisonment Summary conviction – 5 yrs + fine of \$1 million Indictable conviction- 14 yrs
Causing a person with a mental disorder to watch a sexual act by inducement, threat or deception	Summary conviction – 5 yrs + fine of \$1 million Indictable conviction- 10 yrs
Care worker engaging in, causing or inciting sexual activity sexual activity with a person with a mental disorder: if sexual penetration other cases	Life imprisonment Summary conviction – 5 yrs + fine of \$1 million Indictable conviction - 10 yrs
Care worker abusing a person with a mental disorder to watch a sexual act	Summary conviction – 5 yrs + fine of \$1 million Indictable conviction - 10 yrs
Exposure of genitals	Summary conviction – 2 yrs + fine of \$500,000 Indictable conviction – 5 yrs
Voyeurism	Summary conviction – 2 yrs + fine of \$500,000 Indictable conviction – 5 yrs
Drugging a person with intent to commit a sexual offence	Summary conviction – 5 yrs + fine of \$1 million Indictable conviction – 10 yrs

Offence	Penalty
Committing an offence with intent to commit a sexual offence	Summary Conviction – 5 yrs + fine of \$1 million Indictable conviction - 10 yrs
Intercourse with an animal	Summary conviction – 2 yrs + fine of \$1 million Indictable conviction – 5 yrs

Compensation & other orders

When an accused is convicted of a sexual offence, in addition to passing sentence the court may:

- order the accused pay civil (financial) compensation to the complainant
- order the accused to get drug abuse or psychological treatment, HIV testing or rehabilitation

Removing the authority of sexually abusive parents or guardians over a child

- If it is proved during a child sexual offence trial that the offence was committed, encouraged or favoured by the child’s father, mother, guardian or any other person who has lawful care or charge of the child, the court may take away that person’s authority over the child and appoint another suitable person to take charge of the child and be her/his guardian until s/he becomes an adult.
- The court can, rescind or discharge such an order

SEXUAL OFFENCE PREVENTION

National Task Force for the Prevention of Sexual Offences

- This inter-agency task force is required to develop and implement a national plan for the prevention of sexual violence
- Members of the task force are to be appointed by the president and include Ministers of Legal Affairs, Home Affairs, Human Services and Social Security, Amerindian Affairs, Education, Health, Local Government, Youth, Sport & Culture, senior public officers with responsibility for law enforcement, health and human and social services, and persons from non-governmental organisations.

The task force, which should meet at least every 3 months, is responsible for doing the following, either itself or through appropriate ministries:

- Developing, publishing and coordinating the implementation of a National Plan for the Prevention of Sexual Offences, which includes activities to prevent and eradicate sexual violence in Guyana
- Developing initiatives for the prevention of sexual violence
- Commissioning and coordinating the collection, publication and sharing of data among government agencies
- Establishing policies to enable the government to work with NGOs, FBOs, CBOs and other civil society organizations to prevent sexual violence and provide assistance to victims of sexual violence
- Providing guidance to the Sexual Violence Unit
- Developing national policy guidelines and protocols for victims of sexual violence and addressing matters relating to police services, prosecution and medical, social, probation and prison services
- Providing guidance to the Sexual Violence Unit and on the development of training programmes for the police, prosecutors, magistrates, judges, health workers, probation officers, social workers and the prison service
- Monitoring the implementation of the SOA, the National Plan and National Policy Guidelines and protocols
- Coordinating, monitoring and evaluating national education and awareness programmes

- Focusing special attention on the issue of sexual violence in remote areas, including access to police support, medical attention and court services
- Recommending the establishment of special centres or units at hospitals and police stations, and setting out the necessary steps to establish integrated services
- Producing an annual report with updated data and statistics on the implementation of the SOA, the National Plan and National Policy Guidelines, and other prevention activities
- Generally ensuring acceptable and uniform treatment of all sexual offence matters

Sexual Violence Units

The SOA requires that a Sexual Violence Unit be established in the Ministry of Labour, Human Services & Social Security and that until the unit is established (at the time of writing this booklet it had not been), the Director of Social Services must support the task force in carrying out its responsibilities.

Sexual violence awareness programmes

The SOA requires the Minister of Human Services & Social Security to organise public sexual violence awareness programmes in cooperation with other governmental agencies and non-governmental organisations.

Sexual violence training programmes

The SOA requires:

- the Ministers of Legal Affairs, Home Affairs, Health and Human Services & Social Security to ensure that training programmes on sexual violence are developed and delivered to police, prosecutors, magistrates and judges, health workers, probation officers, social workers and the prison service, either directly or in collaboration with other appropriate governmental agencies and non-governmental organisations, and
- the Judicial Service Commission to ensure that training is provided to magistrates and judges on implementation of Act, and on existing laws, procedures and obligations relating to sexual offences, for example regulating requests for adjournments, cross-examination of the complainant, and on sexual offences in general, including rape myths.

Proposals for a special court environment

The SOA requires the task force to report to the Minister of Human Services & Social Security within a year of the passing of the Act on proposals for a special court environment to try sexual offences. At the time of writing this booklet, it does not appear that this has been done.

Reporting obligation for health workers

Health Workers who find that a child has been sexually abused have to report the sexual abuse to the police and keep a record of their report

WHAT WE SHOULD DO - SEXUAL VIOLENCE PREVENTION

Sexual violence continues to be one of the most under-reported crimes in Guyana and statistics show that children, women and the LGBT community are among those most affected.

In order to stop sexual violence, we should:

- Support victims/survivors rather than blaming them
- Ensure that members of the LGBT community who are survivors of sexual violence are given equal treatment and access to support services
- Stop making excuses for sexual offenders
- Report sexual violence whenever and wherever it happens – whether in the home, at school, work places or in communities
- Stop believing in rape myths, for example that no to sex means yes, that women 'invite' rape by the way they dress or behave and that being a real man is about being sexually aggressive
- Understand that sexual violence is a horrific crime and needs to be punished
- Believe children when they tell us they have been sexually assaulted
- Understand that rape and other sexual offences are not about sexual desire but are acts of violence used to exert power and control and to humiliate and degrade
- Educate ourselves about the SOA
- Advocate and lobby for the full implementation of the SOA
- Take action to stamp out sexual violence and give support to survivors of sexual violence

SEXUAL VIOLENCE AND THE LESBIAN, GAY, BI-SEXUAL AND TRANSGENDER (LGBT) COMMUNITY

Sexual Orientation

Sexual orientation refers to the sex of persons one is genetically, socially, sexually and romantically attracted to. Sexual assaults happen to and are committed by people of all sexual orientations, including members of the LGBT community. Sexual orientation includes:

- Heterosexuality - when a person's primary attraction is to a person of the opposite sex
- Homosexuality - when a person's primary attraction is to a person of the same sex
- Bisexuality - when a person is attracted to persons of both sexes
- Transgender – a person whose idea of gender does not correlate with his or her assigned gender role
- Asexual - a person who is not sexually attracted to either men or women
- Androgynous – a person who is biologically both male and female and has both masculine and feminine characteristics

Sexual orientation is determined by genetic, gender characteristics and social factors.

Issues regarding sexual assault that are unique to the LGBT community:

- Survivors who have not revealed - “outed” - their sexual orientation may find disclosing or reporting their sexual assault difficult or impossible
- Due to the lack of awareness of same-sex sexual assault, members of the LGBT community may be reluctant to report it
- Guilt and self-blame (which are common symptoms of all survivors) may lead to questioning one’s sexual identity and sexual orientation.
- Homophobia(irrational fear, hatred, mistrust, negative attitudes and feeling towards LGBT persons) and other forms of stigma and discrimination make it even more difficult to report same-sex sexual assault
- Lack of training and awareness among service providers on sexual assault and the LGBT community, can lead to rejection, ignoring, victim blaming or having sexual assault reports discarded
- Rape and sexual assaults against LGBT individuals and those perceived to be LGBT are sometimes carried out to punish, humiliate, or “change” sexual orientation by specifically targeting lesbian and bisexual women

It is estimated that a very high number of hate crimes against members of the LGBT communities involve sexual assault. This figure may be higher because individuals who were assaulted may be unsure if they were targeted because of their sexual orientation.

Helping Agencies

Organisation	Address	Telephone	Organisation/Address	Offices	Telephone
Help & Shelter	D' Urban Park, Homestretch Avenue, Georgetown	225-4731, 227-3454 227 – 8353	Police A Division Georgetown/ East Bank Demerara	Divisional Commander Second- In-Command – Officer-In-Charge Impact Base Divisional Detective Officer (Crime)	226-1389/227-2128 226-7476 227-2610 226-7065 227-1611, 227-1149
Ministry Of Labour, Human Services And Social Security	1 Cornhill & Water Sts.	227-4319 225-6212 220-2354	Police B' Division (Berbice)	Divisional Commander Second In-Command Divisional Detective Officer (Crime)	333-3876 333-2485 333-5564 333-2151, 333-2152
Child Protection Agency	Broad & Charles Sts. Charlestown	227-0979 227-4420 227-4082 225-1257	'C' Division (East Coast Demerara)	Divisional Commander Second- In-Command Divisional Detective Officer (Crime)	229-2289 229-2569 229-2557 229-2700 To 3
Guyana (Georgetown) Legal Aid	Charlotte & King Sts.	225-9238 225-9246 225-6896	'D' Division (West Demerara/East Bank Essequibo)	Divisional Commander Second- In-Command Divisional Detective Inspector (Crime)	268-2343/268-2223 268-2298 268-2222 268-2222, 268-2328
Essequibo Legal Aid	Rdc Compound, Anna Regina	771-4007/8	'E' Division (Linden/Kwakwani)	Divisional Commander Second -In-Command Divisional Detective Inspector (Crime)	444-3406 444-3297 444-3274 444-3512 Or 444-3297
West Coast Berbice Legal Aid	Rdc Compound, Fort Wellington	222 0952, 0953	'F' Division (Interior Locations)	Divisional Commander Divisional Detective Officer (Crime) Officer -In-Charge Mahanma Police Station Officer- In-Charge Baritica Police Station Officer- In-Charge Lethem Police Station	226-1333 225-2722 777-5007 455-2241 772-2087
Berbice Legal Aid	Rdc Compound New Amsterdam	333 5254	'G' Division (Essequibo Coast And Islands)	Divisional Commander Second-In-Command In-Charge (Crime)	771-4010 771-4012 777-5360 771-5004/771-4222
Red Thread	72 Adelaide & Princess St, Charlestown	227-7010 223- 6254	GRPA	Divisional Operations Room	70 Quamina St, Georgetown 225-0739, 225-0738, 225-3286