

Laws of Consent

- All sexual activity without consent, regardless of age, is a criminal offence.
- The age of consent refers to the age at which a young person can legally consent to sexual activity.
- Consent laws apply to all forms of sexual activity, ranging from sexual touching (e.g., kissing) to sexual intercourse.
- The age of consent for sexual activity in Canada is 16 years.
- The Criminal Code provides “close in age” or “peer group” exceptions: For example, a 14- or 15-year-old can consent to sexual activity with a partner as long as the partner is less than five years older and there is no relationship of trust, authority, or dependency or any other exploitation* of the young person. This means that if the partner is five years or older than the 14- or 15-year-old, any sexual activity will be considered a criminal offence unless it occurs after they are married to each other. There is also a “close-in-age” exception for 12- and 13-year-olds: a 12- or 13-year-old can consent to sexual activity with another young person who is less than two years older and with whom there is no relationship of trust, authority, or dependency, or other exploitation of the young person.
- Children under 12 years of age can never legally consent to sexual activity.

	12	13	14	15	16	17	18	19	20	+
12	●	●	x	x	x	x	x	x	x	x
13	●	●	●	x	x	x	x	x	x	x
14	x	●	●	●	●	●	●	x	x	x
15	x	x	●	●	●	●	●	●	x	x
16	x	x	●	●	●	●	●	●	●	●

*A relationship of trust, authority, or dependency may include one a young person has with their teacher, doctor, manager, supervisor or mentor.

