



**POUVOIR  
PARTAGER  
POUVOIRS  
PARTAGÉS**

# Sharing Together for Life : Training

Preliminary questions to  
begin thinking about  
women, HIV and disclosure

© CReCES, 2015, All rights reserved

## Training Session on women's life experiences in regards to disclosure

✓ This short training exercise aims to encourage a reflection on issues related to HIV and disclosure for Women who are living with HIV (WLHIV). You will be invited to consider and answer questions in the following areas:

1. Rights and responsibilities in regards to disclosing one's HIV-positive status
2. Possible reactions to being diagnosed with a chronic disease
3. HIV and women: transmission modes and high-risk behaviours
4. Disclosure and its challenges
5. Non-disclosures and its challenges
6. The process involved in deciding to tell or not to tell.

Please answer **YES** or **NO** to these 14 questions. In some cases, the answer could be both **YES** and **NO**. **You will find the answer and additional comments in the 'notes' section at the bottom of each slide.**

An interactive version of this training is available in French at:  
<http://pouvoirpartager.uqam.ca/formation-en-ligne.html>

© CReCES, 2015, All rights reserved

### Training Session

- Facilitating a Sharing Together for Life program requires knowing and understanding the reality of WLHIV. This training session will not only allow you to better understand or revise your understandings of WLHIV's life experiences, but it will also allow you to assess your knowledge in this area and to identify themes where you could further your knowledge before facilitating the program.

- The following themes will be covered during this training session:

1. Rights and responsibilities in regards to disclosing one's HIV-positive status
2. Possible reactions to being diagnosed with a chronic disease
3. HIV and women: transmission modes and high-risk behaviours
4. Disclosure and its challenges
5. Non-disclosure and its challenges
6. The process involved in deciding to tell or not to tell

## Training Session (1/14)

### THEME 1 | Rights and responsibilities in regards to disclosing one's HIV-positive status

1. Do people have a legal duty to disclose their HIV-positive status to sexual partners under the Criminal Code of Canada?

YES

NO

© CReCES, 2015, All rights reserved

## Training Session (1/14)

### THEME 1 | Rights and responsibilities in regards to disclosing one's HIV-positive status

**1. Do people have a legal duty to disclose their HIV-positive status to sexual partners under the Criminal Code of Canada?**

**Answer: YES**

According to the Supreme Court of Canada, people have a legal duty to disclose their HIV-positive status to sexual partners before having sex that poses a “realistic possibility” of HIV transmission.

Not disclosing in such circumstances means a person with diagnosed HIV could be convicted of aggravated sexual assault, even if the other party was not infected by the HIV virus (Canadian HIV/AIDS Legal Network, 2012).

**Answer: NO**

The only sex that the Court has recognized as not posing a realistic possibility of HIV

transmission at this time is vaginal sex that takes place when (1) a condom is used, AND (2) the person living with HIV has a low or an undetectable viral load. If both of these conditions are met, then there is no obligation under the criminal law to disclose one's HIV status. For further information, consult the Canadian HIV/AIDS Legal Network at <http://aidslaw.ca> or contact the COCQ-SIDA's VIH info Droits service (1-866-535-0481, Ext. 34).

## Training Session (2/14)

### THEME 1 | Rights and responsibilities in regards to disclosing one's HIV-positive status

2. Do WLHIV have a legal duty to disclose their HIV-positive status to people in their orbit and to alternative medical practitioners (massage therapists, acupuncturists, chiropractors or osteopaths)?

YES

NO

© CReCES, 2015, All rights reserved

## Training Session (2/14)

### THEME 1 | Rights and responsibilities in regards to disclosing one's HIV-positive status

**2. Do WLHIV have a legal duty to disclose their HIV-positive status to people in their orbit and to alternative medical practitioners (massage therapists, acupuncturists, chiropractors or osteopaths)?**

**Answer: No**

Generally speaking, aside from a few exceptions (related to insurance and to the “realistic possibility” of HIV transmission via vaginal sex), WLHIV do not have a legal duty to disclose their HIV-positive status, as this information is confidential. As such, WLHIV do not have a legal duty to disclose their HIV-positive status to friends, family members, employers, co-workers, or alternative health practitioners if they opt not to disclose this information. Each woman has the right to decide whether or not to disclose her HIV-positive status and under what circumstances.

## Training Session (3/14)

### THEME 1 | Rights and responsibilities in regards to disclosing one's HIV-positive status

3. Do WLHIV have a legal duty to disclose their HIV-positive status to traditional health professionals such as family physicians or other healthcare professionals?

YES

NO

© CReCES, 2015, All rights reserved

## Training Session (3/14)

### THEME 1 | Rights and responsibilities in regards to disclosing one's HIV-positive status

**3. Do WLHIV have a legal duty to disclose their HIV-positive status to traditional health professionals such as family physicians or other healthcare professionals?**

**Answer: No**

Although health professionals are required to apply universal precautions (wearing gloves and sterilizing instruments and material), WLHIV do not have a legal duty to disclose their HIV-positive status or any other health problem to health professionals. However, in order to receive therapies that consider account for their health condition, it is best for them to inform the health professional(s) who are treating them.

## Training Session (4/14)

### THEME 1 | Rights and responsibilities in regards to disclosing one's HIV-positive status

4. Do WLHIV have a legal duty to disclose their HIV-positive status to insurance companies, for example when obtaining life insurance or disability insurance ?

YES

NO

© CReCES, 2015, All rights reserved

## Training Session (4/14)

### THEME 1 | Rights and responsibilities in regards to disclosing one's HIV-positive status

**4. Do WLHIV have a legal duty to disclose their HIV-positive status to insurance companies, for example when obtaining life insurance or disability insurance?**

**Answer: Yes**

When it comes to life insurance and disability insurance, the insurer has the right to ask for this information. If a WLHIV fails to disclose it, not only can the insurer deny any future claims she may file, but she may be convicted of fraud and her policy will be cancelled. There will also be a mention of this lie in her federal insurance file, which will prevent her from obtaining insurance later on.

## Training Session (5/14)

### THEME 2 | Possible reactions to being diagnosed with a chronic disease

5. Do WLHIV experience emotions and reactions that are similar to those experienced during the grieving process?

YES

NO

© CReCES, 2015, All rights reserved

## Training Session (5/14)

### THEME 2 | Possible reactions to being diagnosed with a chronic disease

**5. Do WLHIV experience emotions and reactions that are similar to those experienced during the grieving process?**

**Answer: Yes**

Being told that you are HIV-positive can spark many reactions, most notably shock, denial, anger, and sadness, as well as depression, resignation, acceptance, adaptation and integration. Most of these reactions, which typically occur after the death of a loved one, often come up after being diagnosed with a chronic disease like HIV. These emotions and reactions are part of a natural grieving process that eventually leads to acceptance. Some parts of the process may reoccur, be experienced in a different sequence or timeframe, etc. Every WLHIV reacts to her diagnosis in her own unique way.



## Training Session (6/14)

### THEME 3 | Women and HIV: Transmission modes and high risk behaviours

6. Are there more women with HIV than men?

YES

NO

© CReCES, 2015, All rights reserved

## Training Session (6/14)

### THEME 3 | Women and HIV: Transmission modes and high risk behaviours

6. Are there more women with HIV than men?

**Answer: No**

Worldwide, there are almost as many women as men living with HIV (World Health Organization, 2013). However, HIV affects women and men differently. While reported cases of HIV among Canadian women have been on the rise since 1985 (Public Health Agency of Canada, 2010), most HIV cases in Canada involve men (79.1%) (INSPQ, 2012). There are resources which you can consult that provide specific information on the epidemiology of HIV by province and country.

**References:** World Health Organization. (2013). *Genre, femmes et santé : Inégalités entre les sexes et VIH/sida*. Available online in French only.

[http://www.who.int/gender/hiv\\_aids/fr/](http://www.who.int/gender/hiv_aids/fr/), Institut national de la santé publique du Québec. (2012). *Programme de surveillance de l'infection par le virus de l'immunodéficience humaine (VIH) au Québec: cas cumulatifs 2002-2011*. Québec: Government of Québec. Available online in French only.

[http://www.inspq.qc.ca/pdf/publications/1579\\_ProgSurvInfectionVIHQc\\_CasCumul2002-2011.pdf](http://www.inspq.qc.ca/pdf/publications/1579_ProgSurvInfectionVIHQc_CasCumul2002-2011.pdf))

**Training Session (7/14)**

**THEME 3 | Women and HIV: Transmission modes and high risk behaviours**

7. Are women at higher risk for contracting the HIV virus than men?

**YES**                      **NO**

© CReCES, 2015, All rights reserved

**Training Session (7/14)**

**THEME 3 | HIV and women: transmission modes and high-risk behaviours**

**7. Are women at higher risk for contracting the HIV virus than men?**

**Answer: Yes**

During unprotected sex, women are at higher risk of contracting HIV for biological, cultural, social and economic reasons. From a biological perspective, the woman's vaginal mucosa exposed during sexual intercourse is more extensive than the man's glans area. Men also transmit more secretions than women during intercourse and there is more of the virus in semen than in vaginal secretions. Finally, vaginal and anal tissue are more sensitive to the micro-tears which may occur during penetration. Worldwide, women have less access to education than boys and are therefore less knowledgeable about sexuality, HIV and safe sex. From a socio-economic perspective, more women live below the poverty line or depend on men to meet their subsistence needs and those of their children. Given this reality, they are less able to demand that their sexual partners wear a condom. (World Health Organization, 2013).

References: **World Health Organization. (2013). *Genre, femmes et santé : Inégalités entre les sexes et VIH/sida*. [http://www.who.int/gender/hiv\\_aids/fr/](http://www.who.int/gender/hiv_aids/fr/)** Available online in French only.

## Training Session (8/14)

### THEME 4 | Disclosure and its challenges

8. Is there more than one type of disclosure?

YES

NO

© CReCES, 2015, All rights reserved

## Training Session (8/14)

### THEME 4 | Disclosure and its challenges

8. Is there more than one type of disclosure?

**Answer: Yes**

There are four types of disclosure: secret disclosure (the woman tells only a few people from whom complete confidentiality is required—often only the treating physician and the partner), selective disclosure (the woman tells a few trusted people from whom she requires complete confidentiality), complete disclosure (the woman considers it important to disclose her status regardless of the people to whom she are disclosing and does not require complete confidentiality) and unwanted disclosure (breach of confidentiality without the woman's consent).

## Training Session (9/14)

### THEME 4 | Disclosure and its challenges

9. Are there advantages to disclosing one's HIV-positive status?

YES

NO

© CReCES, 2015, All rights reserved

## Training Session (9/14)

### THEME 4 | Disclosure and its challenges

9. Are there advantages to disclosing one's HIV-positive status?


**Answer: Yes**

Telling may positively affect many aspects of the person's life. For example, professionally speaking, the person may receive financial benefits stemming from having a disability, such as a scholarship; relationship-wise, the person may receive support from the people around her and make new friends; family-wise, the person may form closer bonds with their spouse and other family members, and personally speaking, the person may feel relieved that they no longer have to lie.


Training Session (10/14)

THEME 4 | Disclosure and its challenges

10. Are there disadvantages to disclosing one's HIV-positive status?



YES



NO

© CReCES, 2015, All rights reserved

### Training Session (10/14)

#### THEME 4 | Disclosure and its challenges

#### 10. Are there disadvantages to disclosing one's HIV-positive status?

**Answer: Yes**

Generally speaking, disclosure experiences go rather well, or at least, they do not always result in negative consequences. That is not to say that there may not be some negative consequences on various aspects of the person's life. For example, professionally speaking, telling may lead to losing one's job; relationship wise, to rejection and manipulation; from a socio-economic perspective, to the inability to become a Canadian citizen; and family-wise, to feelings of shock or sadness.

## Training Session (11/14)

### THEME 5 | Non-disclosure and its challenges

11. Are there advantages to not disclosing one's HIV-positive status?

YES

NO

© CReCES, 2015, All rights reserved

## Training Session (11/14)

### THEME 5 | Non-disclosure and its challenges

**11. Are there advantages to not disclosing one's HIV-positive status?**

**Answer: Yes**


Here is a list of some of the possible advantages of not disclosing one's HIV-positive status: protecting one's children from stigmatization and discrimination; avoiding rejection, protecting the health of a loved one, keeping one's job, avoiding stigmatization and discrimination, etc.




**Training Session (12/14)**

**THEME 5 | Non-disclosure and its challenges**

12. Are there disadvantages to not disclosing one's HIV-positive status?



YES



NO

© CReCES, 2015, All rights reserved

**Training Session (12/14)**

**THEME 5 | Non-disclosure and its challenges**

**12. Are there disadvantages to not disclosing one's HIV-positive status?**

**Answer: Yes**

Here is a list of some of the possible disadvantages of not disclosing one's HIV-positive status: feeling isolated, being outed by someone without one's consent, living with the burden of one's secret, always having to hide, lying about one's health condition, having to lead a double life, etc.

**Training Session (13/14)**

**THEME 5 | Non-disclosure and its challenges**

13. Can a WLHIV file a complaint if she sees that her right to keep her HIV-positive status confidential has been violated?

**YES**                      **NO**

© CReCES, 2015, All rights reserved

**Training Session (13/14)**

**THEME 5 | Disclosure and its challenges**

**13. Can a WLHIV file a complaint if she sees that her right to keep her HIV-positive status confidential has been violated?**

**Answer: Yes**

Any unlawful interference with any right or freedom entitles the victim to obtain the cessation of such interference and compensation for the moral or material prejudice resulting therefrom. In cases of unlawful and intentional interference, the tribunal may also condemn the person guilty of it to exemplary damages.

For further information on HIV and the law in Canada:

Canadian HIV/AIDS Legal Network

[www.aidslaw.ca](http://www.aidslaw.ca)

416-595-1666

For further information and advice on HIV and the law in Quebec:

*Coalition des Organismes Communautaires québécois de lutte contre le sida (COCQ-*

Sida):

[www.cocqsida.com](http://www.cocqsida.com) (in French only)

514-844-2477 ext. 34 or 1-866-535-0481 ext. 34

To contact federal agencies responsible for the protection of human rights and privacy:

Canadian Human Rights Commission

[www.chrc-ccdp.ca](http://www.chrc-ccdp.ca)

1-888-214-1090 TTY 1-888-643-3304

Privacy Commissioner of Canada

[www.priv.gc.ca](http://www.priv.gc.ca)

613-947-1698 or 1-800-282-1376 • ATS 613-992-91901

To file a complaint or obtain more information on these subjects, visit these agencies' Websites.

## Training Session(14/14)

### THEME 6 | The process involved in deciding to tell or not to tell

14. Should the decision to disclose or not to disclose one's HIV-positive status be made after careful planning?

YES

NO

© CReCES, 2015, All rights reserved

## Training Session (14/14)

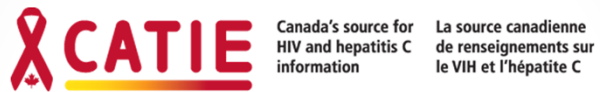
### THEME 6 | The process involved in deciding to tell or not to tell

**14. Should the decision to disclose or not to disclose one's HIV-positive status be made after careful planning?**

**Answer: Yes**

The decision to tell or not to tell is an ongoing process, not a one-time event. Telling may not only affect the WLHIV, but those hearing the news, as well as family and friends. Careful planning will allow things to go as well as can be expected and will help the person better anticipate, minimize or manage the possible consequences of their disclosure. Given the complexity of disclosure-related challenges and consequences, WLHIV should be able to decide if they want to tell or not. Those who work with WLHIV must respect the wishes of women who want to keep their status a secret, offer support to those who aren't sure what to do, and help and/or provide referrals to those who wish to disclose their status.

To find out more about Sharing Together for Life:



Canada's source for  
HIV and hepatitis C  
information

La source canadienne  
de renseignements sur  
le VIH et l'hépatite C

[www.catie.ca/sharingtogether](http://www.catie.ca/sharingtogether)



POUVOIR PARTAGER  
POUVOIRS PARTAGÉS

© CReCES, 2015, All Rights Reserved