



## Where to get help

**If you are worried about someone, you can call:**

CrisisCare – 9223 1111 or  
1800 199 008 Freecall from a landline only.

Sexual Health Helpline – 9227 6178  
(metropolitan) or 1800 198 205 (country).

Or talk to:

- your community nurse
- a teacher
- a police officer
- a welfare officer.

They will do their best to make sure there is no gossip and things are done the proper way.



This document can be made available in alternative formats on request for a person with disability.

Front cover illustration by Deslee Nargoodah

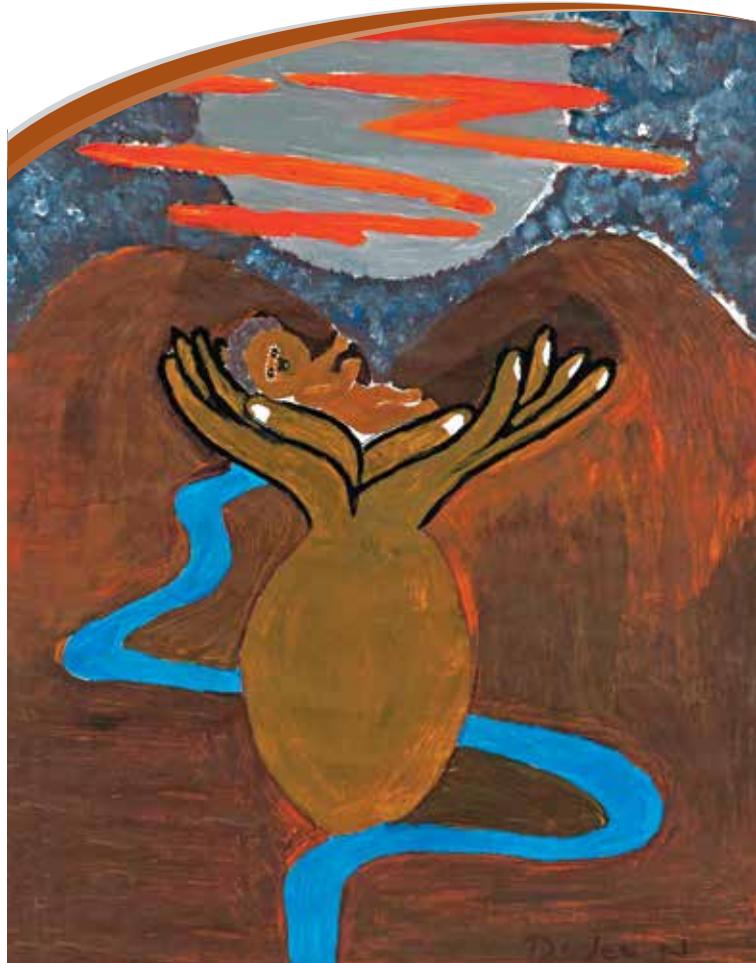
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# What the law says about sex



## What the law says about sex

- ✓ Both people have to be over 16 years of age.
- ✓ Both people have to be OK about it.
- ✓ Both people have to agree to it.
- ✓ Both people have to have a free choice.
- ✗ You can't force or threaten them.
- ✗ You can't trick them into it.
- ✗ You can't get them drunk or drugged and take advantage.
- ✗ You can't give them no choice.

The law calls it **consent** when people are happy to have sex with each other.

People are allowed to change their mind about sex half way through. If they do, the other person must stop.

## Remember, the law says:

- you aren't allowed to have sex with a boy or girl if they are younger than 16
- if you are someone in power, like a teacher, a pastor or a community leader, you aren't allowed to have sex with a boy or girl younger than 18
- you can't have sex with a close relation, like a son or daughter, a brother or sister, or a stepson or stepdaughter or any child under your care.

## No excuse

There is no excuse. The law says it is sexual assault or rape if either person says no, even if:

- the person was drunk or on drugs at the time
- the man reckons that he 'couldn't control himself'
- the man thinks 'she led him on'
- one person was flirting with another person, but didn't want to have sex
- she was 'asking for it' by dancing or behaving in a sexy way, or by dressing in a sexy way
- the two people are married/de facto or in a relationship
- the two people used to be in a relationship they love each other, but one of them is not ready to have sex.

It will still be rape or sexual assault whether the person doing it is a man or a woman or whether the other person is a man or a woman.

## Choice is the important thing

**The law is not just about full-on sex. Any kind of touching in a sex sort of way is against the law if the other person doesn't want it to happen, or changes their mind.**