

Whether you have just started to date someone or have been in a relationship for a while, the rules about consent stay the same.

Remember

Sex is meant to be enjoyable. If you care about the other person, don't pressure them.

Consent cannot be assumed. Always check, talk about it and look for body language.

You can withdraw your consent at any time... even in the heat of the moment.

Being sexual with someone without their consent is sexual assault.

What is sexual assault?

Sexual assault refers to a number of criminal offences including rape, indecent assault, unwanted sexual behaviour (e.g. touching or fondling) and child pornography.

Sexual assault is an ongoing social problem that affects many people. Committing sexual assault can lead to imprisonment and registration as a sexual offender. A criminal record for sexual assault will seriously affect your career, work and travel prospects.

All forms of sexual assault are an abuse of power. This is when someone takes advantage of another person's vulnerability.

Reasons that may increase vulnerability include:

- Being young, inexperienced or isolated
- Being nervous, scared or embarrassed
- Having low self-esteem
- Being intoxicated.

Sexual assault can happen to anyone... there is no excuse for sexual assault.

What about 'Sexting'?

Using your mobile phone to take and send sexually explicit pictures can lead to serious legal consequences. Think carefully before you take and send photos of yourself or of your friends, even if they agree.

Pictures you send electronically become part of your 'digital footprint' and can last forever. This can damage your future career and relationships, and can even result in criminal prosecution.

Remember the law, be safe, be sure!

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Legal Services Commission
OF SOUTH AUSTRALIA

Legal Help Line
1300 366 424
www.lsc.sa.gov.au

SEX,
CONSENT
AND THE LAW...

Remember the law, be safe, be sure!

**PART OF THE 'EXPECT RESPECT'
LEGAL EDUCATION INITIATIVE**



Legal Services Commission
OF SOUTH AUSTRALIA

► **Becoming sexually active is a big step. It is important that you understand your legal rights and obligations when it comes to sex - so you know where you stand.**

What is consent?

Consent means freely and voluntarily agreeing to sexual activity. It also means taking responsibility for ensuring the other person is comfortable and agrees to have sex with you.

If someone is manipulated, threatened or forced into sex, or they are so intoxicated that they don't know what is going on, then they are not consenting.

Each and every time you do anything sexual, ranging from touching and kissing to having sex, you must always have the other person's consent, from beginning to end. Never assume that a person is consenting because they have said yes at other times or because of their reputation or the way they act or dress.

Age of consent

In SA the age of consent is 17. This means that it is unlawful to have sex with someone under 17, even if they agree. In situations involving sexual relations between adults and young people under their supervision, the age of consent is 18. The law about consent can be complex, please seek support and advice if you are unsure.

How do you give or get consent?

Checking in and getting consent can be tricky, especially if you are just getting to know someone and might be feeling nervous. The safest way to get consent is to talk about it and to look for body language.

Things you can say

"would you like to..."

"are you feeling comfortable?"

"do you want to keep going?"

If you have experienced sexual assault or you are unsure about whether you consented, seek advice and support.

Body language

Are they involving themselves or enjoying it as much as you are? If they are silent, still, looking away or crying – then something is not right.

Be respectful – don't push things.

Just because...

There are many reasons why some people expect sex. Just because:

- someone consents to kissing, doesn't mean consent to take things further
- you want to go further, doesn't mean the other person has to
- you had sex with someone before, does not mean they want to do it again
- someone is 'flirting' with you, does not mean they want sex
- everyone thinks you should, does not mean you have to.

SERVICES

Yarrow Place 1800 817 421

Free and confidential counselling and medical service for victims of rape and sexual assault.

SideStreet 8202 5871

Counselling support and information to young people who have experienced violence and sexual abuse.

**Legal Services Commission
1300 366 424**

Free and confidential legal advice over the phone or by appointment.

Police 131 444

The Sexual Crime Investigation Branch (SCIB), specialist investigation service for the prevention, detection and investigation of sexually related crimes.