

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

### **What is consent?**

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.

Consent means freely and voluntarily agreeing to sexual activity. It also means taking responsibility for ensuring the other person is comfortable and agrees to all sexual activities.

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. 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 making sure there is consent can seem tricky, especially if you are just getting to know someone and might be feeling nervous. The safest way to make sure there is consent is to talk about it with each other and to look for body language.

### **Things you can say**

*"what do you feel like doing?"*

*"would you like to...?"*

*"is this OK?"*

*"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..**

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

### **SERVICES**

#### **Yarrow Place 1800 817 421**

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

#### **Therapeutic Youth Services 8202 5060**

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

#### **1800RESPECT 1800 737 732**

National sexual assault, domestic and family violence counselling service. Free online counselling is also available.

#### **Legal Services Commission 1300 366 424**

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

#### **Police 131 444**

To report sexual assault.

**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. Never pressure someone to do something they don't want to do.

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 and indecent assault, unwanted sexual behaviour (such as touching or fondling) and child pornography.

Sexual assault is a 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.

The victim is never to blame.

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

**No one has the right to expect sex  
Everyone has the right to  
EXPECT RESPECT!**

### **What about photos and films?**

Using a phone or the internet to take, store, post or send sexually explicit images or films of young people under the age of 18 can lead to serious legal consequences for everyone involved.

Think carefully before you take, send or post photos or films of yourself or other people, even if they agree. The law in these areas can be complex. If you are unsure, seek advice and support. You can contact the Legal Services Commission for free and confidential legal advice.

**Remember the law, be safe, be sure!**

Produced by the Legal Services Commission with the support of the Office for Women, Yarrow Place and SHine SA.



**Legal Services  
Commission**

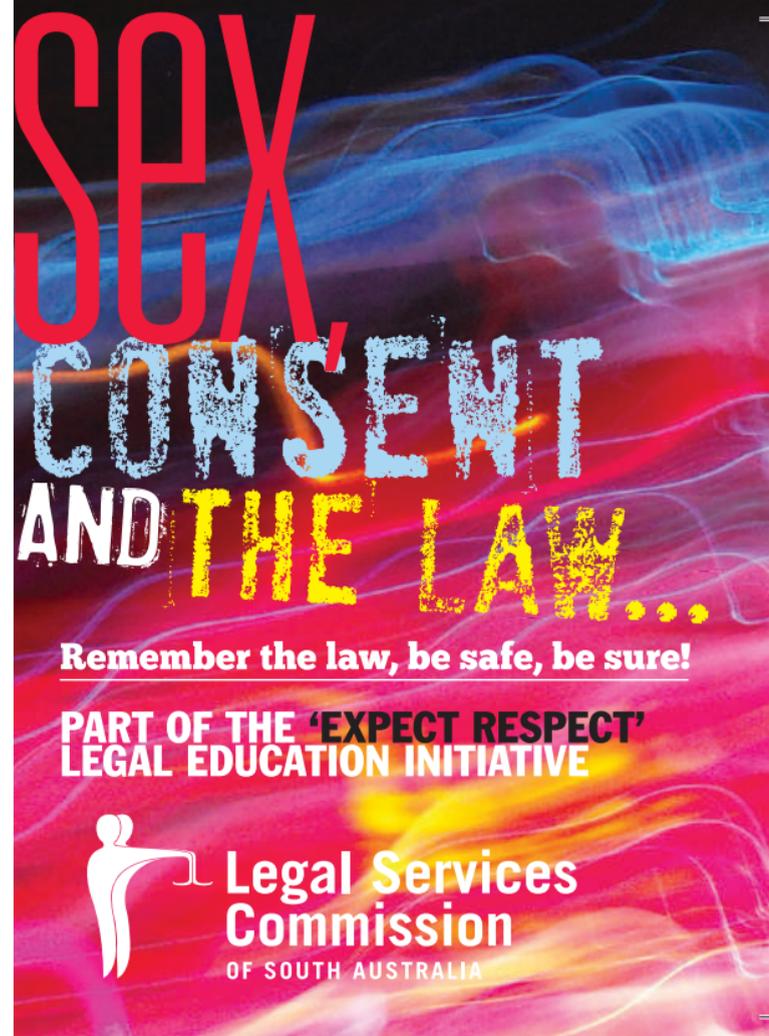
OF SOUTH AUSTRALIA

FREE LEGAL HELP

1300 366 424

[www.lsc.sa.gov.au](http://www.lsc.sa.gov.au)

03/2015



**Remember the law, be safe, be sure!**

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



**Legal Services  
Commission**

OF SOUTH AUSTRALIA