

Pornography, sexual images and online safety

Young people and the law



Watching pornography

It is **legal** for young people under the age of 18 to watch porn that shows **adults** engaging in consensual sexual activity.

It is **illegal** to watch, make, show or sell porn that shows people **younger than 18** engaging in sexual activity. It is also illegal to show or sell **indecent** or **offensive** material.

This includes images and films that show violence or cruelty or anything that would offend reasonable people.

It is a crime to send, show or give pornography to a person under 18, even if you are also under 18 and even if you are in a private place like your home.

Sexually explicit images and films that show young people

A sexual image or film that shows young people may be **child exploitation material**. Under South Australian law, child exploitation material may be a film, image, cartoon or book designed to excite sexual arousal that:

- describes or shows someone under 17 engaging in sexual activity
- contains the image or representation of a person under 17 or their body parts
- involves, or appears to have involved, a person under 17 years old in its production
- contains the image or representation of a child-like sex doll.

This covers any material that is meant to be sexy and contains, or appears to contain, a person under **17**.

Under federal law, **child abuse material** includes sexual images of anyone who is (or looks to be) under **18**.

Even if a young person says that they agree to be in the image or film, it is still considered child exploitation material.

It is an offence to make, send, post online, have, or ask someone for child exploitation material. This includes sending sexual images of yourself to others if you are under 18.

Invasive images and films

An **invasive image** is an image of a person of any age in a place other than a public place:

- engaged in a sexual act not usually done in public, or
- using a toilet, or
- showing their genitals or anal region (including breasts on a female body).

An invasive image can include an image that has been digitally created or altered, including sexual material created entirely through artificial intelligence (AI) (known as a **deepfake**).

It is an offence to **distribute** or share an invasive image of someone knowing they do not consent to the distribution.

It is also a crime to **threaten** to share an invasive image intending to cause the person fear.

It is an offence to film another person undressed or engaged in a private act (like having a shower) where they would normally expect privacy, or to film a person's private region when this would not be expected.

These offences apply to images and films of people of any age, unless the person shown consents. A person under the age of 17 cannot legally consent. Sharing invasive or indecent images or films of a person under 17 is a serious crime.

If you are concerned that an image of you or someone you know is being shared inappropriately, you should contact the **police**. Call 131 444 or visit your local police station.

The **eSafety Commissioner** can help remove images from websites and can issue penalties in some cases. Report online at esafety.gov.au/report.

Grooming

It is illegal to use phones or the internet to **groom** people under the age of **17**. This includes sending sexual images to try to get a young person interested in sexual activity.

If the person doing the grooming is an adult and they are in a position of power or authority over the young person (like a teacher or boss) then the law says that the young person must be **18** or older. It may not be illegal if the young person receiving the communication was 16 and the sender was under 17 or thought the other person was 17 or older.

In most cases, it is illegal to get someone under 17 (or 18, if the older person is in a position of authority) to do an **indecent act** or take photos or film of a young person engaged in an indecent act.

Legal help for all South Australians

1300 366 424 Legal Helpline



Prefer to text?

Use our Legal Chat at lsc.sa.gov.au