Sex and the Law
New words

There may be words in this factsheet

• that are new to you and
• you may not know what they mean
or
• you may be unsure what they mean.

We will make them blue the first time we use them.

Read about them in the
Family Planning Victoria Fact Sheet
New Words to Know.
What is Sex?

Read about **sex** in the Family Planning Victoria Fact Sheet

**What is sex?**

It will help you know

- what is sex

  **and**

- what is **not** sex.
Sex and the Law

There are laws to help you

• stay safe

and

• know about your rights about sex.

This is called consent.
Sex is Private

A private place is a
- bedroom
- or
- bathroom.

These rooms are only private when the
- door is closed
- blinds are closed.

A public place is a
- park
- public transport. Like a train.
- public toilet.

Sex in a public place is a crime.
Consent

Before you have sex with someone

You choose

• yes

  or

• no.

When you say yes this is called **consent**.

It means you **agree** to have sex with

• that person

• at that time.
Remember

The law is the same even when you are

- married
  or

- the person is your
  - boyfriend
  - girlfriend
  or
  - partner.

You can say **no**.

This is OK.
You must agree to have sex.

and

the other person must agree to have sex.

The other person is breaking the law if they have sex with you when you do **not** agree.
There is no consent when…

you have sex only because

- someone made you feel bad about saying no. Like, they say things like “you do not love me if we do not have sex”.

or

- you are scared you will be hurt. Like, the person says he or she will hit you.
You also cannot give consent to sex when

- you are asleep

- you have had too much
  - alcohol
  - or
  - drugs

- you do not understand what you are saying yes to

- you are under 12 years old.
There are laws about sex with young people

A child is someone under 12 years old.

A young person is

- 12, 13, 14 or 15 years old

or

- 16 or 17 years old.
Sex and children
under 12

No one can have sex with a child who is under 12 years old. This is a crime.

The other person can not say the child said yes

and

the child can not agree to have sex.
Sex and young people

12, 13, 14, 15 years old

The other person must be within 24 months of your age.

Like, you are 15 and they are 17.

If you both said yes.

This may be OK.

When the person is more than 24 months

- older than you
  - or
  - younger than you

This is a crime.
You can **not** have sex with someone

- in your family

or

- whose job it is to help you. Like
  - teacher
  - support worker
  - sports coach.

Go to page 18 to read more.
Sex and young people

16 and 17 years old

You can have sex with someone who is older than you.

but

You can **not** have sex with someone

- in your family
- whose job it is to help you. Like
  - teacher
  - support worker
  - sports coach.

Go to page 18 to read more.
People in your family can not have sex with you

Family is your

- mum
- dad

- grandma
- grandpa

- brothers
- sisters

- step mum or step dad
- other members of your step family.

Like step brother or step sister.
- adopted family member
- foster family member.

This is a crime.
These people can not have sex with you

A person whose job it is to help you.

It can be your

- teacher
- support staff
- counsellor

or

- boss
- police
- doctor
- someone from your church. Like,
  - priest
  - rabbi
  - imam.
Images

We have used images from

- Change People
- COMPIC
- Inspired Services
- Boardmaker - Mayer-Johnson
- Picto-Selector.

This Fact Sheet is based on the Family Planning Victoria Sex and Young People Fact Sheet. Date: 5/06/2016

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