

WHAT DOES THE LAW SAY?

You can be charged if you have sex with, penetrate or sexually touch someone underage or with someone that does not, or cannot consent.

Penetration includes when a part of the body or an object is inserted into the:

- vagina
- anus
- mouth

Consent cannot be given if the person is:

- under the age of 16.
- in special relationship where one person is in a position of power or authority over the other person. An example of this is the relationship between a teacher and a student. The age of consent in this instance is 18.
- sleep or unconscious.
- intoxicated or incapacitated by alcohol or drugs.
- unsure of what they are consenting to.

The laws about sex and consent can be different in other countries, states and territories.

Stealthing

Stealthing is when a partner secretly removes a condom during sex without the other person's consent. Stealthing is disrespecting someone's trust for the other person's sexual gain - it is considered assault and abuse.

For sexual assault, call:

POLICE

000 or 131 444

Sexual Assault Resource Centre (SARC)

1800 199 888 (24/7 service)

SARC Counselling

(08) 6458 1828 (8.30am-11pm)

Legal Aid Infoline


1300 650 579

www.legalaid.wa.gov.au



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Consent

A guide to consent,
sexual safety and the law



WHAT IS CONSENT

Consent is when all partners enthusiastically agree to a sexual act. You must always make sure that your partner is comfortable with what's going on and that they are happy to continue.

Want FRIES with that?

An easy way to remember consent is **FRIES**, which stands for...

- **FREELY GIVEN:** consent should be given without pressure, force or manipulation.
- **REVERSIBLE:** you can change your mind at anytime.
- **INFORMED:** both partners need to know exactly what they are consenting to, every single time.
- **ENTHUSIASTIC:** both partners should be excited and very much interested in what is happening.
- **SPECIFIC:** saying yes to one act (like making out in the bedroom) doesn't mean you've said yes to another (like having sex).

Put simply, consent is an ongoing mutual agreement between partners about what they want to experience. Everyone has a right to their own body and to feel comfortable in their intimate relationships.

COMMUNICATION

Clear and open communication is key when it comes to consent! Communication is verbal and non-verbal.

Some ways you can ask for consent

- "I really want to kiss you, is that ok?"
- "You have a great body, can I touch you?"
- "Do you want to have sex?"
- "Would you be comfortable with..."
- "Wanna swap nudes?"

Some ways you can give consent

- "Yes"
- "I like that"
- "Do that again"
- "Touch me here"
- Looking at you, smiling and nodding

What to say if you're not comfortable...

- "I don't want to do anything more than..."
- "Can we stay like this for a while?"
- "Can we slow down?"

If you want to stop

- "No"
- "I want to stop"
- "I don't want to do that"



Alcohol and drugs can influence the ability to give or receive consent.

Wearing revealing or sexy clothes, or flirting does not imply consent

Physical arousal does not equal consent.

Consent is still required in a relationship

Consent doesn't have to be awkward, it can be sexy, be part of foreplay or dirty talk.

If the other person still doesn't stop

- Be firm and clear. If possible, make eye contact with the other person and tell them to stop in a loud and clear voice
- Excuse yourself, by saying "I need to go to the toilet", or "I feel sick" and leave the situation

Signs your partner may not be into an activity

- Freezing or not responding
- Turning their face or body away
- Stiffening or tightening muscles
- Pushing you away
- Silence