

## Seeking help

Remember, you don't have to put up with unwelcome sexual activity of any kind. To help you find out about your options you can speak to:

- SHine SA's Sexual Healthline
- Yarrow Place (Rape and Sexual Assault Service)
- Equal Opportunity Commission
- Legal Services Commission
- someone you trust (e.g. friend, health worker, school counsellor, parent or relative)
- the Police

You can phone and ask about your rights first before telling anyone your name or anything about your experience.

For more information about your rights and the law we recommend these websites:

- Law Handbook Online at [www.lawhandbook.sa.gov.au](http://www.lawhandbook.sa.gov.au) for overview of the law in South Australia presented in everyday language
- Lawstuff at [www.lawstuff.org.au](http://www.lawstuff.org.au) for anything to do with the law in Australia
- Medicare at [www.medicareaustralia.gov.au](http://www.medicareaustralia.gov.au) for where to go to get a card
- SHine SA at [www.shinesa.org.au](http://www.shinesa.org.au) for sexual health information
- Yarrow Place at [www.wch.sa.gov.au/services/az/other/yarrowplace/files/index.htm](http://www.wch.sa.gov.au/services/az/other/yarrowplace/files/index.htm) for information about rape and sexual assault

You can also contact the **Youth Healthline** on 1300 13 17 19 (local call cost in South Australia) to discuss any health issue. Mobile phone users can call (08) 8303 1691 (normal mobile phone rates apply).

## SHine SA contact details

### East/West Primary Health Care Team

GP Plus Health Care Centre  
64c Woodville Road, Woodville  
Postal address: PO Box 76 Woodville SA 5011  
Tel: 8300 5300  
Clinic appointments: 8300 5301

### Northern Primary Health Care Team

43 Peachey Road, Davoren Park  
Postal address: PO Box 719 Davoren Park SA 5113  
Tel: 8256 0700

### Southern Primary Health Care Team

19-23 Beach Road, Christies Beach  
Postal address: PO Box 330 Christies Beach SA 5165  
Tel: 8186 8600

### Workforce Development & Resources

64c Woodville Road, Woodville  
Postal address: PO Box 76 Woodville SA 5011  
Tel: 8300 5317  
Email: [SHineSACourses@health.sa.gov.au](mailto:SHineSACourses@health.sa.gov.au)

### Library & Resource Centre

64c Woodville Road, Woodville  
Postal address: PO Box 76 Woodville SA 5011  
Tel: 8300 5312  
Email: [SHineSALibrary@health.sa.gov.au](mailto:SHineSALibrary@health.sa.gov.au)

### Sexual Healthline

Available 9 am – 1 pm, Monday – Friday  
Tel: 1300 883 793  
Country callers (toll free): 1800 188 171  
Email: [sexualhealthhotline@health.sa.gov.au](mailto:sexualhealthhotline@health.sa.gov.au)

### Website

[www.shinesa.org.au](http://www.shinesa.org.au)

National Relay Service: [www.relayservice.com.au](http://www.relayservice.com.au)  
133 677 (TTY/Voice) 1300 555 727 (Speak & Listen)

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SHine SA pamphlets are regularly reviewed and updated.  
To download the most recent version visit [www.shinesa.org.au](http://www.shinesa.org.au)



# Sexual health and the law for under 18s



## The laws on sexual relationships

In South Australia the law protects young people. You can legally have sex with someone if you're both 17 or over. This applies to gay, lesbian, bisexual, queer, same-sex attracted or straight/heterosexual relationships.

If you or your partner are under the age of 17 you can legally have sex if you are married. However, you can only get married under 18 with permission from a parent/caregiver, then a judge or magistrate (in 'exceptional and unusual' cases).

## The laws on sexual assault and harassment

Young people have the right to be safe from sexual abuse of any kind.

### **It's unlawful to force or coerce any sexual activity.**

Sexual intercourse (oral, anal, vaginal penetration by any part of the body or object) is illegal without consent. This includes knowing there is no consent or 'recklessly being indifferent about' consent.

It is rape whether or not the victim has physically resisted. This includes:

- sex achieved by bullying, threats, manipulation or trickery
- sexual contact without consent, even if you know the person
- where the person is unconscious or too intoxicated to give consent

### **It's unlawful to sexually harass anyone.**

This includes any sexual action (e.g. unwelcome sexual advances, staring/leering, sexual jokes or questions) that makes a person feel:

- uncomfortable
- offended
- humiliated
- intimidated

This law applies in your workplace, at school or receiving goods or services (includes medical or dental treatment). However, other laws (e.g. criminal offences like sexual assault) protect you from unwanted sexual behaviour in most situations.

### **It's unlawful for an adult in a position of authority to have sex with any young person under 18 years.**

It's illegal for an adult (e.g. teacher, guardian, pastor) to engage in any sexual activity with a young person, including touching in a sexual way, even if the young person gives consent.

### **It's unlawful to have sexual intercourse with someone who is related.**

This is called incest and includes a parent, brother or sister. You can also obtain more information regarding child sexual assault offences at [www.lawhandbook.sa.gov.au](http://www.lawhandbook.sa.gov.au) or call Legal Services.

*Some of these laws are different interstate and in other countries.*

## Why do we have these laws?

Laws are also there to protect young people from abuse by older people who often have more power and authority. Authority can enable an older person to manipulate or influence someone younger. Because of this, it may be the case that a person under 18, who has had a sexual relationship with someone who has more power, does not realise until later on that they have been exploited or feel abused. It is for this reason the law sometimes acts 'on your behalf'.

Remember, rape and sexual assault are crimes that violate basic human rights. The person committing an offence (i.e. the 'perpetrator') is always 100% responsible.

### **You have the right to safety, pleasure and respect.**

## Your right to medical services

A young person 16 years or above can make their own decisions about their health care. They can:

- obtain contraception like the Pill
- have an abortion
- consent to medical treatment

If under 16 years, a parent/caregiver's permission is required or, when that is not possible, a second doctor's opinion is needed. At SHine SA we have two-doctor clinics.

As a client of a health service, you have rights. For example, when you go to a SHine SA clinic, you'll be given a *Client rights* leaflet that explains your rights in seeking a service. This includes information on when confidentiality can or can't be guaranteed.

## How to get a Medicare card

A young person aged 15 years or over can have their own Medicare card for seeing a doctor and getting medicine. To obtain a Medicare card of your own you will need to attend a Medicare office with identification and complete a Medicare Copy/Transfer Application Form.

It's a good idea to discuss this with a parent or carer if possible. If you apply for your own card, be aware that your name will be removed from your parent/carer's card when their card is renewed.

If you don't have your own Medicare card (and you're an Australian resident) then you would still have a Medicare number on your parent/carer's card. If you visit the doctor without this, the doctor can obtain your Medicare number from Medicare.

*Important note: Discuss with the doctor the option of bulk-billing, or else pay up-front, if you don't want an account posted out.*