

Relationships & Sexual Health

Sex

Any person who engages in sex or indecent dealings (hooking up, sexual activity, sexual touching) with a person who is under 16 years of age in the NT is breaking the law and could be charged with a criminal offence. This continues to be the case where an under 16 year old agrees to the sexual activity or where all participants are under 16.

Once you are 16 the law says that you can decide to engage in sexual activity with any other person as long as the other person is also over 16, agrees to it, and the other person is not someone who has a relationship of special care over you (a teacher, step-parent, guardian, foster parent, sports coach, doctor etc). Furthermore, sexual activity is not ok in law where it harms you or exploits you, especially when you are less than 18 years of age.

If you're thinking about having sex you might want to get advice from someone you can trust. You can also talk to your doctor or family planning clinic about contraception and protection from sexually transmissible infections. If you're not sure about your feelings or feel uncomfortable about how someone is treating you, you can talk to someone you trust or to a counsellor.

Homosexual and heterosexual sex

The law is the same for heterosexual sex (sex between a male and a female) and homosexual sex (sex between two people of the same sex).

Buying Condoms

Anyone of any age can buy condoms. Condoms can be bought from most supermarkets, pharmacies and service stations.

Contraception

If you are under eighteen you may be able to get contraception such as the pill. You can only get the pill if a doctor prescribes it to you. Usually doctors will prescribe you the pill if you are mature enough to understand what you are doing and how to use the contraception. Be aware that the medical practitioner may still need to make a mandatory report to the Department of Children and Families if you are under 16 or if you are under 18 and there is reason to believe that you are at risk of harm.

Marriage

You can get married without your parents' permission once you turn eighteen. If you are sixteen or seventeen and you want to get married, you need the consent of your parents or guardians. You will also need to get permission from a judge or magistrate. The Court may decide that your parents' consent is not needed for you to go ahead with the marriage.

The Court will only give a sixteen or seventeen year old permission to marry in exceptional and unusual circumstances. Usually the court will consider how mature you are, whether you have enough money to support yourself and how long you have been in the relationship for. A court will not always consider pregnancy as a reason to approve the marriage of a couple under the age of eighteen.

Pregnancy

If you are pregnant and unsure about what to do, there are many agencies, counsellors and doctors who can help you assess the situation. It's a good idea to talk to someone you can trust about what options are open to you.

Abortion

An abortion is a process by which a pregnancy is terminated (stopped.)

If you are considering having an abortion you should get advice from a doctor as early as possible in your pregnancy.

© **Before fourteen weeks of pregnancy**

In the Northern Territory, it is legal to have an abortion until you are fourteen weeks pregnant. The abortion must be performed by a gynaecologist or obstetrician. You can only have an abortion before fourteen weeks of pregnancy if:

- = having the baby would lead to a serious danger to your physical or mental health and would be more harmful than having an abortion;
- = OR the child is likely to be seriously handicapped

© **Between fourteen and twenty three weeks of pregnancy**

It is legal to have an abortion until you are twenty three weeks pregnant. It must be performed by a gynaecologist or obstetrician AND the abortion must be necessary to prevent "grave" injury to your physical or mental health

© **At any time**

It is also legal to have an abortion at any time if it is performed by a gynaecologist or obstetrician and it is necessary in order to save your life. You can get an abortion without your parents' consent if you are sixteen years and over. If you are under sixteen, you will need your parents' consent to get an abortion

Having the child

It is very important for your health and the health of the baby that you have regular medical check ups throughout your pregnancy. Most of what you discuss with your doctor remains confidential.

Financial support for young mums is sometimes available through Centrelink.

Adoption

Adoption is the process by which a child stops being a member of the birth family and becomes, legally and permanently, a member of a new family. If you decide to adopt your child out you will lose all parental rights and responsibilities over the child. These rights are given to the new family. Usually, both parents of the baby must consent to the adoption of their child. The parents are not usually able to consent until the baby is one month old and they have received counselling about the adoption. There is then a period of one month during which they may change their mind.

In the Northern Territory, it is illegal to make private arrangements for the adoption of a child. Adoptions have to be arranged through licensed adoption agencies or the NT Families & Children Adoption Unit.

For the father

Regardless of your age, you are legally responsible for financially supporting the child until it is 18 years of age. If you can't do this because you are still at school and have no income you may have to pay later when you can afford to do so.

Sexual Assault

It is illegal for someone to touch you sexually when you don't agree to it. If you believe that you have been sexually assaulted you should speak to someone that you trust. You should also notify the police. There are centres and groups such as the Ruby Gaea Centre that provide counseling and support for victims of sexual assault.

Sexting

Sexting is where nude, semi nude or sexual images are sent received and forwarded via electronic devices. This is usually done using mobile phones or the internet.

In the NT you can be charged with a criminal offence if you make, send out or have in your possession images of someone under 18 (including yourself) involved in a sexual activity or posing or acting in a sexual way. The images can be digital or print, it doesn't matter. This is called child abuse material or child pornography.

Important things to know about Sexting

It's very easy for your private images to spread really quickly. Even if you completely trust your boyfriend or girlfriend not to share your private photo accidents can happen, or someone may get access to the phone or device that the image is on (think younger siblings, friends and technical support). Before you know it, a photo just meant for one person could end up everywhere.

If you receive a sext:

- ⦿ Delete the image immediately
- ⦿ Never forward on to other people (this is the distribution of child abuse material/pornography)
- ⦿ Tell the sender not to send you any further images like that
- ⦿ If you keep receiving those images, keep deleting them and consider talking to a trusted adult about the problem

If sexual images of you are being sent around without your consent you might consider taking the following actions:

- ⦿ If on a social networking site or other website – contact the website administrator or security section and ask them to remove
- ⦿ You can report the problem to Police and they should investigate
- ⦿ Talk to a trusted adult about the problem. If you are too embarrassed to speak to someone you know consider calling the Kids Helpline
- ⦿ Depending on who is sending the images you might be able to apply for a Domestic Violence Order or a Personal Violence Order
- ⦿ Get legal advice about this

➤ **Check out:** www.thinkuknow.org.au/kids

Domestic Violence Orders

Domestic Violence Orders are legal restraining orders made by the Police or the Magistrates Court to protect a person from domestic violence in the future.

Domestic violence includes physical violence, verbal abuse, pressure to have sex against your will, control or threats about money and finances, stalking, unwanted contact (such as unwanted visits, phone calls or texts), property damage, intimidation, harassment, and threats against you, your property or your pets.

A DVO can only be made where there is or has been a domestic relationship between you and the other person. You can ask for a DVO against a parent or guardian, family member, including Aboriginal family relative, de-facto partner, boyfriend or girlfriend, a person you have dated, a person you live

with or used to live with, someone in a family relationship with a person you have lived with (for example, the sister of your housemate), or someone that has cared for you or who you have cared for.

If you don't have a domestic relationship with the other person, you can apply for a Personal Violence Restraining Order (PVRO) instead.

There are many types of DVO's. For example, the DVO might say that the defendant must not contact or approach you. This includes through text messages, email, letters, social media (e.g. Facebook), or through family members. Others stop the defendant from doing certain things around you like drinking alcohol. Some say the defendant can't hurt you or verbally abuse you but can still stay around you as long as they are not disobeying the terms of their DVO.

If someone that you are in a domestic relationship with has been violent with you, you can get help to apply for a DVO. The Police may be able to assist you with this or you can get advice from a lawyer about your options. If you are less than 14 years of age an adult or a Police Officer will have to apply for a DVO for you on your behalf.

If you are between 15 and 18 then you might be able to apply for a DVO as a young person on your own behalf. The court will only allow a young person to apply for a DVO on their own behalf if the court is satisfied the young person understands what the order means, why they are applying for it and its effect. There are special application forms to fill out for this type of application. Before you lodge an application you can get free legal advice about this.

If Police have made an order against you or someone has applied to the Court for an order against you, you can get free legal advice on what it all means and what your rights and options are. Don't ignore Court dates.

All adults in the Northern Territory are required by law to report domestic and family violence to the Police if they believe someone has or is likely to suffer serious physical harm from domestic or family violence and/or someone is under serious or imminent threat because domestic/family violence has been, is being or is about to be committed.

➤ **Check out:** www.childrenandfamilies.nt.gov.au/Domestic_and_Family_Violence/Publications/index.aspx

➤ **Domestic Violence Legal Service (Darwin): 1800 019 343**

➤ **Central Australian Women's Legal Service (Alice Springs): 1800 684 055**