Sexuality, Relationships and Your Rights

A book about sexuality and
the law for people of all abilities.



SECCA Ability Relationships Sexuality

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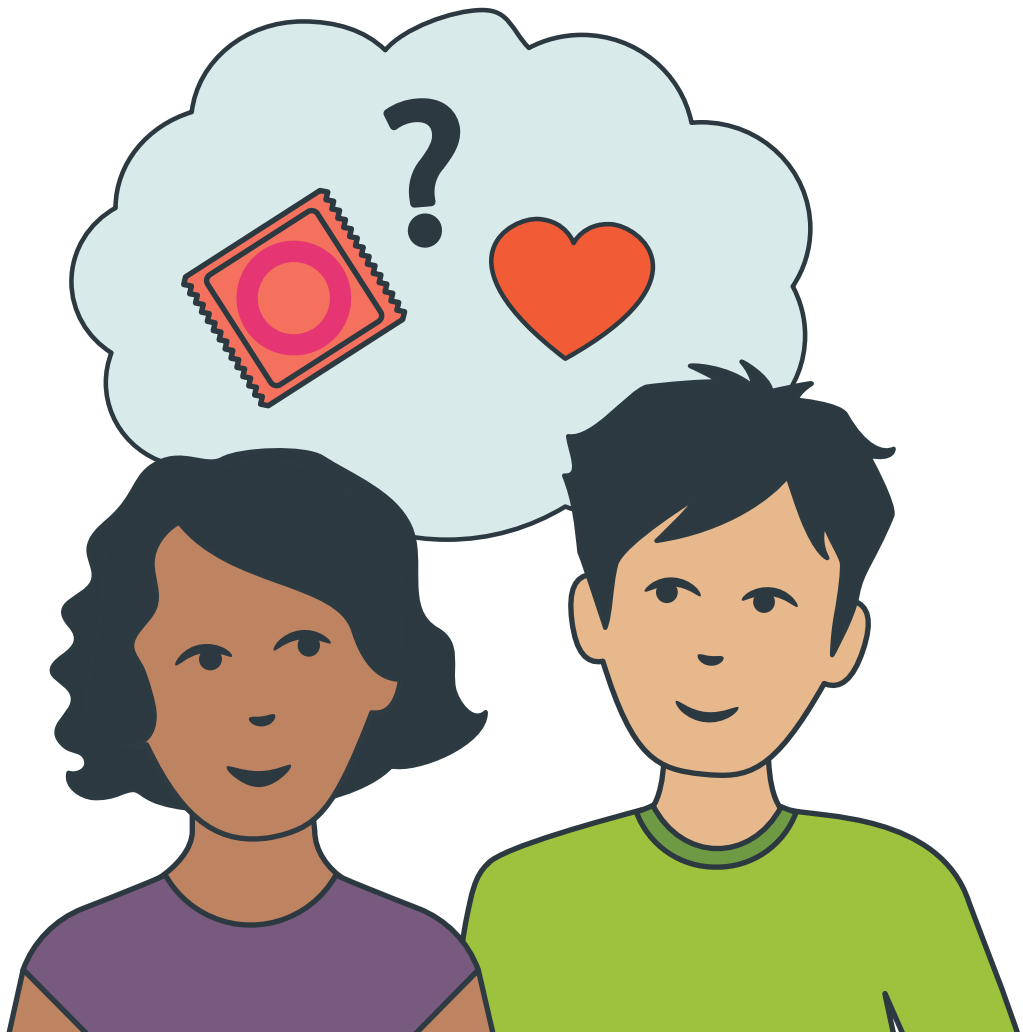
the law for people of all abilities.



Disclaimer

There are many images in this booklet. All of the images are drawn pictures. Some of the images are of private body parts and sexual topics. These images are anatomically and biologically correct to support learning.

This booklet contains information about current laws in Western Australia. It does not contain legal advice. If you have a legal problem, you should speak to a lawyer. SECCA has intended to provide information that is accurate at the time of printing. Please check with relevant organisations for current information.

Editors of the existing publication for use within Western Australia:

Ethnic Disability Advocacy Centre
Legal Aid Western Australia
Office of the Public Advocate
People 1st Programme
People With Disabilities Western Australia
Self Advocacy Western Australia
Sexuality Education Counselling and Consultancy Agency
Sexual Assault Resource Centre
Sexual Health Quarters
Western Australia's Individualised Services
Western Australia Police Force: Community Engagement Division
Western Australia Police Force: Sexual Assault Squad
Western Australian AIDS Council
Women's Community Health Network Western Australia

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Government of Western Australia
Department of Communities

Introduction

This book will tell you about:

1. Your rights as a human being.
2. What the law says about your rights.
3. Where you can find out more about your rights.
4. Where to get help if you are having problems.

What are rights?

Rights are something all people are entitled to so they can live with dignity and respect.

People with disabilities have the same rights as everyone else. This book will help you understand your rights.

What is sexuality?

Sexuality is not just about sex. Sexuality is about who we are as people and feeling good about ourselves.

We feel good about ourselves when we:

- ✔ Do things that we enjoy.
- ✔ Take care of ourselves.
- ✔ Have healthy relationships with other people that make us feel happy.
- ✔ Know what to do if people try to hurt us.
- ✔ Ask for help when needed.

Your Rights

You have a lot of rights, here are some of them.

You have the right to:

- ✔ Have relationships with other people.
- ✔ Be treated with kindness and respect.
- ✔ Have some privacy and space to yourself.
- ✔ Feel safe wherever you are.
- ✔ Be believed and helped if you have been sexually abused or assaulted.
- ✔ Get information in ways you understand.
- ✔ Express your sexuality and enjoy a sex life.

Responsibilities

Having rights means also having responsibilities.

You have the responsibility to:

- ✔ Look after yourself the best you can.
- ✔ Treat other people with kindness and respect.
- ✔ Practice safe sex.
- ✔ Let other people have some privacy and space to themselves.
- ✔ Ask for help if you have problems.
- ✔ Ask questions if you do not understand.

Who can help me learn about my rights and responsibilities?

There are places that can help you to learn about your rights and responsibilities. It takes practice to learn how to do these things. Some things will be easy for you to do, other things will be hard. This is true for everyone, and there are people who can help.

People With Disabilities WA

- Phone 9485 8900
- Country Callers 1800 193 331
- pwdwa.org

Legal Aid WA

- Phone 1300 650 579
- legalaid.wa.gov.au

SECCA

- Phone 9420 7226
- secca.org.au

The Office of the Public Advocate

- Phone 1300 858 455
- Phone 9278 7300
- publicadvocate.wa.gov.au

WA Police

- Phone 131 444
- Emergency Phone 000
- police.wa.gov.au

Who can help if you don't feel safe at home?

WA Police

- Emergency Phone 000

Department of Communities Crisis Care Line

- Phone 9223 1111 (24 hours 7 days a week)
- Country Free Call 1800 199 008 (24 hours 7 days a week)



You might like to look at this book with someone you trust to talk about what this information means for you.

Your Rights

These are your rights to do with your sexuality.

1 **You have a right to be treated the same as everyone else.**

This means that it does not matter if you have a disability, where you are from, what you believe, the colour of your skin, your sex, how you think of yourself, how you express yourself, your health, or how much money you have.

2 **You have the right to live a safe life where you are free to make your own decisions.**

No one can threaten or take this away from you because of anything to do with your sexuality. You choose who you are attracted to, who you have sex or intimate relationships with, your gender identity, and to get help with your sexual health.

3 **You have the right to make decisions about your body.**

You are in control of what happens to your body. You can choose who you have sex with, how you have sex, and who you have relationships with. Other people have the same right. Both people need to agree. You have a right to all the information you need to make decisions about your body. You have a right to ask questions about things related to your sexual health like medications, operations, or helping people with their research.

4 **You have the right to be free from other people severely hurting your body or your feelings.**

This means that you should not be hurt physically, verbally or emotionally because of your sexuality. You also shouldn't be forced to be sterilised, go on contraception, or have an abortion.

5 **You have the right to be free from all forms of violence and coercion.**

This means that you should not experience violence from anyone else. This includes being forced to have sex or do sexual things with someone when you don't want to, being asked to have sex, feeling pressured to have sex when you are not sure, or being physically hurt because of your sexuality or who you are. Even if you are married to someone, they are not allowed to force you to have sex with them if you don't want to.

6 **You have the right to privacy.**

This means that you have a choice about who you talk to about your sexuality, sex life, and choices that you make about your body.

7 **You have the right to be as healthy as you can be and this includes having pleasurable, satisfying, and safe sexual experiences if this is what you want.**

This means that you should be able to access the health care or services that you need to have a healthy life.

8 **You have the right to enjoy the benefits of new medicines or medical procedures.**

This means that you have the right to access forms of contraception, medical help, medicines, and procedures if you wish to.

9 **You have the right to information presented in a way that you understand.**

This means that you have access to information about sexuality, sexual health, and your sexual rights. This information should be presented in a way that you can understand. You have the right to the same information as everyone else and it should not be changed or wrong.

10 **You have the right to learn about sexuality and relationships.**

This means that you learn about sexuality and relationships in a way you understand. You should be given the correct information that matches your age and development. The information you get should be respectful of your culture, include your rights, gender equality and positive messages about relationships and sexuality.

11 **You have a right to agree or disagree to being in any kind of relationship, including marriage or being partners with someone.**

This means that you choose whether or not to marry or date someone. You should not be pressured into marrying or dating someone if you don't want to. People in relationships have the same rights. Both partners are equal. You should be able to leave a relationship when you want to and not experience being treated negatively by anyone.

12 **You have the right to decide whether to have children, the number, and timing of children. You have the right to any information you need to make these choices.**

This means that you decide to become a parent or not. You decide how many children you have and when you have them. You have the right to access information and services about pregnancy, contraception, fertility, ending a pregnancy, and adoption.

13 **You have the right to feel, think, and express yourself how you want.**

This means that you can express your sexuality and gender identity through how you dress, relate to others, and how you act. It also means that you need to respect how others express themselves too, even if you think differently.

14 **You have the right to choose to join groups who help others with their sexual rights.**

This means that you have the right to peacefully stand up for your sexual rights and the rights of others.

15 **You have the right to participate in public and political life.**

This means that you have the right to be a part of your community. You should be able to be involved with conversations that discuss rules and laws to do with your sexuality and sexual health.

16 **You have the right to tell someone and get support if someone does not allow you your sexual rights.**

This means that you have access to justice for things that go against your sexual rights. You should be given information and advice about things to do with the law and your rights in a way you can understand.

Adapted from the World Association for Sexual Health Declaration of Sexual Rights.

Important Concepts

Public Private

Consent



Public and Private

This book uses the words private and public.

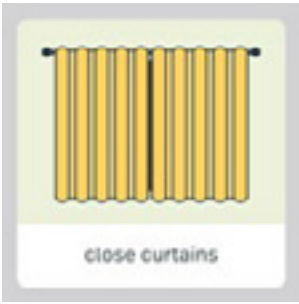




Private means something you keep to yourself.

Private Places

A private place is somewhere you are alone. No one can see or hear you when you are in a private place. In a house, the door is closed, and curtains or blinds are shut.









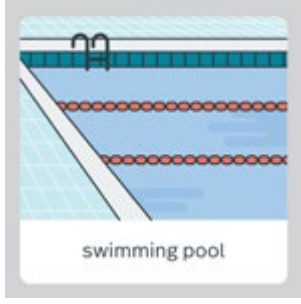
Public Places

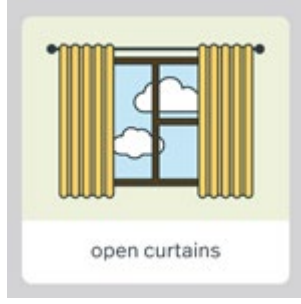
A public place is somewhere you are with other people, where you can see other people or they can see you.







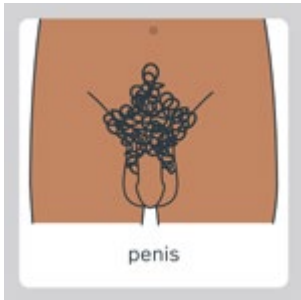


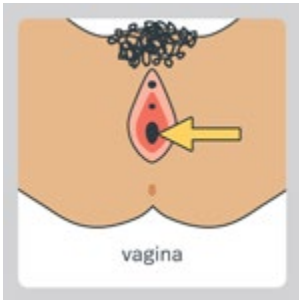




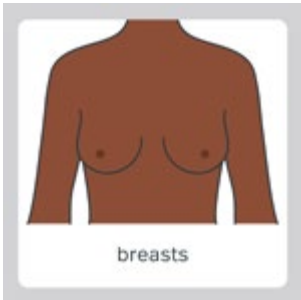
Private Body Parts

Private body parts are penises, vaginas, breasts, bottoms, vulvas, and mouths.

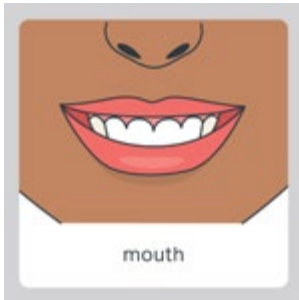












No one can touch these parts, or any parts of your body if you don't want them to.

Private Talk

Private talk is conversations that are about these body parts or sexual activities.





You can talk to health professionals like doctors, nurses, and counsellors about private body parts. It is their job to help you. Not all health professionals are people you would talk to about your body parts.

Private Behaviours

When you are on your own in a private place you have the right to touch your body however you choose. This might be going to the toilet, showering, and masturbating.



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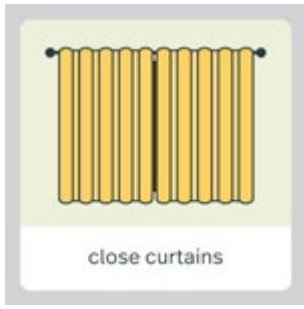
The law says you can only touch your private parts and do private behaviours when you are in a private space.







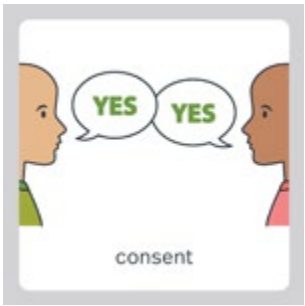


Consent

Consent means saying "yes"

Consent is a type of permission or agreement for something to happen.

You should not feel pressured or forced to say yes to something you don't want to do or are not sure about.

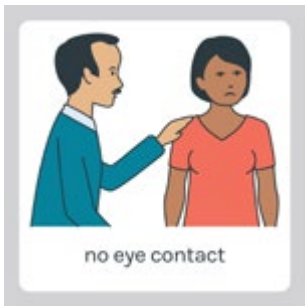


Both people have to want to say yes and feel yes signs in their body. Yes and no signs in the body feel different for everyone. It's important that you know what they feel like for you.

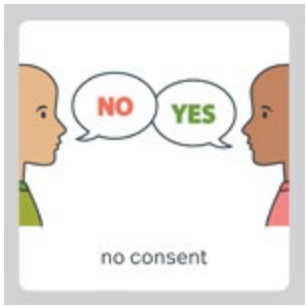
Consent means that you are OK with something you want to happen.

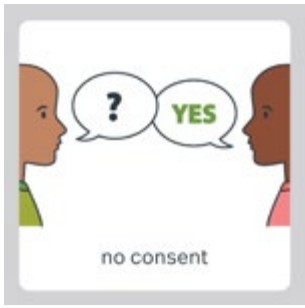
Consent means you are OK with something that is happening right now. Not giving consent can sound like: "no" or "stop" or "not yet" or "I'm not ready." It can look like shaking your head, not making eye contact, or pulling away.













Understanding consent is very important for all parts of this book.

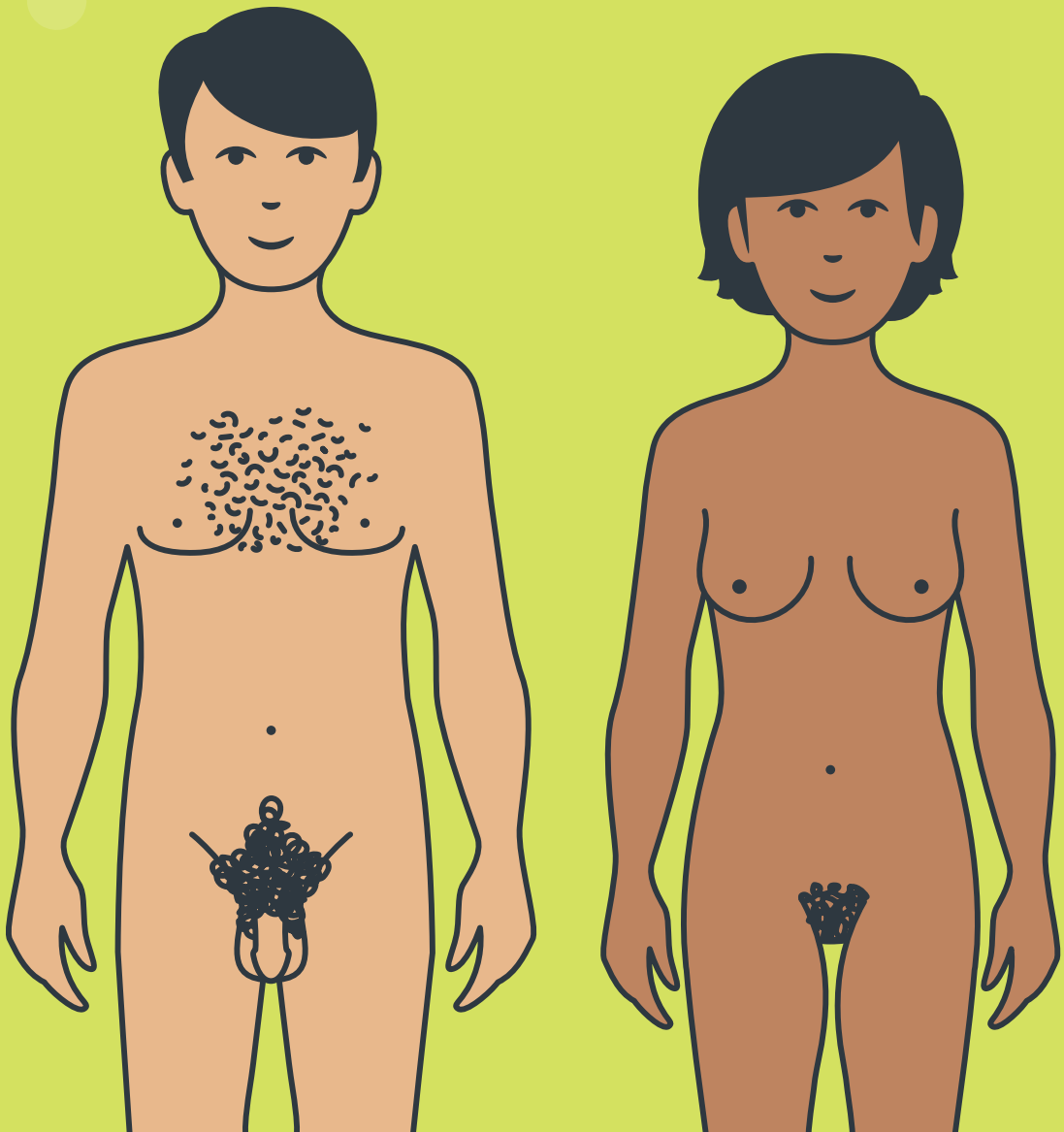
My Body

Being Yourself

Gender Identity

Health Checks of Private Parts

Menstruation



Being Yourself

Your body belongs to you

You have the right to make choices about your body. Here are some examples...

Food

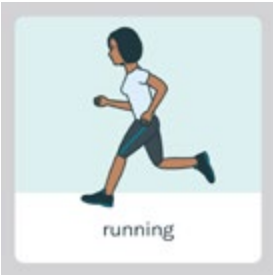
You can choose the food you eat.





Exercise

You can choose which exercise you do.



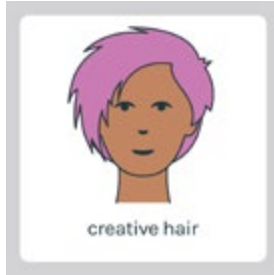




Hair

You can choose how to wear your hair.





Clothes

You can choose what clothes to wear.











Eating healthy food and exercising can help you be healthy in your body and feel good in your mind.

People

You can choose the people that you want to spend time with.

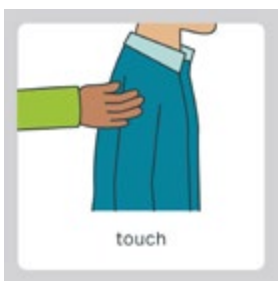


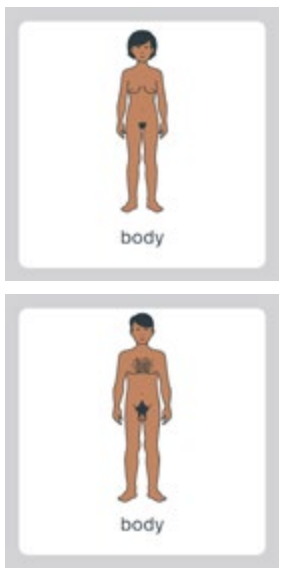


As you get older there are more choices you can make to live a healthy life.

Touch

You can choose who touches your body.







Alcohol

The law says that when you are over 18 years old you can choose to drink alcoholic drinks if you want to.





Illegal Drugs

The law says illegal drugs are not allowed. People can go to jail for using, selling, or buying drugs. You can only take medicines that doctors have said you need to take, or from a pharmacy or supermarket.





Feeling Good

People feel good about themselves when they take care of their bodies.





Your thoughts are your own. You don't have to tell anyone the things you think if you don't want to.

Gender Identity

Gender

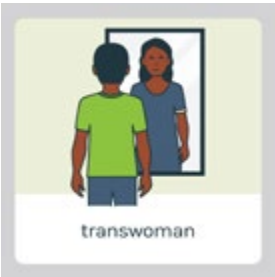
Gender is how we think of ourselves as a man, a woman, a girl, a boy, or if we don't feel like any of these.

Transgender

Some people feel that their gender identity (man, woman, or other) is not the same as their physical body. This is called being transgender.







You have the right to dress and make your appearance look like the gender that best fits with how you think of yourself.



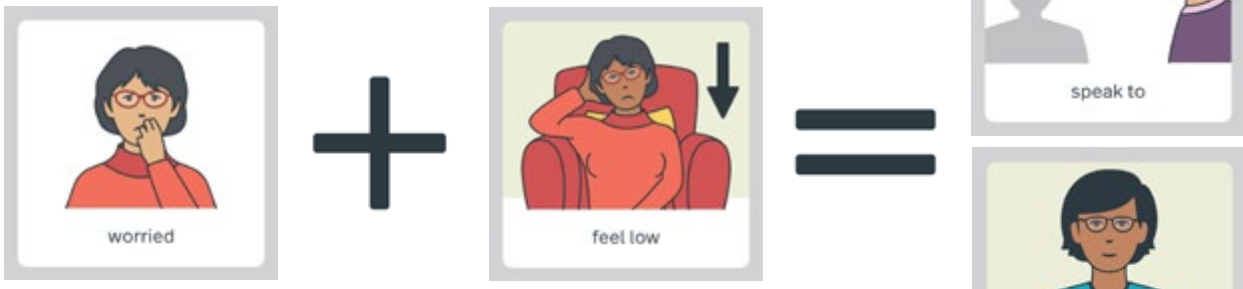


You have the right to be called by your preferred name. This may be the name you were given at birth or a name that best fits with how you think of yourself.





You have the right to get medical support if you are worried or upset about your gender.



You can dress however you want. You can be called whatever name you choose. This could be a new name for yourself or a variation of your birth name.

The law says everyone can legally change their gender on legal documents as long as it's for honest reasons.

It is not an easy thing to do and does take a lot of paperwork and legal approvals. You can speak with a lawyer about how to do this.

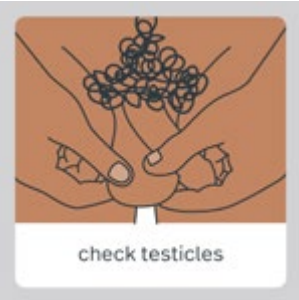
The law says everyone is able to change their bodies with surgery, hormones, or medication.

Health Checks of Private Parts

You have the right to get health checks for your private parts.





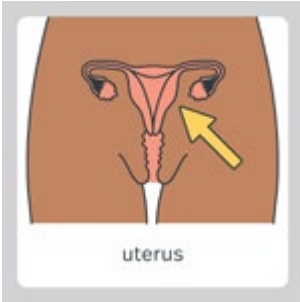




You can ask your doctor or support person about when and how you can get these health checks.

Menstruation

People who are born female or have a uterus will have periods. This is also called menstruation.







You can choose how you manage periods.



You can choose to wear pads.



You can choose to wear period pants.



You can choose to wear tampons.



You can choose to wear a menstrual cup.



Sometimes there is pain or discomfort with periods.

You can choose to use heat packs on your stomach or back.



You can choose to take pain medication.



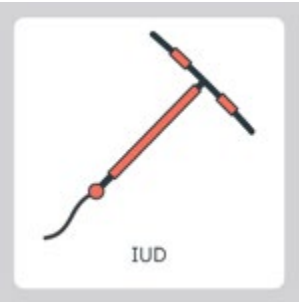
If you have concerns about periods, you can talk to your GP.



You can choose to manage your period cycle with contraceptives such as the contraceptive pill, Implanon, or an Intrauterine Device (IUD).









Having your uterus removed is called sterilisation. This means you will never get pregnant. This means you will never have a period.



Capacity

If someone wants to have their uterus removed to manage their period, the law says that person needs to have *capacity*.

Capacity means people can fully understand what making a decision means. If someone is not able to understand properly, because they have a disability which makes it hard for them to understand, they will need to apply to the State Administrative Tribunal if they want to be sterilised.

You can talk to your GP or nurse about your options.

The law says that people with intellectual disabilities need to apply to the State Administrative Tribunal if they need or wish to have their uterus removed to manage their period.

Summary

1. Your body belongs to you.
2. You can make choices about how you care for your body.
3. You can make choices about how you appear to others.
4. You can touch the private parts of your body when you are in a private space.
5. You can make choices about getting help with your body when you see or feel any changes.
6. You have the right to get information and support to better manage your periods.

Who Can Help

Someone you trust

Your doctor or a health professional

SECCA

Phone 9420 7226

secca.org.au

People 1st Programme

Phone 9227 6414

people1stprogramme.com.au

Sexual Health Quarters

Phone 9227 6177

shq.org.au

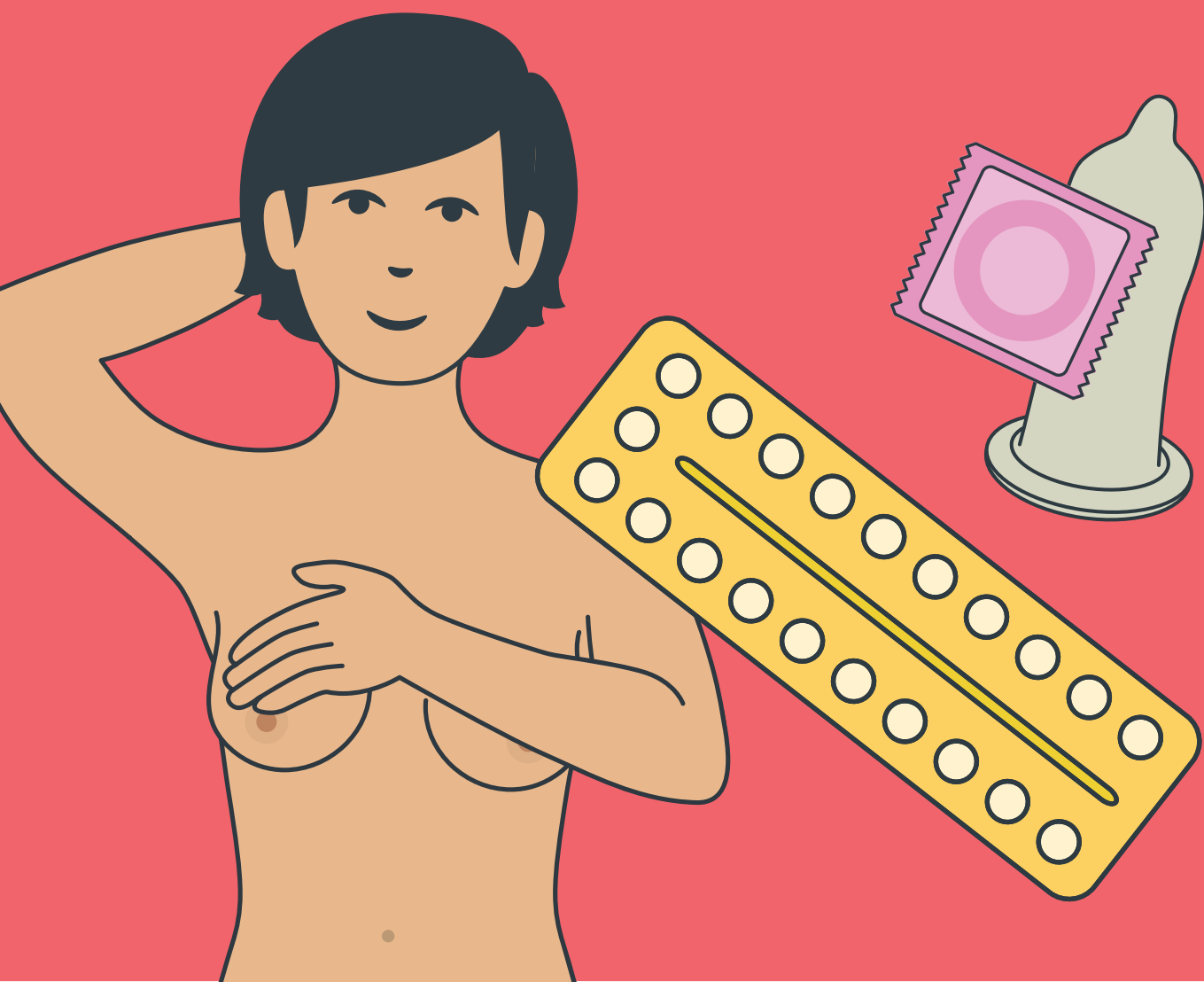
Legal Aid WA

Phone 1300 650 579

legalaid.wa.gov.au

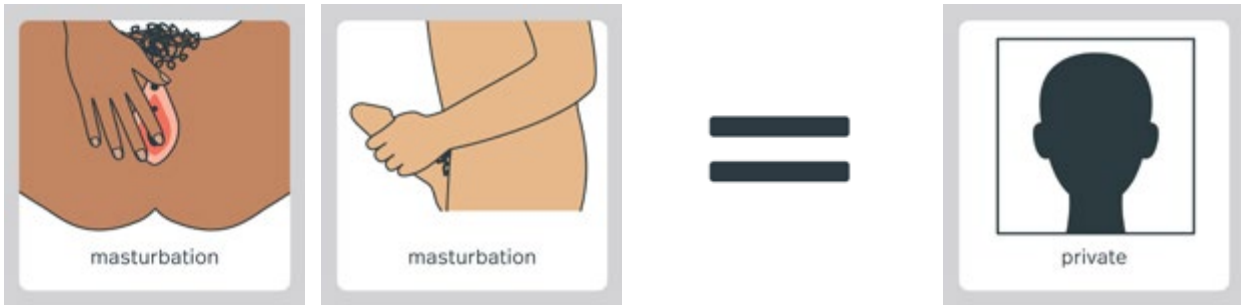
Sexual Health

- Sexual Pleasure
- Sexual Health Checks
- Safe Sex
- Contraception
- Unplanned Pregnancy
- Sex Work

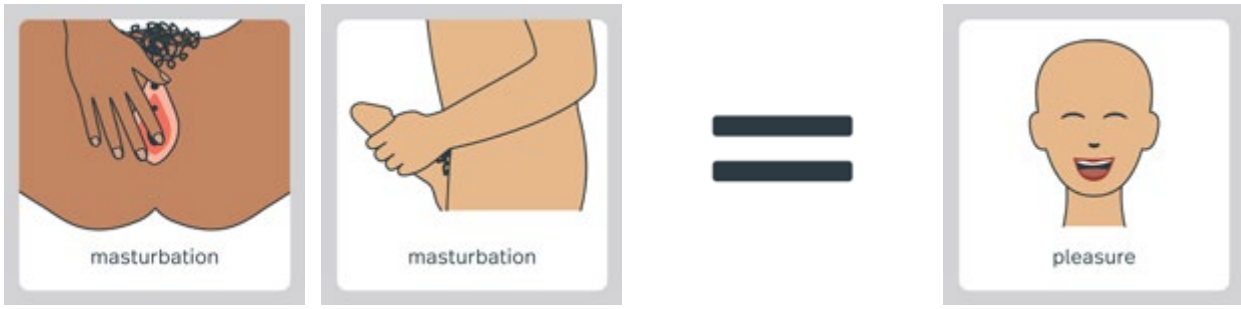


Sexual Pleasure

You have a right to explore your own body by yourself or with a partner. Masturbation is a private behaviour that you do in a private space.



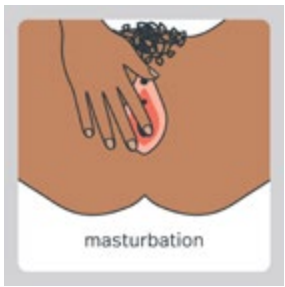
Masturbation involves touching your nipples, genitals, or any other part of your body that gives you pleasure.



Everyone has the right to an enjoyable sexual relationship where both people give their consent.



There are many ways you can masturbate, for example, with your hands, fingers, lubricant, soft things, or sex toys.





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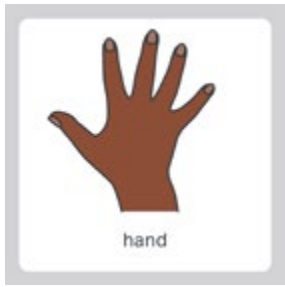





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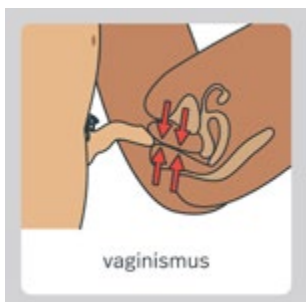
If sex or masturbation is painful you have the right to talk to your partner or GP about this. Women can talk to a Women's Health Physiotherapist. Men can talk to a Men's Health Physiotherapist.





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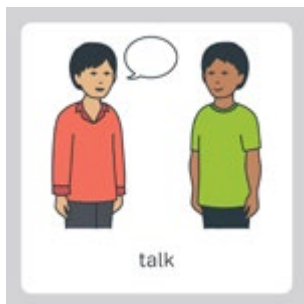



Sexual Health Checks

You have a right to sexual health checks if you have had sex with someone else. The test finds any bacteria or viruses that may have been passed to you by someone else during sex. These are called sexually transmitted infections or STIs.



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You can see your GP or a sexual health clinic for a sexual health check.

Everyone has the right to sexual health checks. You can withdraw your consent and stop the examination at any time.

Cervical Screening

It is recommended that anyone who has a cervix have cervical screening. If you have had sex or your genitals have touched someone else's genitals you can choose to have a cervical screen.

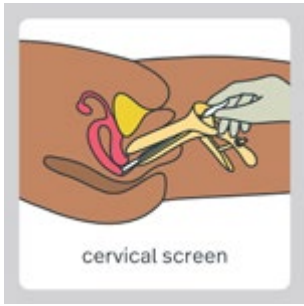


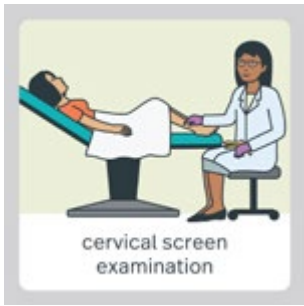












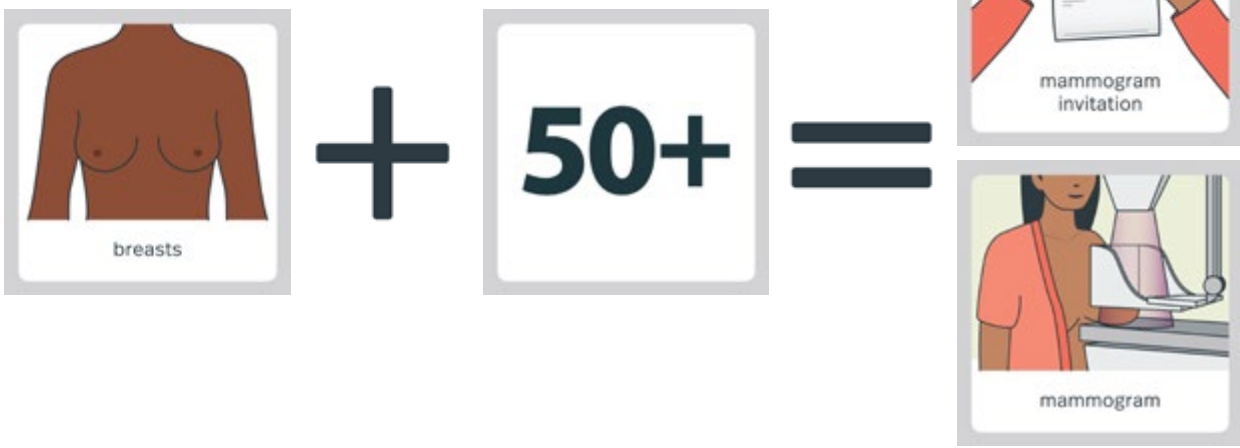
Cervical screening is recommended every 5 years from when you are 25 years old. This test checks for changes in the cervix that could lead to cancer.





Breast Checks

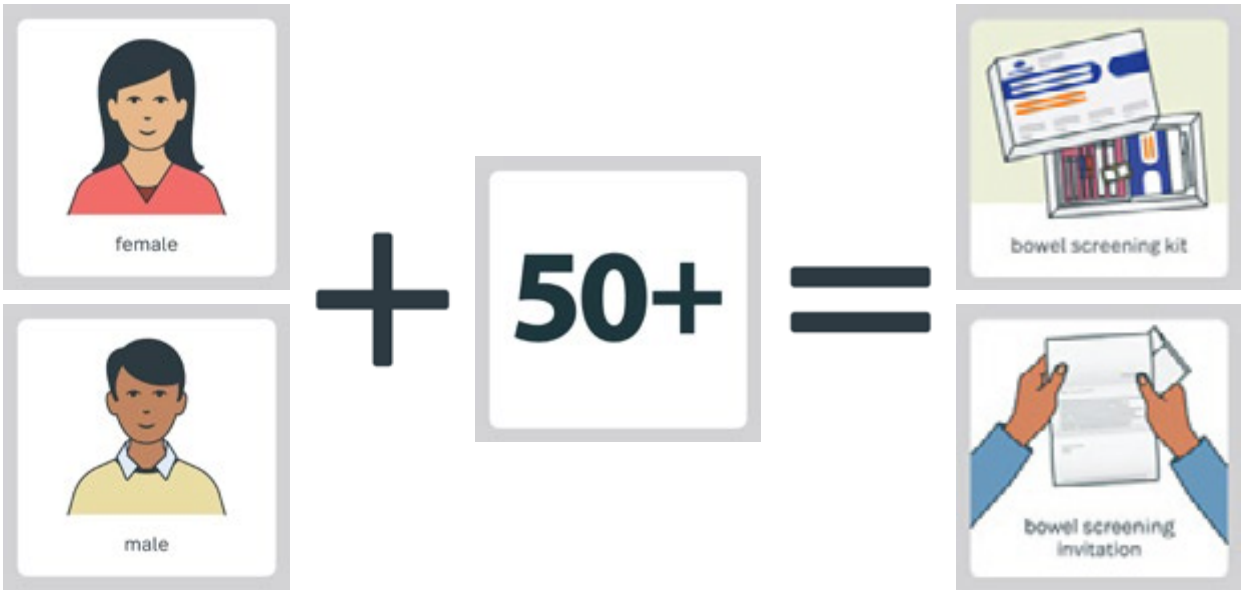
Women over the age of 50 are invited to have a breast screen examination by Breast Screen WA every two years. This is recommended to find and treat problems early. You can choose to have a breast screen or not.



You can check your own breasts for any changes.
A GP can help you with this.

Bowel Cancer Screening

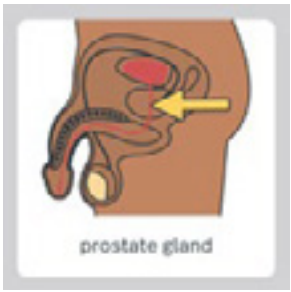
People over the age of 50 are invited to have a bowel cancer screen. This checks for small amounts of blood that could mean there is a problem in your bowel.



Prostate Cancer Screening

People with a prostrate over the age of 40 are invited to have a prostate check. A GP will check for any changes in your prostate that could lead to cancer.





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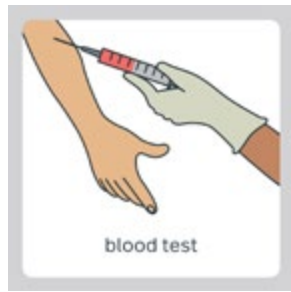
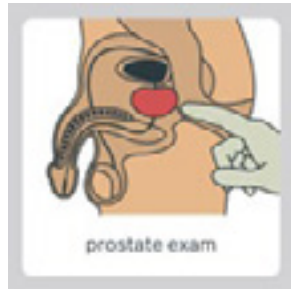
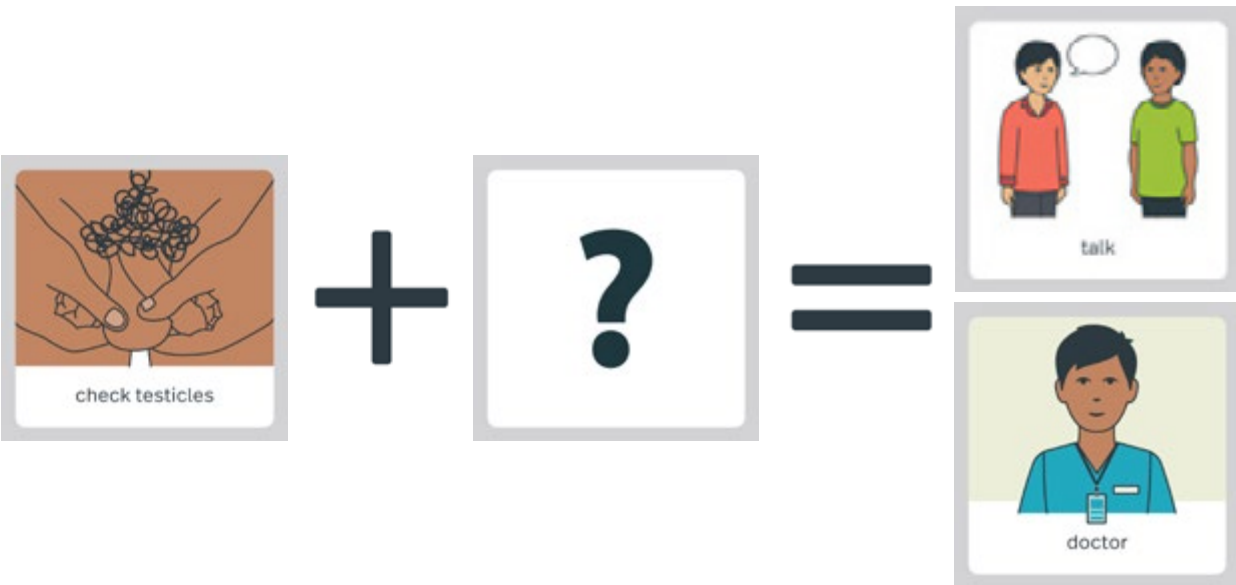




Testicular Checks

You can check your testicles for any changes or lumps. You can talk to your GP about any changes you notice or ask them to check for you.



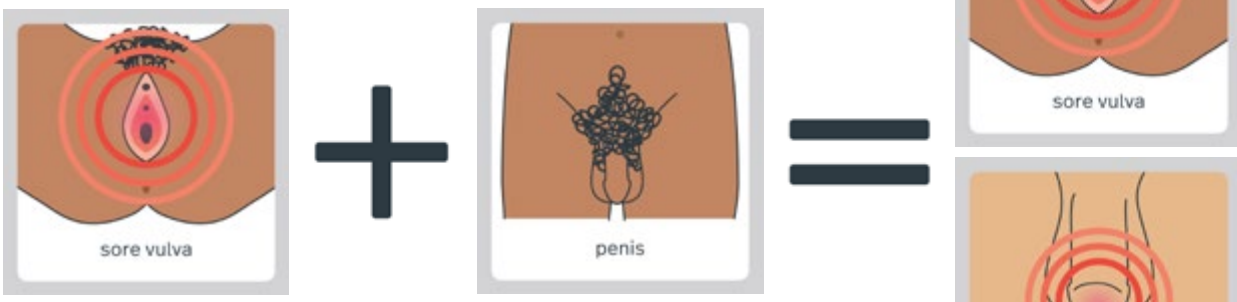
Safe Sex

You have a right to safe sex. Safe sex means that you and your partner use condoms correctly and do not pass on any sexually transmitted infections (bacteria or viruses) to each other when you have sex.



Safe sex means that you respect your partner and they respect you. Safe sex means you always get and give consent to partners before and during sexual activity.

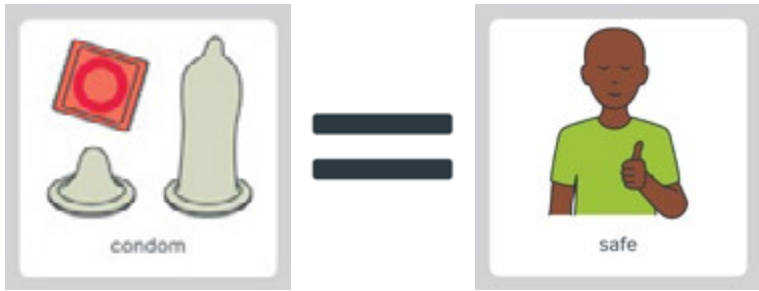
One person has to have an STI in order to pass it on to someone else.



You can't always see or feel if you have an STI. The only way to know for sure is to have a sexual health test with a GP or nurse.



Condoms are the only type of contraception that protect you from getting STIs.



It is important to make sure a condom is on properly so that you are both safe from infections.

















Safe sex also means you can't get pregnant or make your partner pregnant. Using condoms correctly every time you have sex will reduce your chances of getting pregnant.



If you or your partner does not have a condom you can say "no" to sex.
If your partner does not want to use a condom you can say "no" to sex.



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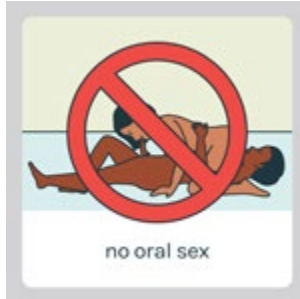










The pictures below are types of sexual activity when you should use a condom.


anal sex


vaginal sex


oral sex


oral sex

HIV

HIV stands for Human Immunodeficiency Virus. It is a virus that you can get from having sex with someone who has the virus in their body.


HIV

There is no cure for HIV. There is medication to keep people healthy. Condoms protect people from getting HIV.

There are special medications to help keep people safe if one partner has HIV. You can talk to your GP about these options. If someone with HIV takes their medication properly, then they cannot pass on HIV. HIV is only passed from blood, semen, vaginal fluid, breast milk, menstrual blood, rectal fluids,and fluid from the penis.

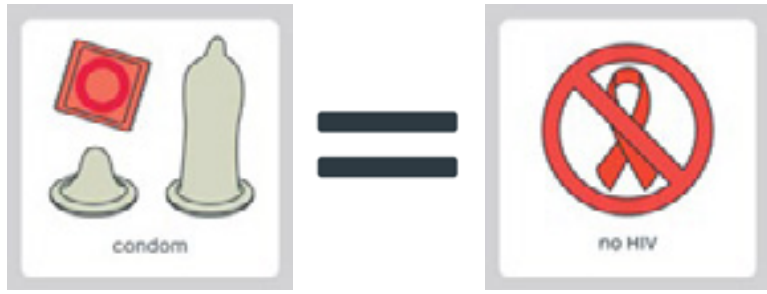
If you want to have sex with someone and they ask if you have HIV, you should tell the truth. If you lie about whether you have HIV to a sexual partner, you might go to jail, even if you do not give them HIV.


tell HIV status


tell HIV status

The law says that a person with HIV must be careful not to give it to anyone else. If they want to have sex, they must do everything they can to protect the other person. This means using condoms, dams, or one of you using the special HIV medication. You can go to jail if you give someone HIV and did not take steps to stop it.

If you use a condom correctly you will be protected from getting HIV.



If you had sex without a condom, you should talk to a doctor to check if you have HIV.



Someone with HIV should tell the other person they have HIV before sexual activity.



In some countries and states it is the law to tell the person you are having sex with that you have HIV. There are also some countries that you have to tell if you have HIV. Make sure you know the rules when you travel outside of Australia.



PrEP is a medication that you need to take consistently and correctly to protect you from getting HIV.

You can ask for more information about PrEP from the WA AIDS Council.



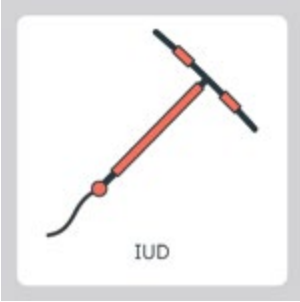
Visit **waaids.com** or call **(08) 9482 0000**.

If you have HIV and are pregnant, there are medications that you can take to make sure your baby does not get HIV.

Contraception

Contraception is a way of preventing pregnancy. If you have vaginal sex you could get pregnant. If you do not want to get pregnant you must use contraception. Here are some of your contraceptive choices below:









It is important to find the one that works best for you. Speak to your GP or health nurse about this.



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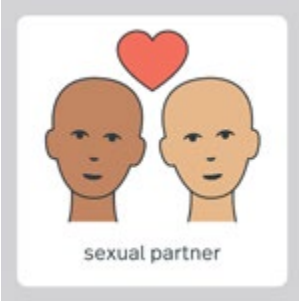
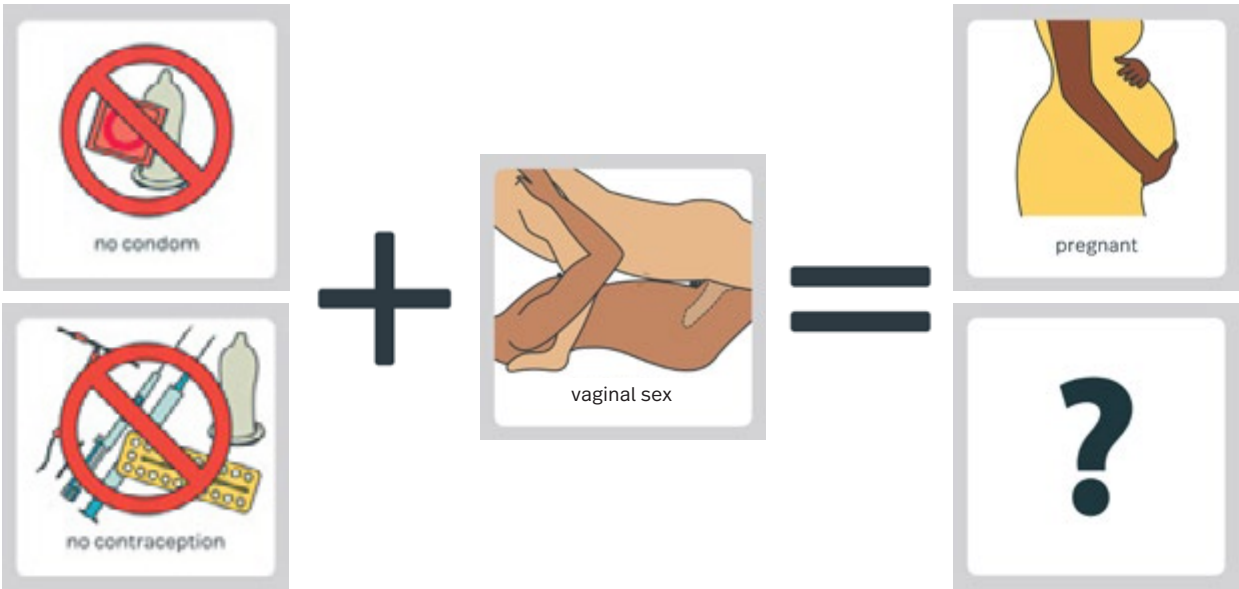
Both partners should agree on what contraception works best for them.





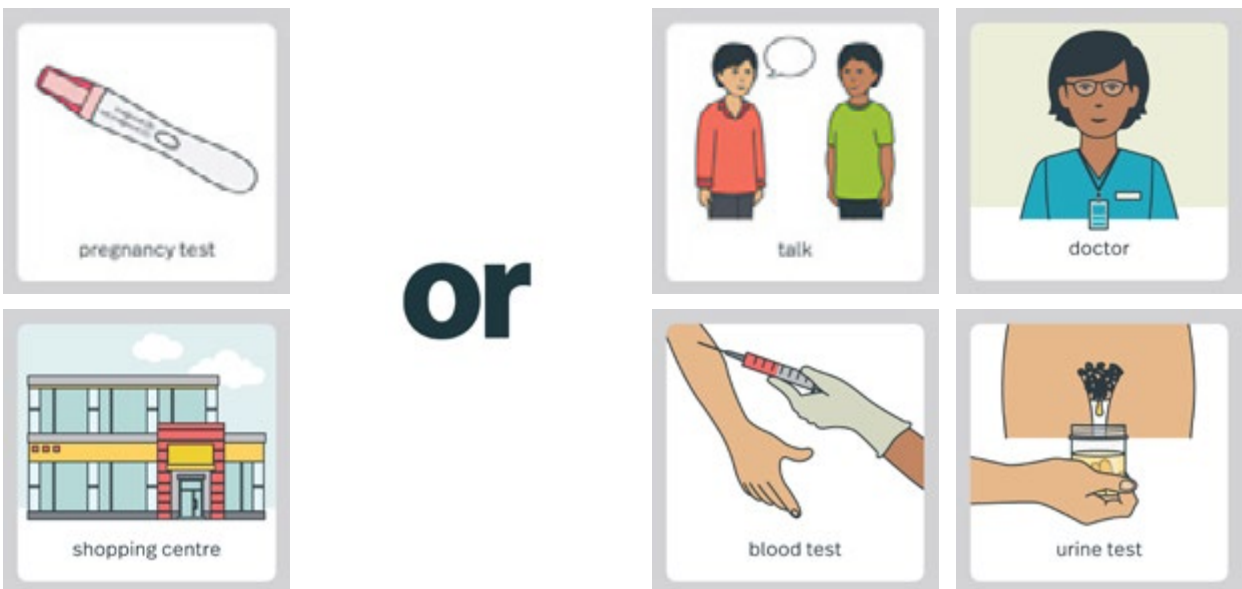
Unplanned Pregnancy

If you have been having sex without a condom or miss a period you may be pregnant.

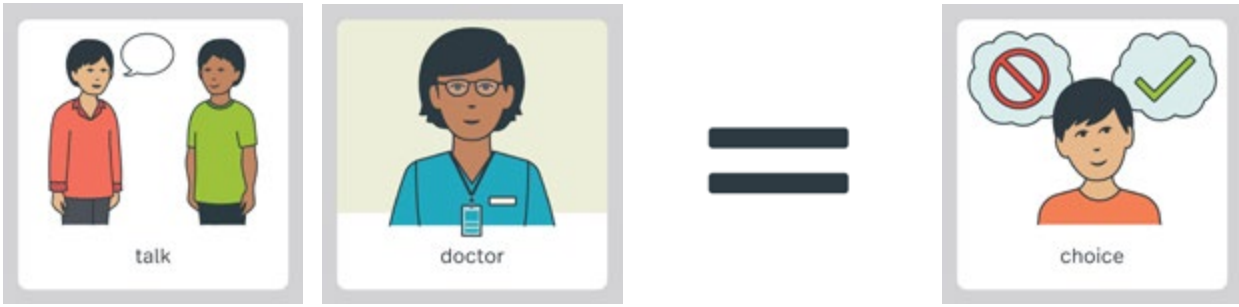


Pregnancy Test

You can do a pregnancy test yourself. You can buy a test from a pharmacy or from a supermarket. You can ask a trusted person to help you follow the instructions. Your GP or Sexual Health Quarters can also help you with pregnancy testing.



If your test is positive see your GP as soon as possible to talk about your choices.



If you are pregnant, your choices are:

1. Have and keep the baby.
2. Have the baby and then let someone adopt it.
3. Stop the pregnancy by having a termination.

Termination

A termination is medication or an operation that stops your pregnancy. It is also called an abortion. It's possible to have a termination up to 20 weeks into a pregnancy in Western Australia.

You need to talk to a doctor about your choices and risks. Counselling can help you decide what to do.

The termination must be done by a different doctor. Not all doctors and hospitals perform terminations so you will need to find out where you can go to have one.

In special circumstances if you do not want to tell your parent or guardian you can apply to the Children's Court for an order to go ahead with a termination without your parent's involvement. The court will then decide whether your parent or guardian needs to be involved.

Sometimes the Office of the Public Advocate needs to be involved. They can help people through this process.





Termination may be a hard decision. Here are some things to think about when making this choice.

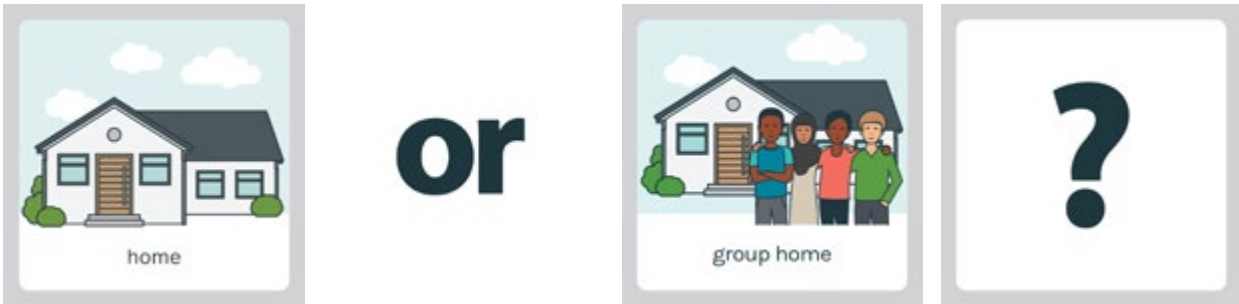
Your Health

Will having a child put your health at risk?



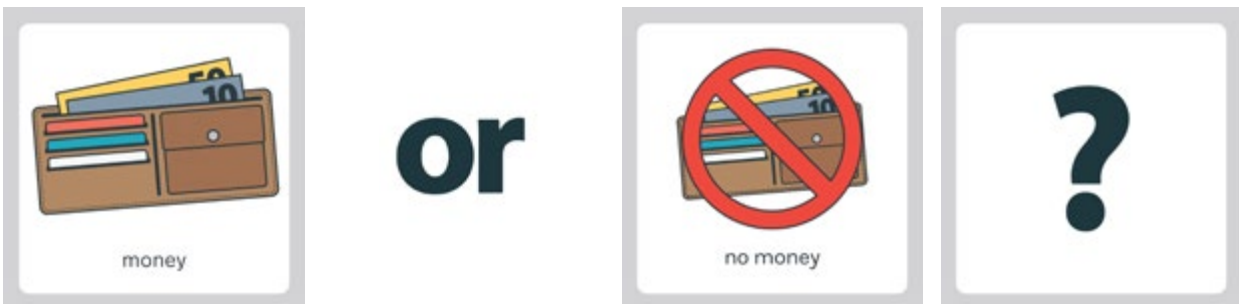
Your Housing Situation

Do you have a place to bring up a child?



Your Money

Do you have enough money to bring up a child?



Your Support

Do you have enough support to bring up a child?



A counsellor can help you make your own decision.

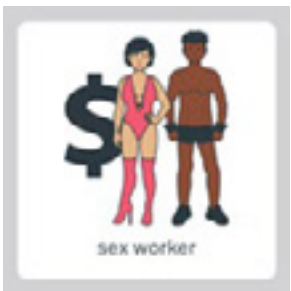


Who can help if you are pregnant?

1. Your doctor
2. A counsellor
3. Sexual Health Quarters
4. Your hospital or community health centre (if you do not live in Perth)
5. Someone you trust

Sex Work

A sex worker is someone that is paid for sex and sexual activities.
This is a business transaction and is not a romantic relationship.



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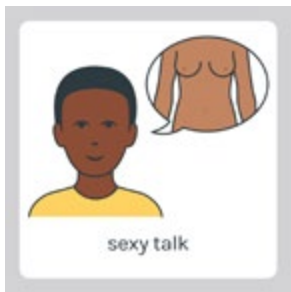
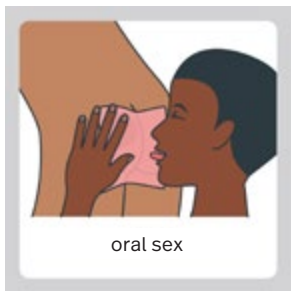
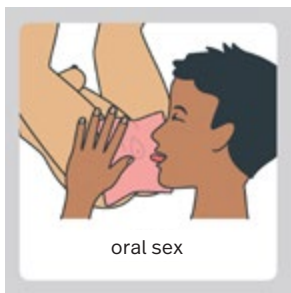














Important information

1. Both people must agree to the sexual activity.
2. Both people have the right to say “no” to anything they do not like or want.
3. Both people should be treated with respect.



The law says that sex work can take place in a house, a hotel, a brothel or parlour. It is illegal for sex work to happen in a public place.



It is the law that both people are 18 or older.



It is the law that sexual protection such as a condom be used in sexual activity with a sex worker.



If you would like more information on sex work, contact Magenta on **(08) 9328 1387.**

Summary

1. Everyone has the right to have a happy, healthy, safe sex life with a consenting partner.
2. Everyone has the right to seek information, screening, and support from their GP or Sexual Health Clinic for any issue relating to sex or contraception.
3. If you accidentally fall pregnant you have the right to make a choice about whether you have a baby or not.

Who Can Help

Someone you trust

Your doctor or a health professional

SECCA

Phone 9420 7226

secca.org.au

Sexual Health Quarters

Phone 9227 6177

shq.org.au

M Clinic

A service for men who have sex with men. This includes people who identify as male or masculine, or who were assigned male at birth.

Phone 9227 0734

mclinic.org.au

Magenta

The WA Sex Worker Support Service

Phone 9328 1387

magenta.org.au

The Office of the Public Advocate

Phone 1300 858 455

Phone 9278 7300

publicadvocate.wa.gov.au

Healthy Relationships

- What is a Healthy Relationship?
- Consent in Relationships
- Different Types of Relationships
- Being Gay, Lesbian or Bisexual
- Acting on Sexual Feelings
- Dating
- Getting Married



What is a Healthy Relationship?

In a healthy relationship both people give their consent to be in the relationship. This means they both agree they want to be in the relationship.

In a healthy relationship people have positive feelings and experiences like:







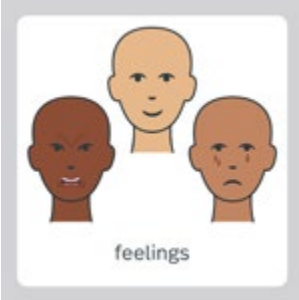


In a healthy relationship you can talk about anything:



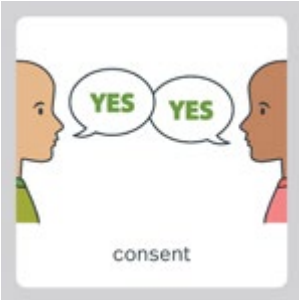






In a healthy relationship people can spend time together and spend time on their own.

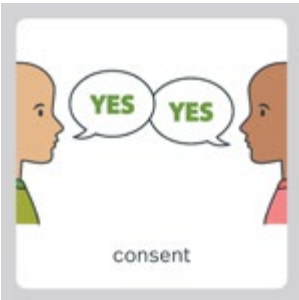
Consent in Relationships



Consent is very important. It is another way of saying "yes" or "I'm OK with that" or "I agree."

Consent is when both or all people in a relationship say "yes" to something.

Consent is freely given and can be taken away at any time.

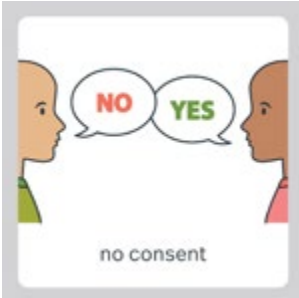






If you or someone else is confused or unsure how they feel, this is not consent.





If you feel pushed or pressured into something this is not consent.

If someone threatens you to give your consent that is not consent.

People cannot give consent if they are:

- ✕ unconscious
- ✕ asleep
- ✕ intoxicated or drunk
- ✕ drugged

If you worry a partner or friend will leave you if you don't do what they say, that is not consent.

If you worry someone might do harm to themselves or someone else if you do not agree, that is not consent.



Different Types of Relationships

In our lives we have different kinds of relationships.

Some relationships are with:

- ✔ People in our families
- ✔ Friends
- ✔ Bosses
- ✔ Coaches
- ✔ Teachers
- ✔ Neighbours
- ✔ Carers
- ✔ Housemates


family

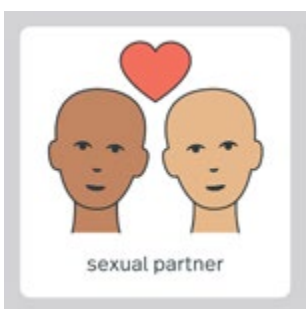

friends


boss


coach


teacher


carer


sexual partner

Other relationships can be sexual.

They are with our partners, boyfriends, girlfriends, wives, and husbands.

However, you don't have to be in an ongoing relationship with someone to have sex with them.

Being Gay, Lesbian or Bisexual

You may feel attracted to someone who is the same gender as you.

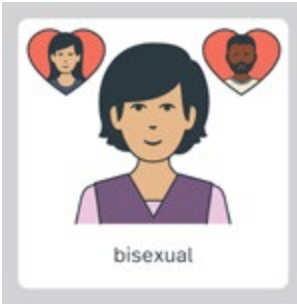
You may feel attracted to someone of any gender.

There are lots of different sexualities, these are just some of them.

This can be confusing for some people. For more support speak to someone you trust or call QLife, SECCA, or a health professional.







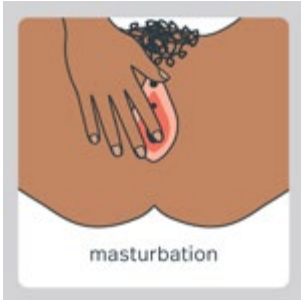


Remember

- ✔ Both partners should want to be in the relationship.
- ✔ It's your right to choose your friends.
- ✔ It's your right to be by yourself sometimes.
- ✔ Not everyone wants to have a partner.

Acting on Sexual Feelings

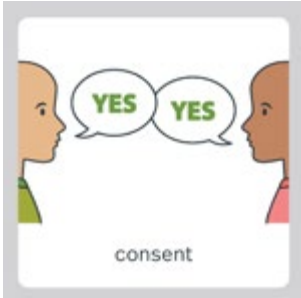
You have the right to touch your own body in your own private space.





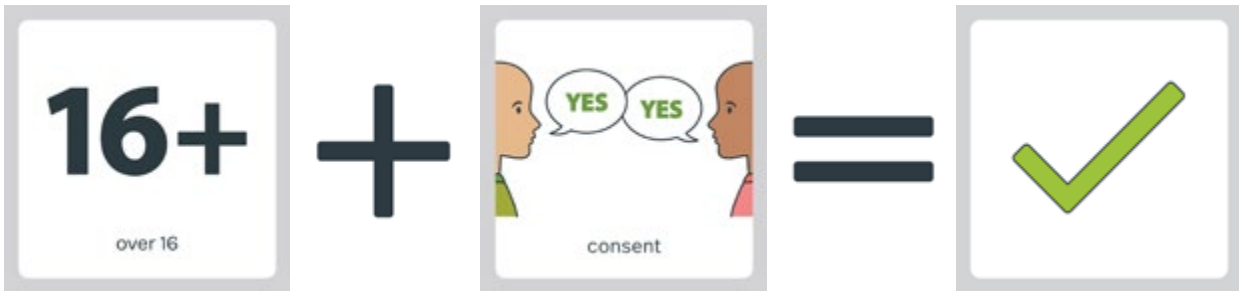
To touch someone else's body in a sexual way you need to know that:

- ✔ Both you and your partner need to give consent.
- ✔ You need to be in a private space.





In WA, to have sexual intercourse with another person you and your partner need to be over 16 years of age.



When someone is in a position of authority over you, like a coach, teacher or boss, you must be over 18 to have sexual intercourse with them.

There is different ages of consent in different parts of Australia and in other countries.







You cannot have sex with anyone who is in your family.





Dating

Dating is spending time with someone you might feel attracted to.
Dates are when people arrange to do things together to get to know each other.

You can invite people on dates to see if you are attracted to them.



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Some things you could do on a date are to have a coffee together, see a movie, or go for a walk.







Going on a date with someone does not mean you have to have sex with that person.



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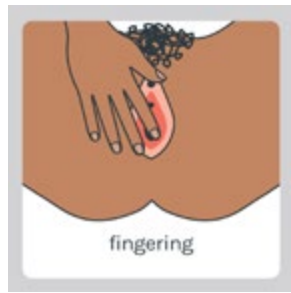

If you are under the age of 18 you cannot date anyone who helps to care for you or who is in a position of authority to you such as a support worker, counsellor, doctor, teacher, or your boss at work.





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People who are attracted to each other and want to spend more time together can become a couple.



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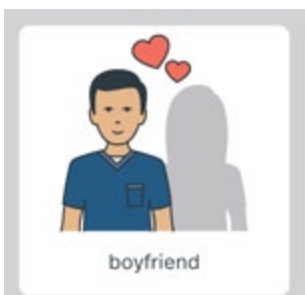
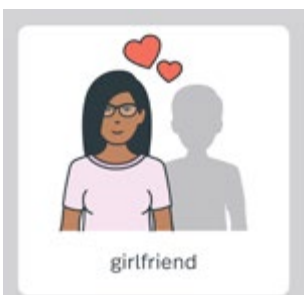
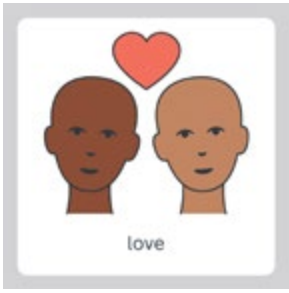




Getting Married

In Australia it is typical for people to get married if they have been together for a while, love each other, and want to spend the rest of their lives together.

Getting married is a choice, you never have to be married if you don't want to. You can be in a relationship without getting married.



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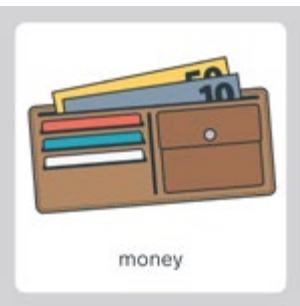
Other cultures have different views on marriage, who you can marry, and when.

Not everybody wants to get married. Just because you have been dating someone for a while does not mean that you have to get married.

Marriage can mean you live together, share your money, share jobs around the home, and spend a lot of time together.







The law says:

- → You have to be an adult to get married.
- → Anyone who is 18 years old or over is an adult.
- → You need to apply to a court to get married if you are between 16 and under 18. The court will decide whether to let you marry.
- → Adults have the right to get married if they want to. It is their decision.
- → Anyone over the age of 18 can get married if they choose.
- → Marriage is a legal arrangement.

De Facto Relationship

You can choose to live with someone and share your life without getting married. This is called a de facto relationship. You have the same rights as a married person in a de facto relationship.



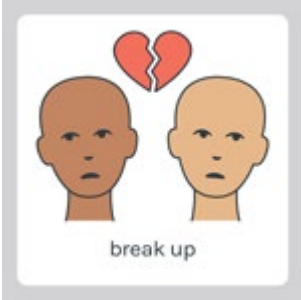


Divorce

Sometimes relationships don't work out. It is your choice, or your partner's choice to end a relationship. The legal process for ending a marriage is called divorce.









If you have children together you will need to work out how the children will be looked after.

Summary

1. Healthy relationships are the right of all people.
2. It is your right to choose your friends.
3. It is your right to be by yourself sometimes.
4. It is your right to choose whether you want a romantic relationship with someone else.
5. It your right to end a relationship.

Who Can Help

People With Disabilities WA
- Phone 9485 8900
- Country Callers 1800 193 331
- pwdwa.org

SECCA
- Phone 9420 7226
- secca.org.au

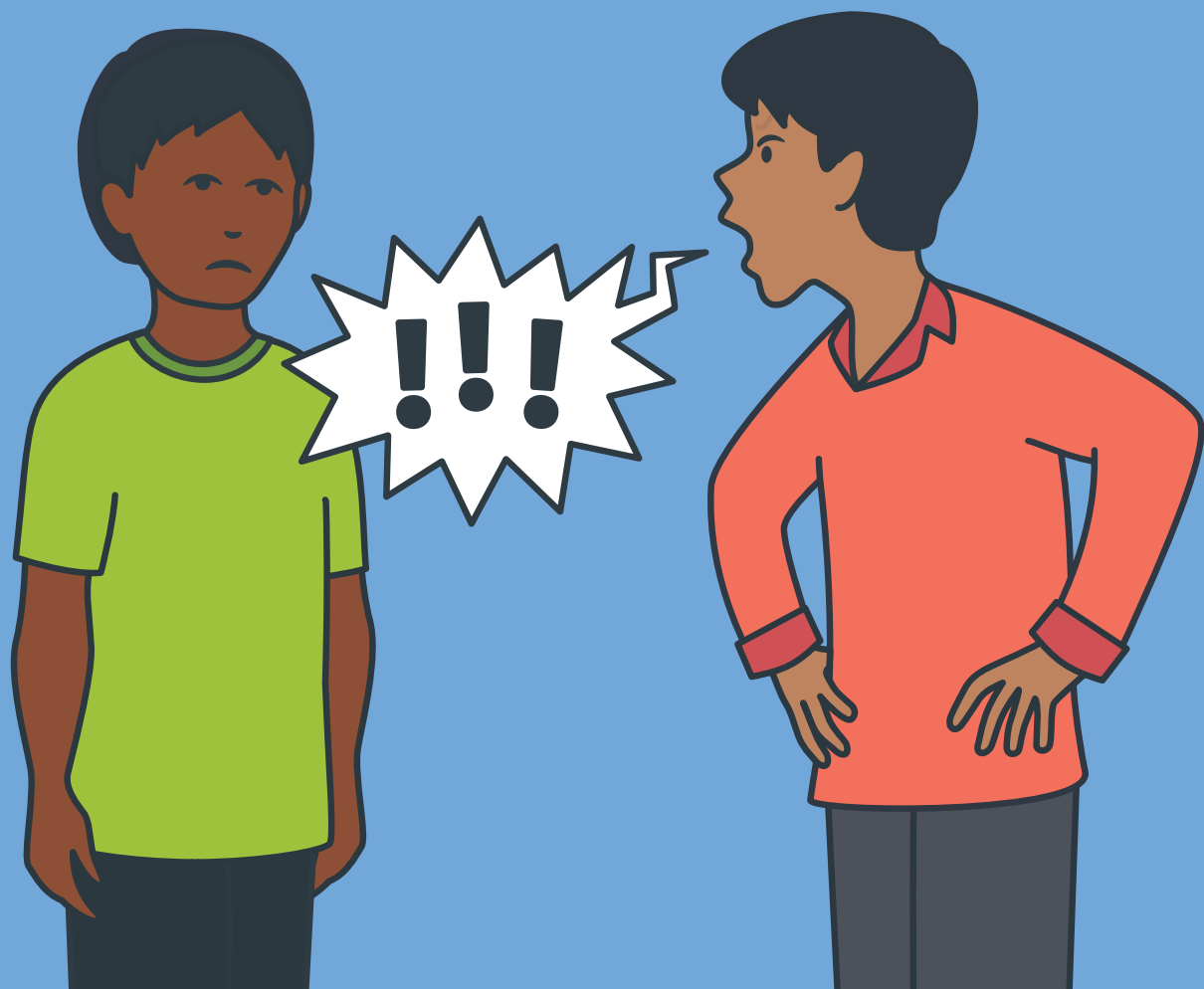
QLife
- Phone 1800 184 527
- qlife.org.au

Aboriginal Legal Service
- Phone 9265 6666
- Phone 1800 019 900
- als.org.au

Legal Aid WA
- Phone 1300 650 579
- legalaid.wa.gov.au

Unhealthy Relationships

- What is an Unhealthy Relationship?
- Sexual Abuse in Families (Incest)
- Sexual Assault
- Indecent Assault
- Family and Partner Violence
- Grooming
- Sexual Harassment
- Family Violence Restraining Orders



What is an Unhealthy Relationship?

Some relationships are not healthy and can be harmful to people.
It is important to get help if you are in an unhealthy relationship.

Some things that happen in unhealthy relationships are:

Physical abuse.



Hurting people with mean words or yelling.



Not helping someone get the care they need.



Taking people's money.



Stalking, which means following someone, always wanting to know where someone is or what they are doing, or sending lots of messages.



Making threats of harm to another person.



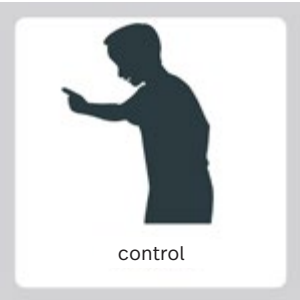
Doing sexual things to someone when they do not give consent.



Making sexual comments towards someone when they are not wanted.



Controlling where a person can go, who they can see and what they can do.



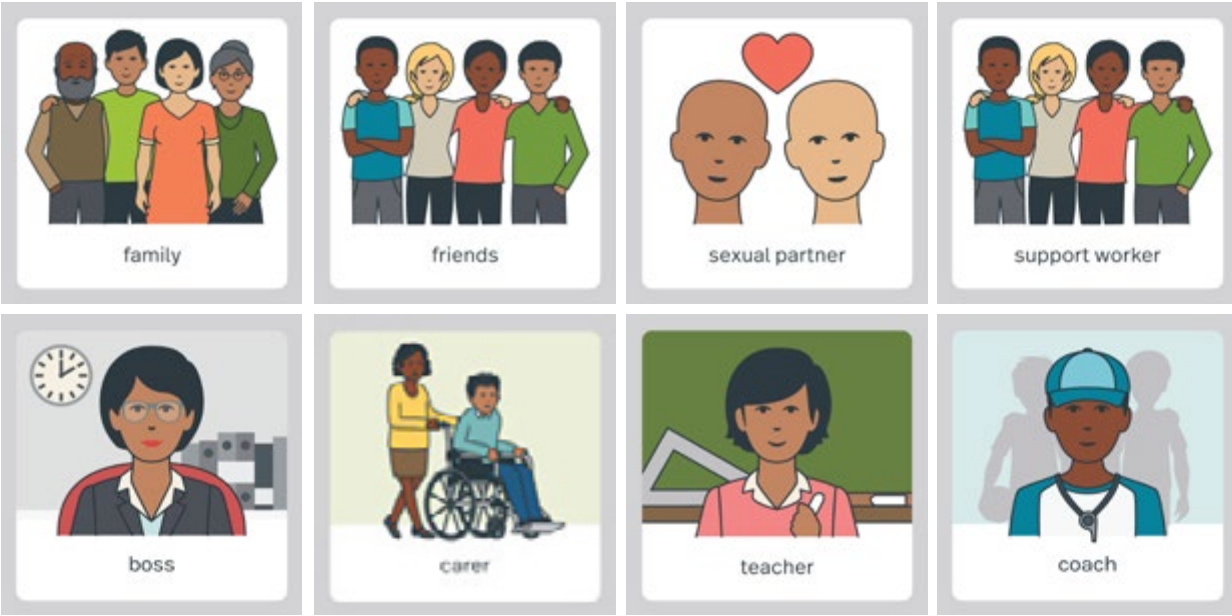
Doing things to make someone stay in a relationship when they want to end the relationship.



If you want to talk to someone about an unhealthy relationship you can call Domestic Violence Helpline **1800 737 732** or the National Disability Abuse and Neglect Hotline **1800 880 052**.

Who can be in an Unhealthy Relationship?

Sometimes unhealthy relationships are in families, and sometimes with friends, at work, where you live, or with partners.

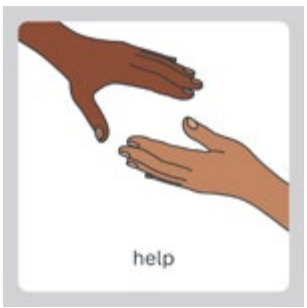


Sexual Abuse in Families (Incest)

Relationships with family are not sexual. It is against the law to have sexual contact with someone in your family. This is called sexual abuse or incest.



If this has happened to you there are people who can help you like the police, your doctor, a counsellor, or someone else you trust.





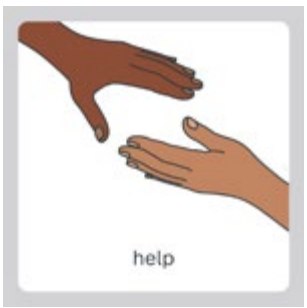




It is your choice to tell someone about what you have experienced.







There are specialist counsellors who can help you recover from sexual abuse.



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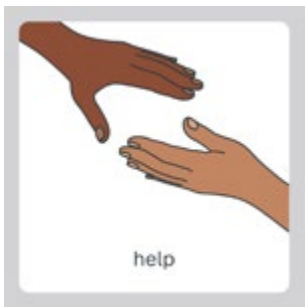
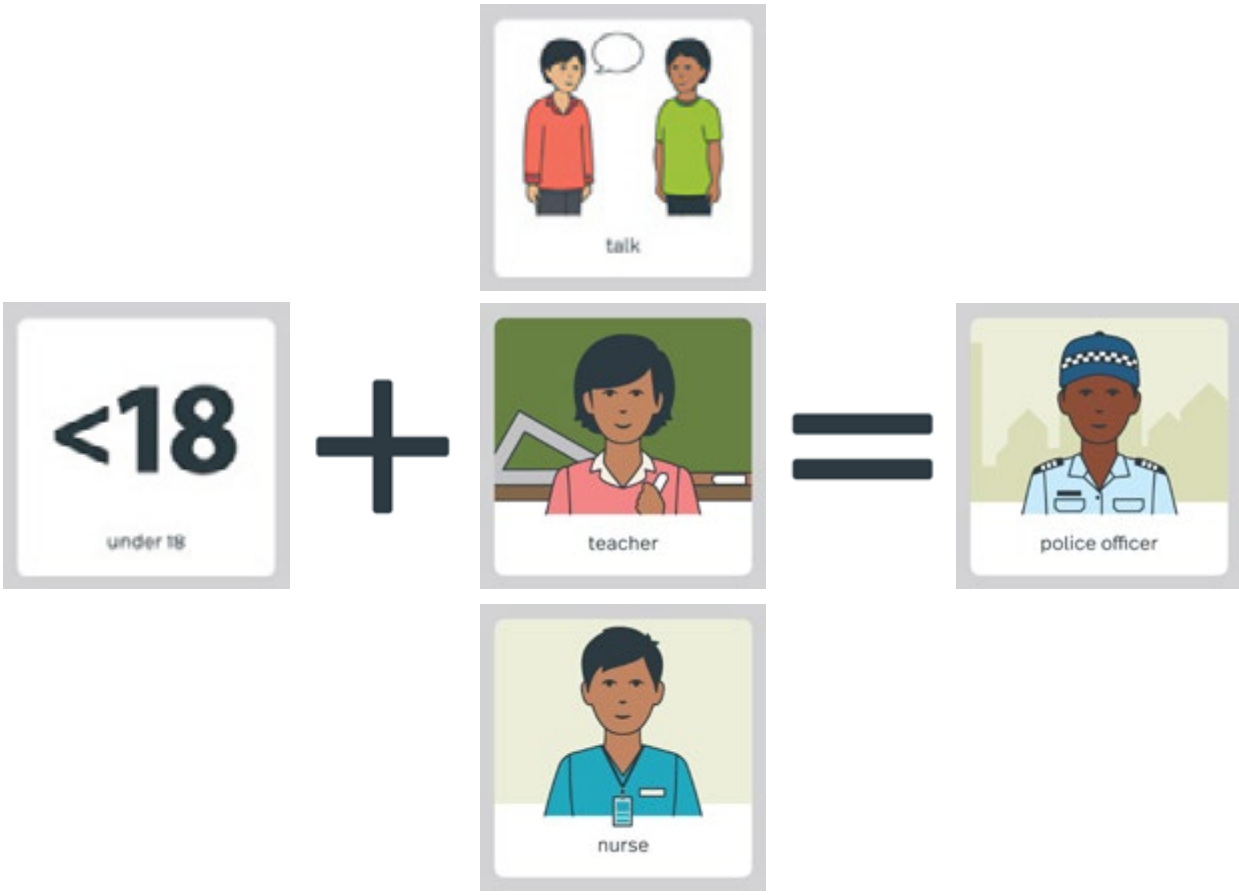


The law says that if you are under 18 years old and you tell a doctor, nurse, teacher, or police officer, they have to tell the Department of Communities, Child Protection and Family Support so that children are always safe.



If you have experienced sexual abuse as a child and want to talk to someone about it, contact Phoenix Support and Advocacy Service Inc on **9443 1910**.

Sexual Assault

Sexual assault is when someone forces you to have sex or do sexual behaviours with them when you don't want to.

You cannot have sex with family members or people under 16 years old.
It is sexual assault to have sex with someone younger than 16 years of age.

It is sexual assault to have sexual relations with someone who cannot give consent.



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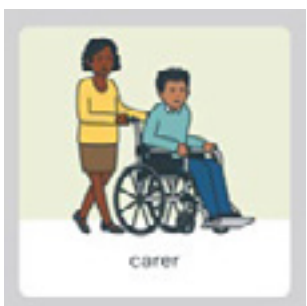






You have a choice about whether you talk to the police about sexual assault if it has happened to you. The police can help you in many ways.



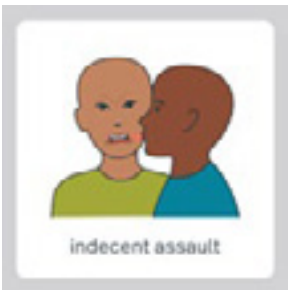
It does not matter if you know the person who sexually assaulted you, it is still a crime.

For help after sexual assault call the Sexual Assault Resource Centre (SARC). There are counsellors and doctors at SARC who can help you. Phone **6458 1828** or **1800 199 888** (24 hours).

Indecent Assault



If someone touches your genitals or private parts without you saying it is OK, it could be indecent assault. Indecent assault includes being touched on your private parts or bottom over the top of your clothing, or being kissed when you don't want to be. Indecent assault is against the law. These are some examples of indecent assault.



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You can choose to talk to the police about indecent assaults.







Family and Partner Violence

Family violence is when someone in a family is abusing other family members. Partner violence occurs in relationships between two people. This is an unhealthy relationship.

Here is a reminder of some types of abusive behaviour that happen in unhealthy relationships:



















It can also be one person threatening to hurt another or to do harm to themselves if they don't get what they want.

If this is happening to you there is help available to help you leave the relationship.



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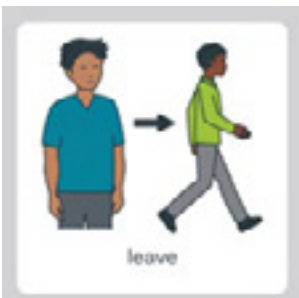



Grooming

Grooming is when someone is very nice to you in the beginning but when you trust them they start asking you to do sexual things with them that you don't want to do.

Grooming is against the law when it is done to:

- someone under 16 years old;
- someone over 16 years old who does not understand sexual acts; and
- someone over 16 years old who cannot protect themselves.



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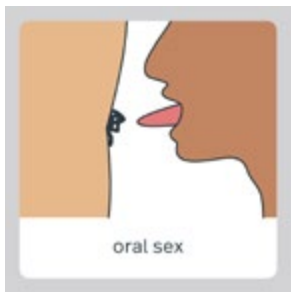







You can talk to the police or someone you trust if this has happened to you. You can report an incident of abuse to police at any time no matter how long it has been.





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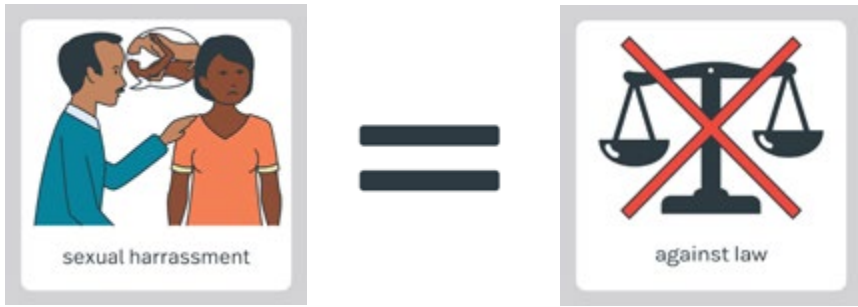
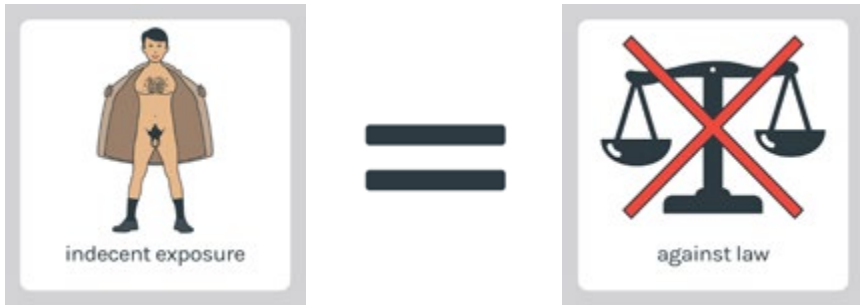
Sexual Harassment

Sexual harassment is when someone upsets you by telling jokes about sex, talking about sex to you, or making suggestions about having sex with you.

Sexual harassment is against the law.



Sexual harassment is also someone showing you their private parts without your consent. This is also against the law.



Family Violence Restraining Orders

If you are an adult and someone you want to end a relationship with is not leaving you alone you can go to court for a restraining order.



A judge will make a rule that this person cannot go near you or contact you in any way. If they break the rules the police can help you.



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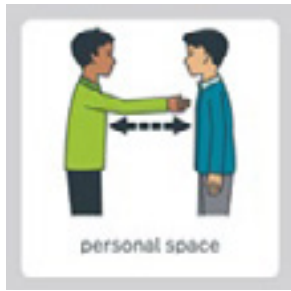


or





If someone gives you a restraining order you should not break these rules as this is very serious and could result in jail.

Summary

1. You have the right to feel safe in your relationships at all times.
2. You have the right to healthy relationships and there are people who can help you to leave an unhealthy relationship.
3. No one should hurt you.
4. If you have been hurt by someone you can choose to tell someone you trust or the police.
5. If the person you tell doesn't help you can choose to tell someone else.
6. It is not your fault if you were abused by someone.
7. People should not do things to you that hurt you, even if that person is a friend, boyfriend, girlfriend, a member of your family, or a support worker.
8. There are people and services who want to help you if you are in an unhealthy relationship.
9. It is your choice to talk to whoever you would like help from.
10. If you feel uncomfortable talking about it you don't have to.

Who Can Help

SARC

If you have been sexually assaulted, you can call SARC for support, even if you were assaulted a long time ago.

- Phone 6458 1828 (24 hours)
- Phone 1800 199 888 (24 hours)

Abuse and Neglect Hotline

- Phone 1800 737 732

Kids Helpline (up to 25 years old)

- Phone 1800 55 1800
- kidshelpline.com.au

WA Police

- Phone 131 444
- Emergency Phone 000
- police.wa.gov.au

If you have a disability or need extra support, it is important to tell police so they can help you properly.

People With Disabilities WA

- Phone 9485 8900
- Country Callers 1800 193 331
- pwdwa.org

Legal Aid WA

- Phone 1300 650 579
- legalaid.wa.gov.au

Psychologist or Counsellor

Talk to your GP for a referral.

Becoming a Parent

Having Children

Children's Needs



Having Children

Deciding to become a parent is a big decision.



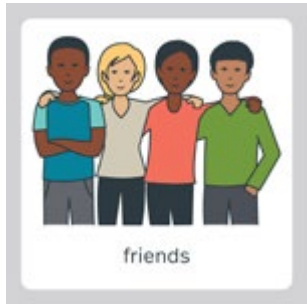


People need to think about a lot of things when making this decision. You would need to plan where to live, how to manage money, how you will care for a child, and what support you would have.













It is not always easy to become pregnant. There are people who can discuss pregnancy issues with you.

There are medical options available for people who are finding it hard to get pregnant. Other options include adopting a child or fostering a child.

Children's Needs

Being a parent is something you do for the rest of your life once you have a child. Parents need to take care of children by giving them love, attention, keeping them safe from harm, providing healthy food, providing clothing, showing them how to look after their bodies, organising schooling, and making sure they get health care.


parent


parent


parent

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love


safe

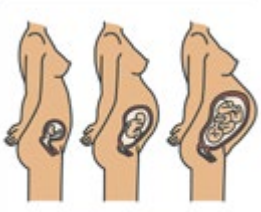

healthy food


baby clothes


school


doctor

People with disabilities may need extra support to help care for children.


pregnancy

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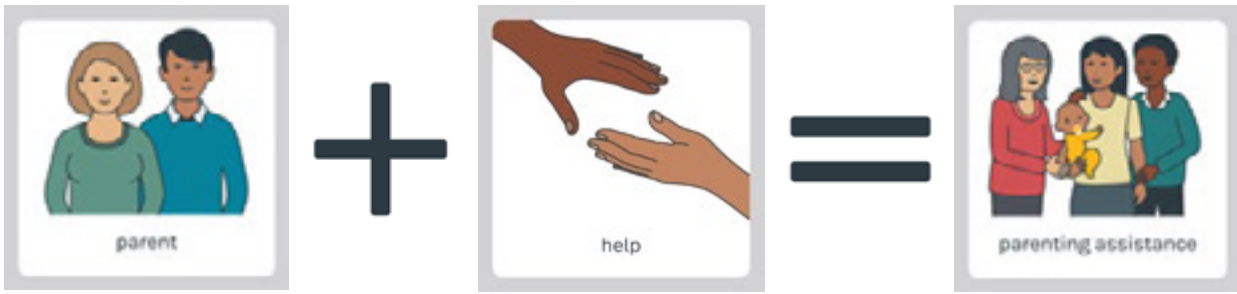
support person


support person

When people cannot give children all that they need or make them safe, the Department of Communities, Child Protection and Family Support helps the family. They try to make sure children are safe in the care of their parents and that all their needs are being met.



Carers and Foster Parents

Children who are not safe, or whose needs are not being met, may be placed with family carers or foster carers instead of their parents.

Sometimes this is for a short time. Sometimes it can be until they are old enough to look after themselves. Children who need extra care may be placed with foster parents for a time.



The law says:

- → You have the right to be a parent.
- → All children have a right to be cared for and kept safe.
- → Sometimes even with extra support you may not be able to keep your child safe or meet all their needs. If this happens they may not live with you. If it is best for the child you will be able to see them even if they live with someone else.

Summary

1. People with disabilities have the right to become parents.
2. Becoming a parent can be very hard work for a long time.
3. People with disabilities may need extra support to care for a child.
4. There are many things to think about and plan before having a child.
5. Children have a right to safety.
6. Children have a right to be cared for.

Who Can Help

Ngala Parenting Line (0–18 years)

- Metro Phone 9368 9368
- Regional Phone 1800 111 546
- ngala.com.au

Wanslea

- Phone 9245 2441
- wanslea.asn.au

SECCA

- Phone 9420 7226
- secca.org.au

Sexual Health Quarters

- Phone 9227 6177
- shq.org.au

Community Health Nurses

Department of Communities

- communities.wa.gov.au

Raising Children

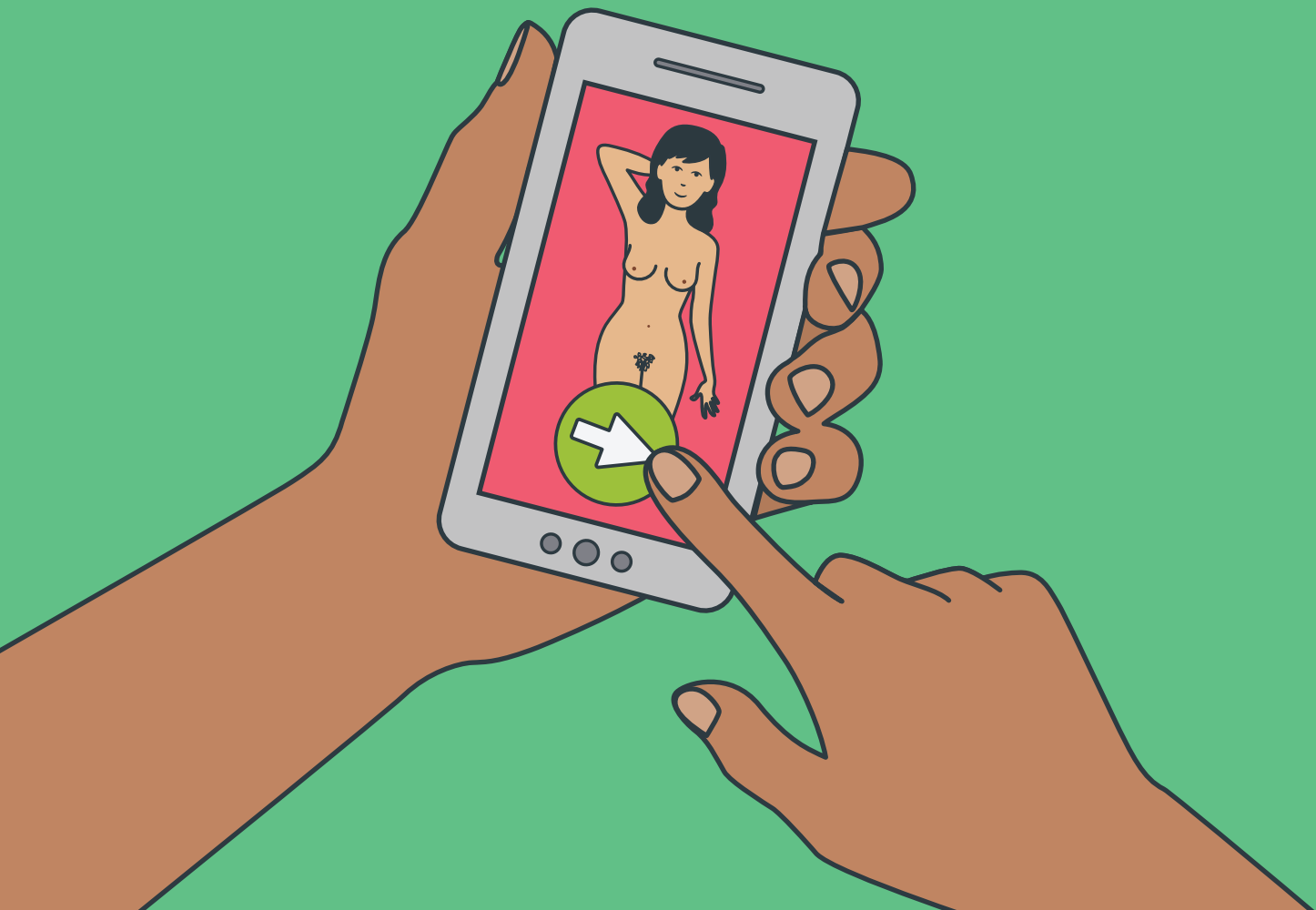
- raisingchildren.net.au

Internet Safety

Sexting

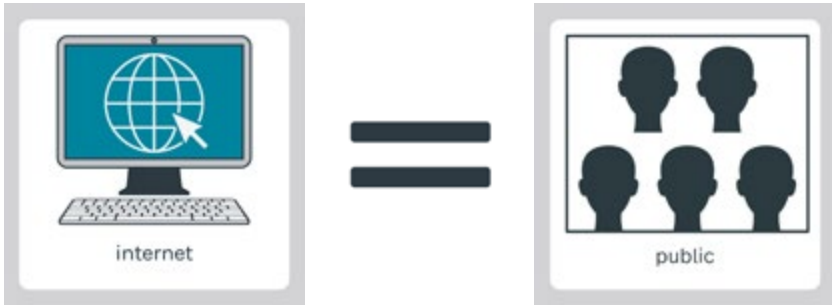
Pornography

Online Stalking and Harassment



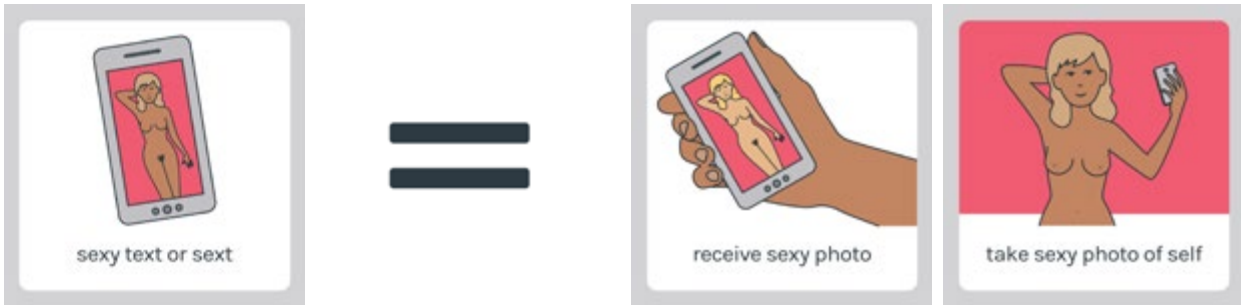
Sexting

The internet is a public space. Anything shared on the internet can be made public.



Sexting is a form of sexy talk, sharing sexy images, or sharing sexy videos on a phone or other device.



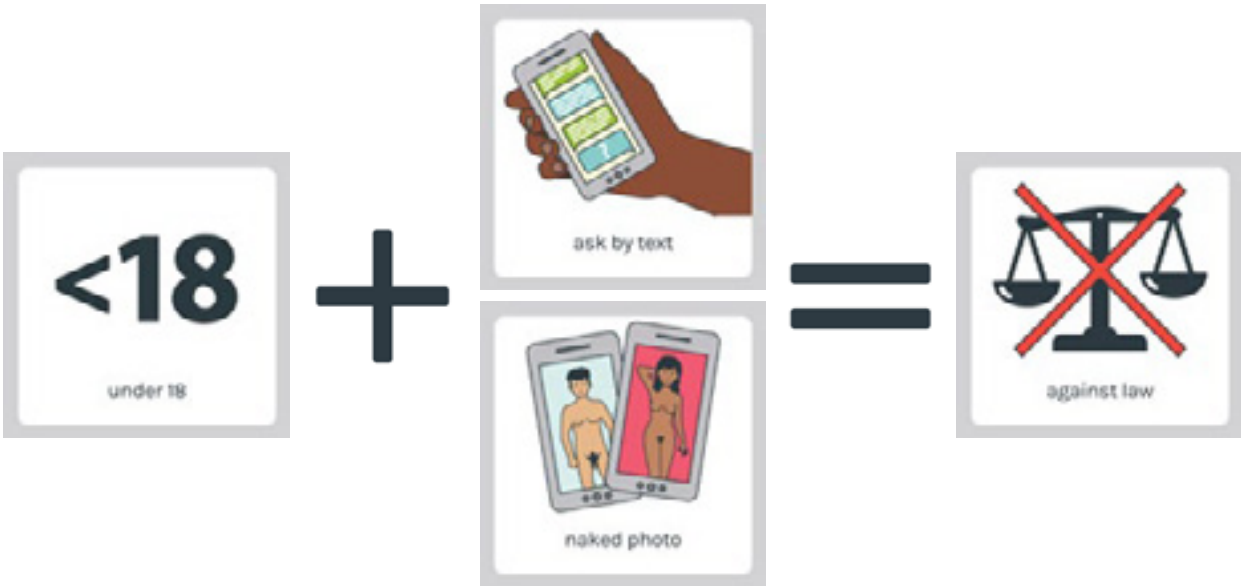


Sexting can cause problems because once you send a photo you don't have control over what happens with it. There are laws to protect people online.

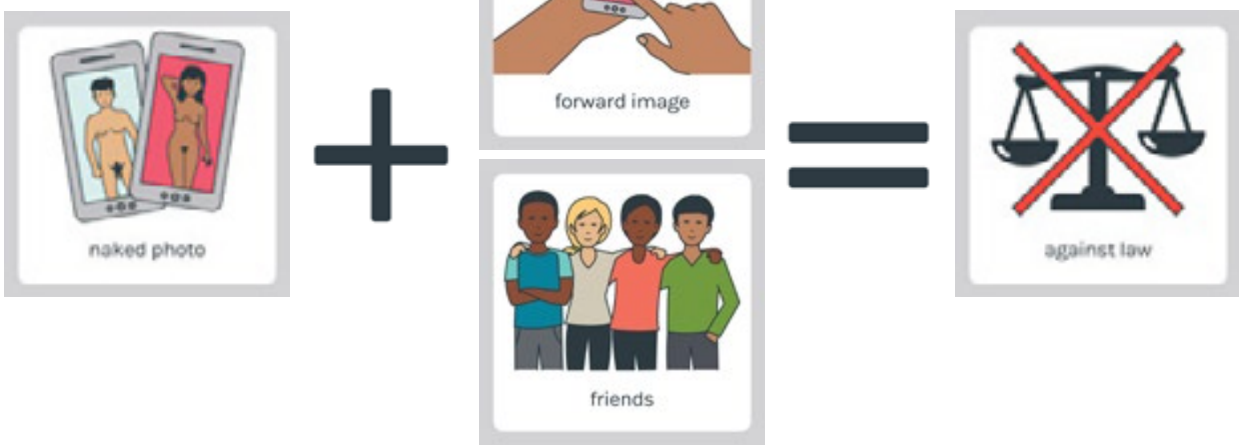
The law says you cannot have any pictures of naked children, sexual stories about children or images of clothed children in sexual poses on any of your devices.



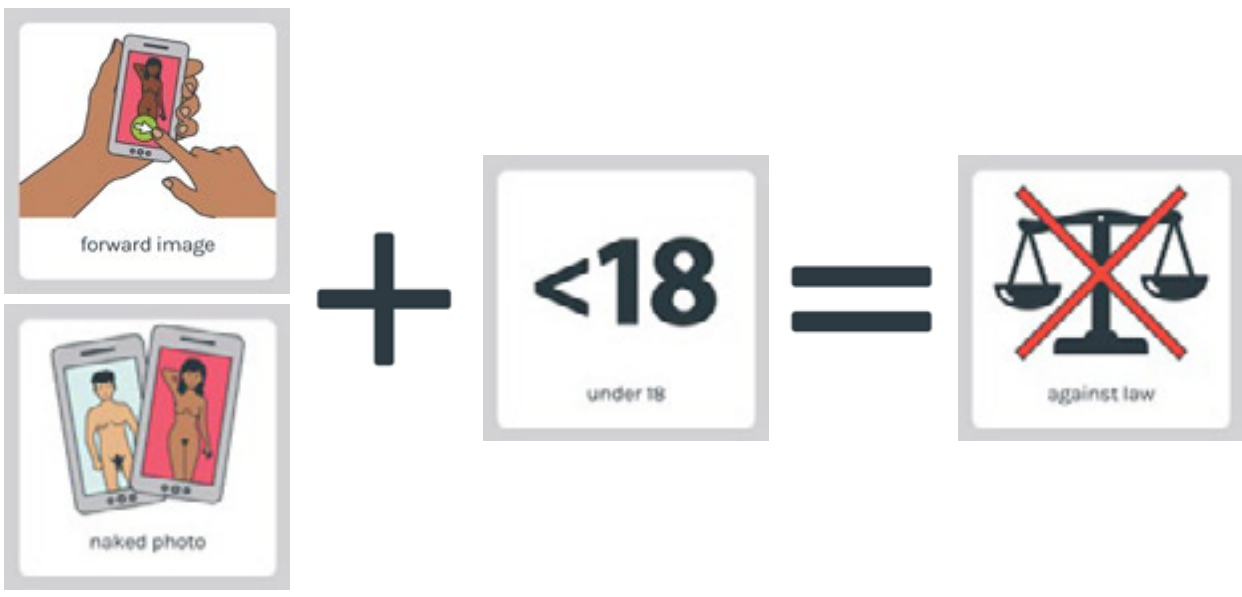
The law says you cannot ask someone under 18 years of age to send you a sexy picture of themselves.



The law says you cannot send naked pictures of other people.



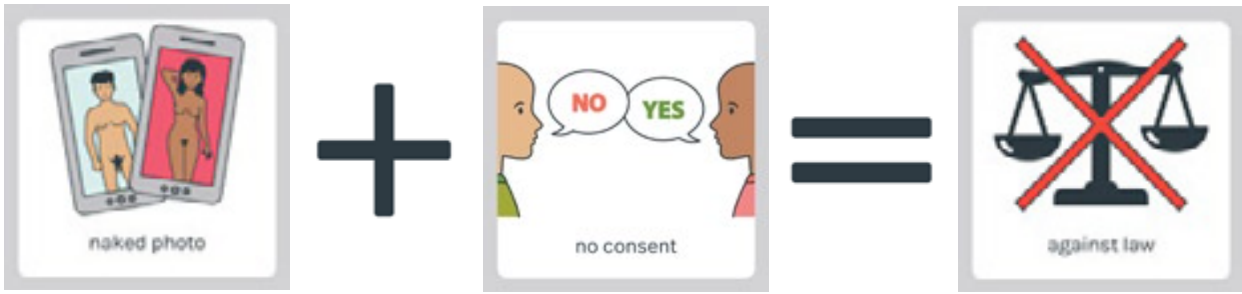
The law says you cannot send anything to do with sex to someone under the age of 18 years of age.



The law says sexual activities with children online is illegal.



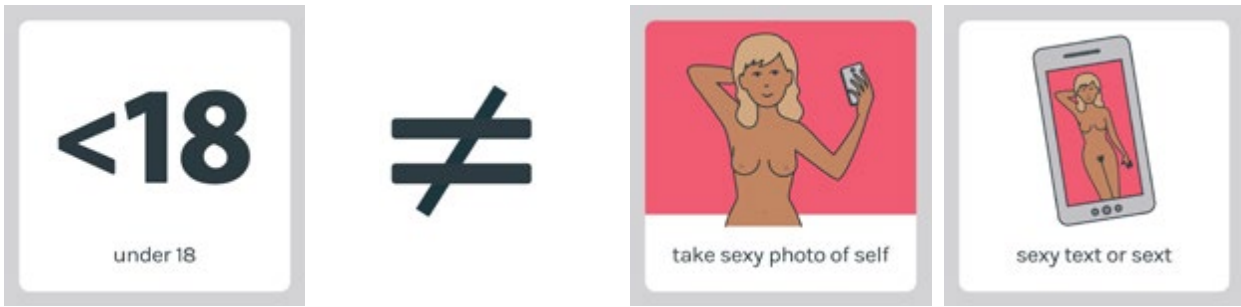
The law says sexual activities with someone who has not given their consent is illegal.



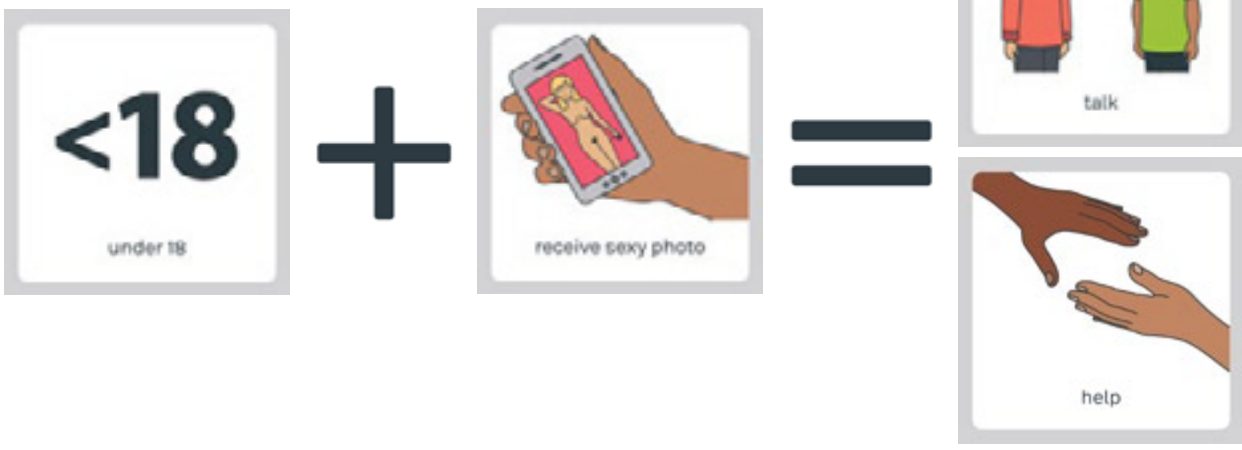


Some ideas for staying safe when you are online are:

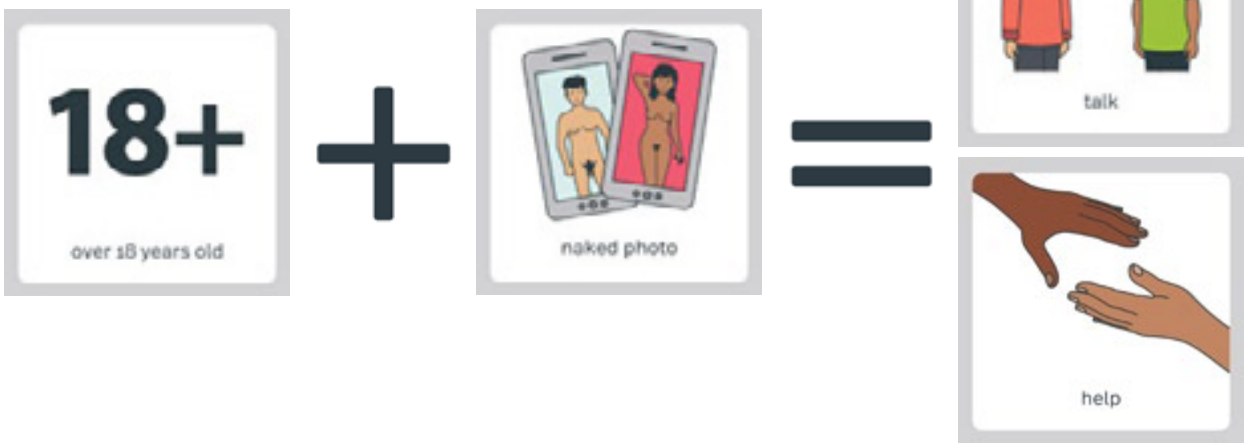
Do not take or send naked photos if you are under 18 years.



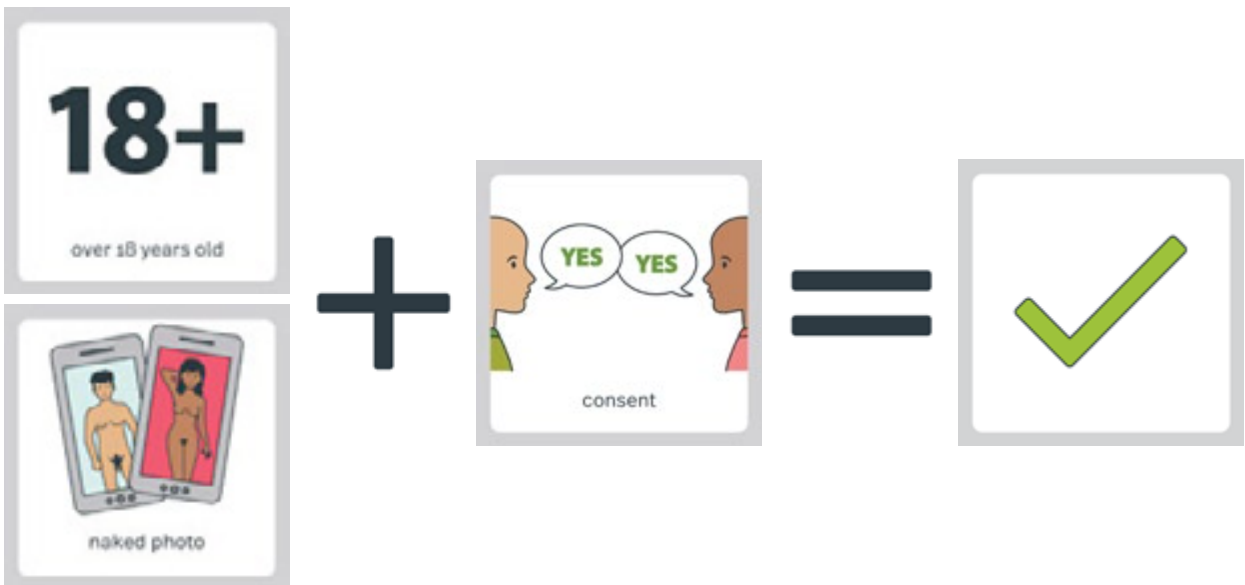
If you are under 18 years and receive a naked or sexy photo from someone else tell someone you trust. You should delete the picture from your device.



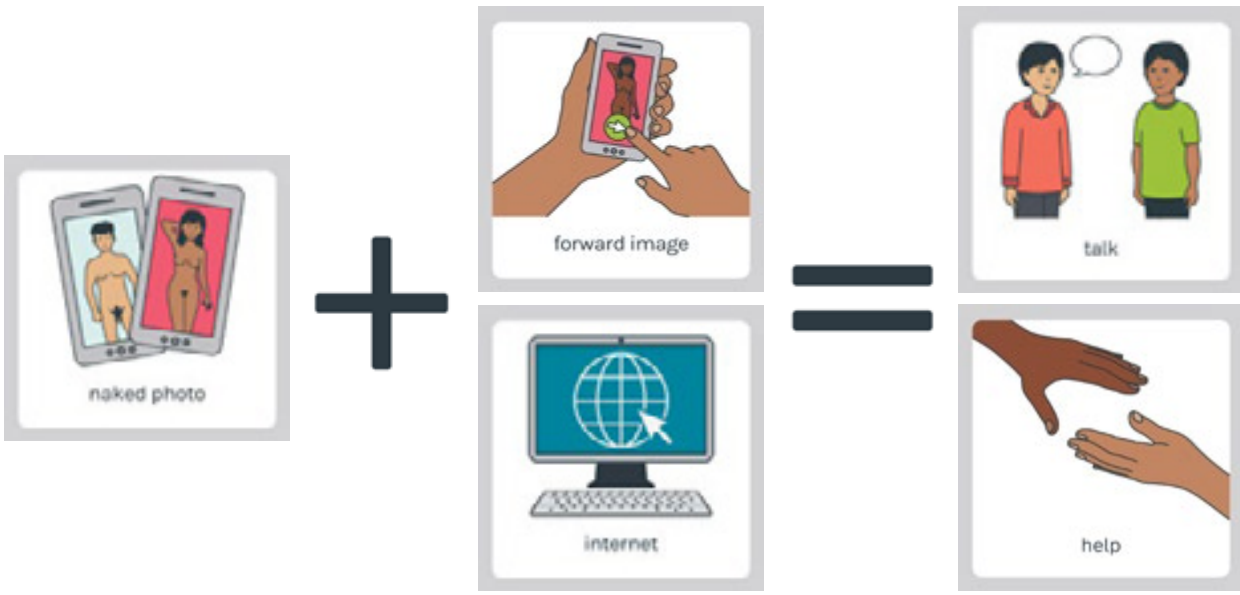
If you are over 18 years and someone sends you something that is not OK for you, tell someone you trust.



If you want to send a sexy image to someone else make sure it is OK with them first.



If someone shares a photo of you online without your consent, you can report it to the eSafety Commissioner.



The eSafety Commissioner investigates issues about online safety, offensive content, and anything illegal online.

Pornography

Viewing pornography is a private behaviour that is done in a private space.
You have a right to view pornography for your own personal use.



You cannot share pornography with anyone under 18 years of age.



It is illegal to view or save pornography that is of illegal activities such as sexual activities with children, violent sexual activity, or of people who do not give consent.



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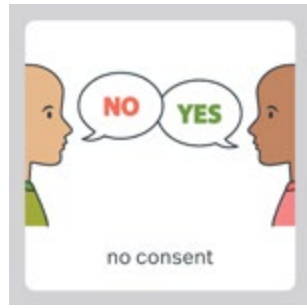


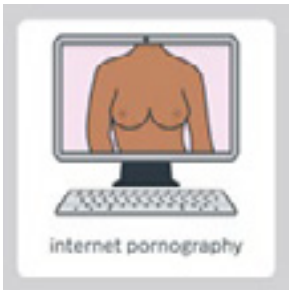






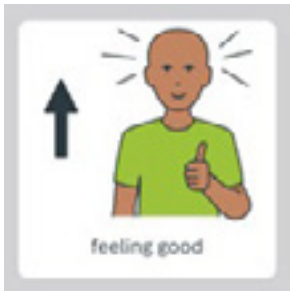


You cannot view any form of pornography that is rated **Refused Classification (RC)** or **X18+** or **R18+** if you are under 18 years of age.





There are some good things and some bad things about pornography.

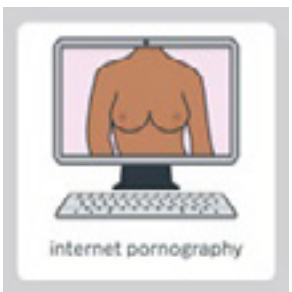


or



It can be exciting to watch and can help you explore your own sexuality.

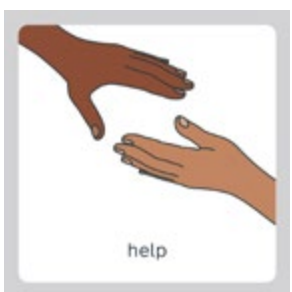
But it can also be something you want to watch a lot and can interfere with relationships, work, your physical health, or your mental health.





If you are having any issues with pornography you can talk to a trusted person, a counsellor, or your GP for more support options.



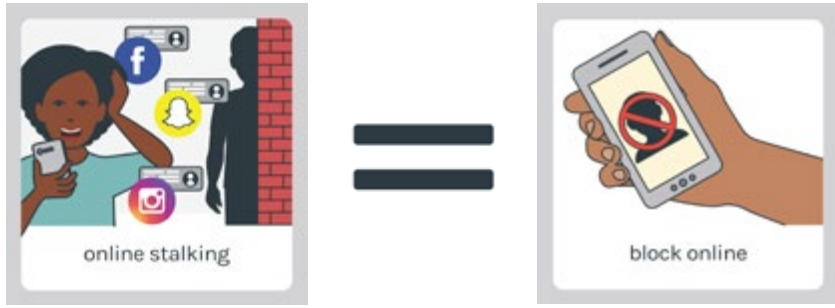


Online Stalking and Harassment

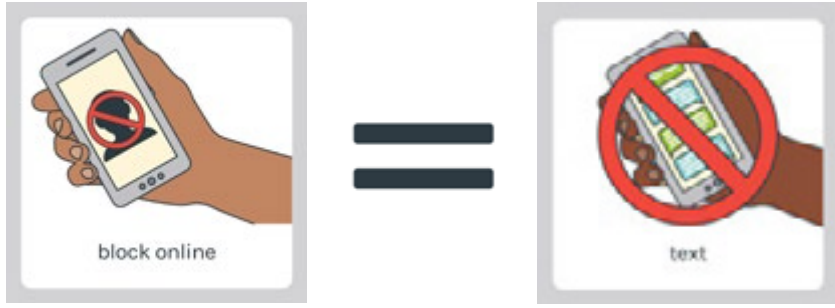
Online stalking and harassment happens when one person keeps contacting someone who does not want to be contacted.



If someone tries to talk to you online and you don't want them to, you can block them so that they can't contact you.



If someone doesn't want to talk to you online they can block you so you can't contact them anymore.



If someone blocks you or asks you not to contact them anymore you need to respect this and leave them alone.

Online stalking is illegal. This is when someone keeps finding someone online and tries to contact them when they have blocked them.



=



If someone is bothering you online, speak to someone you trust or contact the police.



=





or







To stay safe online

- ✔ Only find people online that you know in real life.
- ✔ Do not share personal information like your home address, school, workplace, or phone number with someone you have only met online.
- ✔ If you want to meet up with someone you have met online, always take a trusted person with you and meet in a public place.



If you need to report a problem online, you can tell the police on the eSafety Commissioner website **esafety.gov.au**

Summary

1. You have a right to feel safe online.
2. Other people have a right to feel safe online.
3. Avoid risky behaviours online.
4. People you meet online are strangers who might become acquaintances.

Who Can Help

The eSafety Commissioner

Phone 1800 880 176

esafety.gov.au

SECCA

Phone 9420 7226

secca.org.au

WA Police

Phone 131 444

Emergency Phone 000

police.wa.gov.au

Legal Processes

If You Are the Victim of a Crime

If You Have Been Charged With a Crime



If You Are the Victim of a Crime

You have the right to tell the police about what has happened to you.





If you don't feel comfortable talking to the police, you can talk to someone you trust, counselling services, or community legal centres.



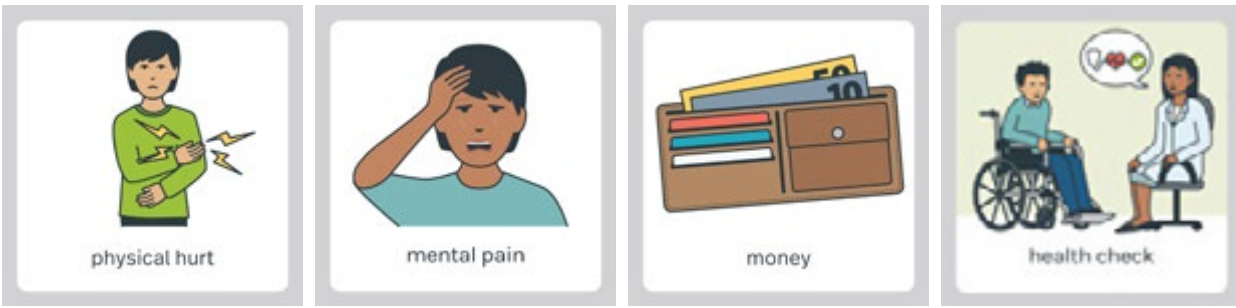


Victim Support Services can help you through the legal process.

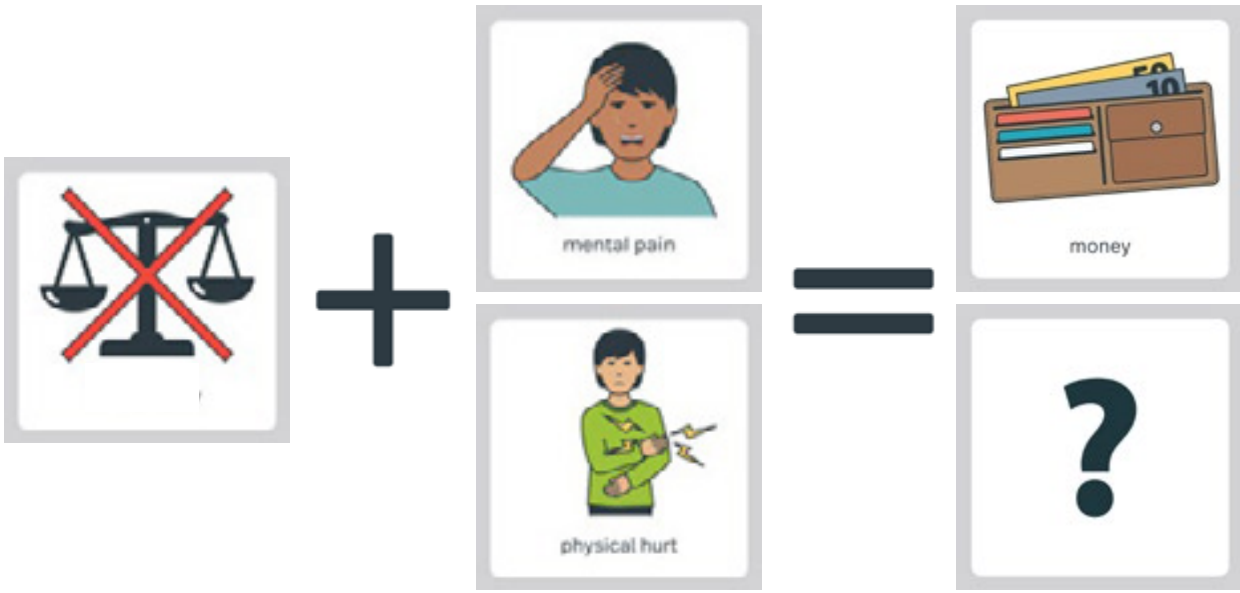


If you were injured from a crime you have the right to apply for compensation.

Compensation is a form of payment where you get money back when something has happened to you at work or because of someone else. Compensation can be paid back to you for anything that has cost you money because of the incident.

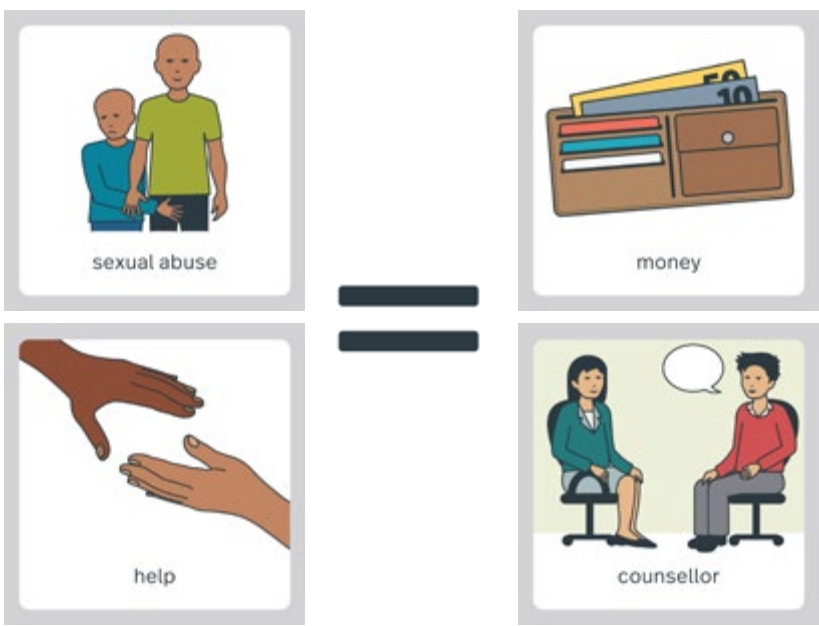


Claims must be made within three years of the incident so speak to a lawyer as soon as possible after the incident.



The National Redress Scheme

The National Redress Scheme is for people who were sexually assaulted as children while in the care of an institution. You can apply for money, counselling and a response from the institution where the abuse happened.



If You Have Been Charged With a Crime

If you are under arrest by the police, you have the right to:

- ✔ be told what you've been arrested for
- ✔ an opportunity to speak to a lawyer
- ✔ an opportunity to tell a friend or relative where you are
- ✔ medical treatment
- ✔ privacy from media cameras and interviews
- ✔ an interpreter if required, and the right to wait for an interpreter before police interview you
- ✔ have a friend or guardian present during the interview if wanted
- ✔ be told about your rights before you are interviewed



You also have the right to silence. This means that in most cases you only need to tell the police your name, date of birth, and address. The police will tell you if you need to legally answer any other questions.

Summary

1. If you are involved with any situation with police or the justice system you have the right to receive support.

2. If you have been the victim of a crime you can seek compensation for any injuries or losses the crime has caused.

Who Can Help

Legal Aid WA

Phone 1300 650 579

legalaid.wa.gov.au

Victim Support Services

Phone 9425 2850 (Perth)

There are lots of different Victim Support Services in Western Australia. You can find their numbers in this document:

courts.justice.wa.gov.au/_files/VSS_Victim_Support_Service.pdf

National Redress Scheme Helpline

Phone 1800 737 377

nationalredress.gov.au

The Courts

The court that you are appearing in will also be able to provide help. You can find this information on their website.

Magistrates Court

magistratescourt.wa.gov.au

District Court

districtcourt.wa.gov.au

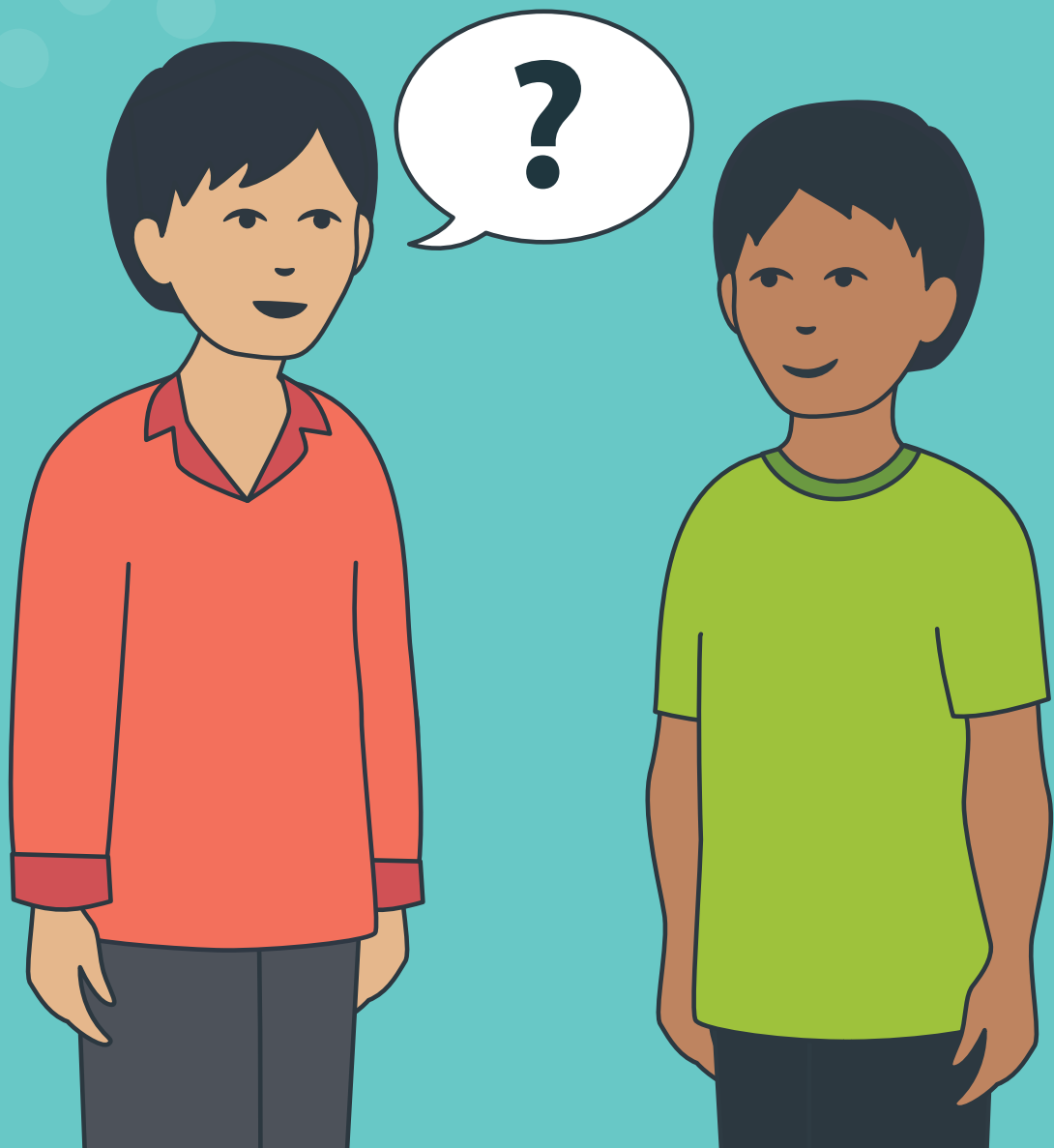
Supreme Court

supremecourt.wa.gov.au

Children's Court

childrenscourt.wa.gov.au

Glossary



Glossary

Capacity

Decision-making capacity means being able to fully understand what will happen and what it means if you make certain decisions.

If a person doesn't have decision-making capacity, they might need someone to help them make some decisions. Sometimes this might mean someone from their family or a friend helps them.

For some other decisions, it might mean a person who has been appointed by the State Administrative Tribunal as their guardian has to make decisions for them. A guardian will talk to the person and try to make the same decision as the person wants. They will make sure the decisions they make are best for the person.

The kinds of decisions a guardian might need to make are:

- ✔ where a person lives
- ✔ who they see
- ✔ what medicine they take and if they need to have a doctor do procedures

Cisgender

Cisgender means that you do identify with the sex you were assigned at birth. For example, if you had female private parts when you were born and then grow up feeling like a woman and wanting to be a woman, you might identify as cisgender.

Compensation

Compensation is when you are paid money or other benefits to make up for something bad or inconvenient that has happened to you.

An example of compensation is if somebody hits you with their car, they will need to pay for any health care you need, and maybe some counselling to make sure your mind is also OK. You can get compensation for lots of different things. If you want to know whether you are entitled to compensation you can ask Legal Aid WA.

Consent

Consent is a form of agreement. We consent for lots of things like sharing our belongings or deciding with a friend or carer what you want to do in the day. When we talk about sex and consent, we mean both people have to agree to want to have sex. No one should ever force, trick, or guilt you into sex or sexual activities. If they do, it is against the law.

Fertility

Fertility is about someone's ability to have a baby. Sperm, eggs and bodies all need to be healthy for babies to be made. Sometimes people may have conditions or issues that make getting pregnant hard. There are places that can help people to get pregnant.

Gender Identity

Your gender is how you feel about yourself and what you identify as. You may feel more like a boy, girl, man, woman, neither, both, or somewhere in between. Your gender is different to your sex. It can be about how you like to dress (gender expression), or how you like to act (gender role). There are lots of different ways that people experience and express their gender.

Masturbation

Masturbation is a type of sexual pleasure that you give to yourself. It could involve touching your genitals, your breasts or chest, or any other form of touch that gives you a pleasurable, sexy feeling. Masturbation is a private behaviour that must happen in a private place. It is against the law to masturbate in public.

Gender Non-Binary

Gender non-binary is when you do not identify as either male or female but maybe somewhere in between or not quite either. There are lots of different ways to be non-binary. People who are non-binary might want their pronouns (the gendered words you use to describe them), to be they or them.

Menstruation

Menstruation may also be called a period. It is something that happens to people who have a uterus. A period is when blood comes out of the vagina. This will happen roughly once a month and last for between 4 and 7 days.

Periods start during puberty which means it could be anywhere between 10 and 16 years of age. Periods are healthy and natural. They are a different form of blood to when you hurt yourself. It is a healthy blood that means your body is doing its job. The blood comes from the lining of the uterus. If you have a period it usually means you are not pregnant.

Private

Private things can be places, behaviour, talk, body parts, and types of touch. Private places are where no one can see or hear you.

Some examples of private places are your bedroom (if there is no one in it, and the door and blinds are shut) or the toilet at home when the door is shut. You can do private behaviours in these places such as masturbate, have sex, or look at pornography. You can only do private behaviours in private places otherwise there are legal consequences.

Rights

Rights are like social rules that we all live by, no matter who we are. They are things that the law says you are entitled to as a human being.

There are many different types of rights, just some of them are in this book. Every person has rights to be safe and healthy in the community. You always have these rights from the day you are born. This means that other people have rights too so we must respect ourselves as well as others.

Pornography

Pornography is sexy images or videos. It may sometimes be called porn. Some porn is legal and some porn is illegal. Watching or looking at porn is a private behaviour that must happen in a private place.

Public

Public things can be places, behaviour, talk, body parts, or types of touch. Public places are where there are people that can see or hear you.

Some examples of public places are the shops, school, buses and the beach. You can do public behaviours in these places such as eat, meet friends or read a book, but you cannot do private behaviours in these places like masturbate, have sex or look at pornography.

Refused Classification

Refused Classification (RC) is a rating for movies, computer games and television shows that means it is illegal to purchase, download, or sell in Australia.

If something has an RC rating, you must not watch or share it as it is against the law to do so.

Sex

Sex can be lots of different things. It can mean any kind of sexual touch including hand jobs, fingering, oral sex, anal sex, vaginal sex, genital to genital contact, inclusion of sex toys with partners, and other things too. Sex is with another person or persons. Sex needs to be consensual, meaning you both want to do it. You can stop having sex at any time. Sex should feel good for both partners.

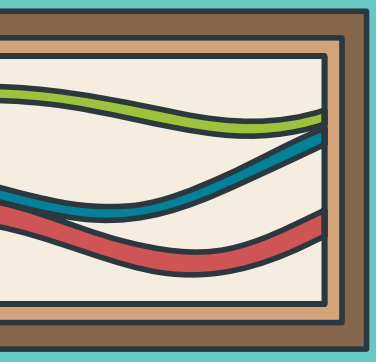
Sex is also to do with your physical body. It includes your hormones, chromosomes, external genitalia, and internal reproductive organs. You can have male, female, or intersex body parts. At birth we are assigned a sex based on the outside of our bodies. This does not always reflect what is on the inside of the body or how we feel about ourselves.

Sexuality

Sexuality is who you feel attracted to and also how you feel about yourself. Sexuality is related to your sense of self and your relationship with others. It's not just about who you have sex with or want to have sex with. It involves self expression, fantasies, desires, and more.

Transgender

Transgender means that you do not identify with the sex you were assigned at birth. For example, if you were assigned as a boy when you were born but feel more like a woman when you grow up, you might identify as transgender. You might want to be called a different name or have different pronouns (the gendered words we use to describe someone e.g. she, her, he, him).



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