

Young people should have the freedom to experience their individual sexual development at their own pace and in a way that is clearly led by independent and informed thinking. Sharing intimate images is increasingly a part of young people's self-expression and sexual agency.

The criminal law in New South Wales covers both sexting and image based abuse.

## ARE NUDES AGAINST THE LAW?

### SEXTING

Sexting is when you take, ask for, receive, send or share intimate photos or videos, including where someone is naked, partly naked, posing sexually or doing a sexual act.



When sexting involves someone under 18 it may be a crime - even if they have consented. It may be considered by the police to be child abuse material (sometimes called child pornography).

### IMAGE-BASED ABUSE

Image-based abuse is when someone shares (or threatens to share) an intimate photo or video of someone without permission, including where they are naked, partly naked or doing something private like undressing, showering or doing a sexual act. Sometimes sexting between partners, friends, or strangers online can lead to image-based abuse.



It is never OK for someone to share (or threaten to share) your intimate photo or video without your consent. If someone does, this may be a serious crime. **Image-based abuse is against the law no matter what the age of the person in the image.**

## FINDING HELP

Worried about something you've sent or received?  
Has someone shared something (or threatened to) without your consent?

**There is help (and it is free!)**

## LEGAL ADVICE

You can get **free and confidential** legal advice about your situation and all of your options. A lawyer can help you out and won't tell anyone what you tell them.

For free legal assistance, you can contact **Youth Law Australia** at [lawmail.org.au](mailto:lawmail.org.au) 24/7. Youth Law Australia helps children and young people aged 24 or under.

If you live in NSW, you can also contact one of these services:

- **Legal Aid Youth Hotline** 1800 10 18 10 – gives help to young people under 18 who need advice and are worried they broke the law. They are open from 9am to midnight Monday to Thursday, and 24 hours from Friday 9am to Sunday midnight and public holidays.
- **LawAccess NSW** 1300 888 529 – gives legal information, referrals and in some cases, advice for people of all ages who have a legal problem in NSW. It operates Monday to Friday between 9am and 5pm (but not public holidays).
- **Marrickville Legal Centre's Youth Legal Service** – gives help to young people 25 years and younger. Contact them online 24/7.
- **The Shopfront Youth Legal Centre 02 9322 4808** – gives help to homeless and disadvantaged young people aged 25 and under.

### eSafety Commissioner

The eSafety Commissioner can help you get intimate photos and videos shared online taken down quickly. You can report what's happened on their website [esafety.gov.au](https://esafety.gov.au).

### Police

You can contact Crime Stoppers on 1800 333 000 if you're worried by what someone has done or if someone is threatening or scaring you.

### Talk to someone

It's a good idea to talk to someone you trust, like a friend or another trusted adult.

## WELLBEING SUPPORT

If you would rather talk to someone you don't know, you can call one of the following services for **free and private** counselling support:

- **Kids Helpline** 1800 55 1800 - available 24/7, for young people between 5 and 25.
- **eHeadspace** 1800 650 890 - available everyday 9am to 1am for young people between 12 and 25.
- **1800RESPECT** 1800 737 732 - available 24/7 for people of all ages experiencing or at risk of sexual assault, domestic & family violence.
- **QLife** 1800 184 527 - available everyday 3pm to midnight for LGBTI+ peer support, for all ages.
- **Lifeline** 13 11 14 - available 24/7 for crisis support and suicide prevention, for all ages.



[youthaction.org.au](https://youthaction.org.au)



[yla.org.au](https://yla.org.au)

This information is about the law in NSW only and is accurate at July 2020.