

Age of Consent in Queensland

- Queensland is the only Australian state or territory which does not have a truly equal age of consent.
- In Queensland there is a higher minimum age of 18 for ANY person to engage in anal intercourse.
- There is a severe penalty of up to 14 years imprisonment for ANY offenders.
- Unprotected anal intercourse is very high risk for HIV and the current law impedes the delivery of adequate vital safe sex information to 16 & 17 year olds.

This brochure offers straightforward information regarding "age of consent" and legal sexual activity.

The interpretation of the current law is based on written advice received from the Queensland Attorney General.

Correct and concise information is also online at the website of the Youth Advocacy Centre: www.yac.net.au

- This brochure also has phone and internet details for several recommended counselling and support services.

Composed and produced **September 2001 (updated Mar '07) by John Frame (Ph 0409 501 561) presenter of gay & lesbian support program "Queer Radio" on 4ZZZ fm102.1 in Brisbane.

For full details go to:

www.queerradio.org/AgeOfConsent.htm

Q: Are all sexual activities legal at age 16?

A: No!

Anal intercourse is against the law if either or both sexual partners are aged under 18.

This means that all straight or gay persons aged 16 and over, may legally consent to engage in sexual activities such as mutual masturbation, body rubbing, and oral sex, for example. They may not engage in anal sex ("penis into anus" sex) involving either men or women - whether giving or receiving - unless they are both aged 18 or over.

It is important that everyone in the community is aware of the true interpretation of the law. Whether they consider themselves gay or not, young men who have sex with other men need to know what they can and cannot do, within the law. The rest of the community needs to accept that these men have a legal right to choose to do sex. Everybody has a right to express love and emotion.

The community must also be ready to provide adequate and non-judgemental counselling services and sexual health education. All young people deserve the support to remain healthy in both body and mind. They can then continue to be appreciated as valued and respected members of our society - in all city, suburban and country areas.

* "Consent" is a term which refers to both the willingness to do sex and the legal ability to make the decision to do so.

Some people with mental disabilities (or who are drunk or drugged) may not be considered legally able to give "consent".

- The decision about doing sex should be an informed and personal choice. Your partner must also be a willing participant and must be legally capable of giving their consent.

- If questioned by the Police in relation to a matter of a sexual nature, you have the right to talk to a solicitor or to seek legal advice.

- You must also be aware that, at all times, any person has the right to refuse to engage in sex, and to refuse to continue doing sex.

Support:

Please seek support, information and literature on sexuality; sexual activity; how to care for your sexual health; and any legal considerations from professional and supportive services such as:

- **Gay & Lesbian Telephone Counselling Service**
7-10 pm nightlyPh. 3017 1717
Freecall (from outside Brisbane).....1 800 184 527
www.glwa.org.au
- **Queensland Assn for Healthy Communities**....Ph. 3017 1777
www.qahc.org.au
- **Youth Advocacy Centre**.....Ph. 3857 1155
www.yac.net.au
- **Brisbane Youth Service**.....Ph. 3252 3750
www.brisyouth.org
- **Family Planning Queensland**..... Ph. 3250 0240
For Sexual and Reproductive Health
www.fpq.com.au
- **Logan Youth Legal Service**.....Ph. 3208 8199
www.yfs.org.au