



Sexting

This fact sheet has information about sexting and young people.

What is sexting?

Sexting is when you share sexualised images or messages using a phone or the internet.

Sexting and young people

Sexting is against the law when it involves a young person under the age of 18. This is because child pornography laws apply, and the legal consequences are very serious.

You can be sent to prison for a long time, and for some offences you must be declared a reportable offender and placed on the sex offender register for life.

It is against the law to take, keep, send or ask for a sexualised images of a young person who is under the age of 18, even if they say it's ok.

If you are under the age of 18, it is even against the law to take, keep, or send a sexualized image of yourself. For example, a sexy selfie.

Is sexting between adults against the law?

Sexting is also a crime when it involves sharing or threatening to share an image of a person of any age without their consent.

Sexting between consenting adults is not against the law.

However, even if you are over the age of 18, you still cannot take, keep, send or ask for a sexualised image of someone who is not yet 18.

What is a sexualised image or message?

A sexualised image is a photo, video or picture that shows a young person naked, partially naked, in their underwear, in a sexual pose or engaging in sexual activity.

Texts, emails and online comments that are sexual in nature (for example, 'dirty texts') and relate to a young person under 18 can also be against the law, even if there are no images.

The laws about sexting and young people apply to real photos, photo-shopped pictures, videos, stories, drawings, cartoons, texts and emails, in digital, electronic or printed form.

They do not apply to images that a reasonable person would find acceptable, such as a photo of a baby naked in the bath or a person in their bathers at the beach.

What if I am worried about sexting?

If you are worried or being pressured about sexting, talk to an adult that you can trust.

If you have already sent an image that you are worried about, delete it from your phone and computer and ask others who have received the image to do the same.

Check out the eSafety Commissioner's website for information on how to have images removed from the internet and get help from an adult you trust.

How can Legal Aid WA help?

Legal Aid WA provides free community legal education on sexting through our R U Legal? program. You can find out more about the program and book a presenter on the Legal Aid WA website.

This fact sheet contains information only. It is not legal advice. If you have a legal problem, you should speak to a lawyer. Legal Aid WA aims to provide accurate information but does not accept responsibility if it is not.

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