



Defence Youth Safety Fact Sheet

Prohibition of Sexual Interactions with Young People

Age of consent legislation and special care provisions protect young people from sexual exploitation and abuse. Such laws effectively determine that young people under the age of 18 do not have the emotional maturity to consent to sexual interactions.

Age of consent

According to criminal law in Australia, the age of consent refers to the age at which a person is considered capable of giving informed consent to sexual interactions with another person. The age of consent varies between States and Territories. However, Defence is a national organisation which holds all Defence and Cadet Adults to the highest single standard on all interactions that occur during Defence activities. Defence policy strictly prohibits any sexual interaction between Defence and Cadet Adults (including cadets over the age of 18) and Cadets and Other Minors under the age of 18 in any Defence context.

What are sexual interactions?

Sexual interactions include all sexual behaviours, including kissing, foreplay, sexting, sexualised conversations, dating and sexual intercourse.

What is a consensual relationship?

Mutual agreement between same or similar ages peers, that is non-coercive and all participants have the control to participate, continue or stop the behaviour.

What are the key elements of consent?

- Understanding what is being proposed without confusion (not being tricked or fooled);
- Both parties have similar knowledge;
- Having an awareness of possible consequences, such as punishment, pain, pregnancy or disease;
- Having respect for agreement or disagreement without repercussion; and
- Having the competence to consent (being intellectually able and unaffected by intoxication).

(Source: Australian Institute of Family Studies)

Special care provisions

Special care provisions prohibit any person who is in a supervisory role from engaging sexually with a person who is under the age of 18 regardless of the age of consent in that State or Territory.





As an Australia-wide policy position, Defence considers that Defence and Cadet Adults have a responsibility for providing 'special care' to all Cadets and Other Minors in Defence contexts. Regardless of what State or Territory the individuals are in, Defence policy states that Defence and Cadet Adults (including cadets over the age of 18) must not engage sexually with any Cadet and Other Minors in any Defence context.

Non-attribution of blame

The Defence and Cadet Adult (including cadets over the age of 18) in any sexual interaction with a Cadet or Other Minor carries the responsibility for that relationship – no blame will be attributed to the young person. Grooming or any form of intimate relationship between adults and minors constitutes child abuse.

Defence expects that individuals who respond to and manage disclosures of allegations of sexual abuse between a Defence or Cadet Adult and a Cadet or Other Minor makes it clear to the young person that they are entirely without blame.

What will happen if you breach the “YOUTHPOLMAN Youth Safety Adult / Under 18s Relationships” Policy?

Any Defence or Cadet Adult who breaches the prohibition against sexual interaction with Cadets and Other Minors in the context of a Defence activity will be subject to administrative or disciplinary action and may also be subject to criminal action, depending on the State or Territory jurisdiction.

Further Information

Further information around the State and Territory laws can be found at the [Australian Institute of Family Studies](#).

[YOUTHPOLMAN Part 1](#)

