

Dating and consent

Dating is a big part of many students' lives and Usyd can be a wonderful place to meet people. Understanding **consent** is vital when dating and meeting up for any type of sexual activities (hooking up).

Consent is agreement – with words or actions

Sexual consent is agreement to a sexual act, like touching, kissing or having sex. Before beginning any sexual contact with anybody, you need to be totally clear that everyone involved wants to do it.

In NSW, the law requires you to take active steps to obtain agreement from your partner to a certain sexual act – whether through actions or words. This means you must do all you can to ask for consent, and the other person must communicate to you that they want to engage in that particular sexual act with you.

You must continually and actively ask for agreement when sexual activity progresses from one act to another. Your partner may agree to kissing and touching, but you need to ask and get their explicit consent for other sexual acts. Consent must be a continuous process of checking, asking, reading actions and body signals and paying attention to others.

How do you know if someone wants to do something sexual with you? **You ask and wait for agreement!** Consent doesn't have to be awkward or hard – in fact, asking shows respect and allows everybody to feel empowered.

Find ways to ask for consent that feel good to you. Some popular examples include:

- 'Is this ok?'
- 'Can I kiss you?'
- 'Can I touch you?'
- 'Would you like me to kiss you?'
- 'Do you want to touch me?'

You can withdraw your consent at any time. Even if you say yes to something, you can still say no a minute later. You can change your mind, your partner can change their mind,

and anyone can stop at any time. Just because someone engaged in a sexual act with you in the past, doesn't mean that you have their consent for future sexual acts.

Consent must be specific. A 'yes' to kissing is not also a 'yes' to touching. Consenting to oral sex is not consenting to penetrative sex. You can say yes to some sexual acts and not others.

A 'maybe' is not a 'yes'.

Consent is not being given when someone is:

- feeling confused
- coerced
- silent
- turning away
- lying completely still
- being threatened
- intoxicated.

In NSW, someone who is under 16 years old is legally incapable of giving consent.

What to do if your consent has been violated

- Read our article: [Sexual assault and domestic violence](#). It has lots of useful information about your rights, and where to go for support.

Remember, it is not your fault if your consent has been violated.

Dating

Many people date or sleep with more than one person at a time. If you're dating or sleeping with someone, make sure to discuss whether your relationship is exclusive or not.

Dating app safety tips

Dating apps can be a fun way to meet people – they allow you to search for potential dates and hook-ups, or screen out people you aren't interested in.

If you're going to meet up with someone for sex for the first time, here are a few safety tips:

- Meet in a public location first.
- If you're meeting at someone's home, get their address in advance and give it to a friend. Ask your friend to check in on you after a certain amount of time.
- Discuss safe sex practices before you meet and always carry your own safe sex supplies.
- Bring your own water bottle and don't accept drinks.
- Make sure your phone is charged and keep it near you.
- If you're sending explicit images of yourself, crop your face out of images that show breasts or genitals, and relock your private album frequently.

And remember to always obtain consent!

Useful resources

- **University Health Service:** 02 9351 3484
- **Royal Prince Alfred Sexual Assault Service:** 02 9515 9040 (24 hours)
- **NSW Sexual Violence Helpline:** 1800 424 017 (24 hours).

Disclaimer

This information is current as at June 2023 and where it includes legal information is intended as a guide to the law as it applies to people who live in or are affected by the law as it applies in NSW. It does not constitute legal advice.

Written by SUPRA Postgraduate Advocacy Service and SUPRA Legal Service June 2023.