Criminal Law: Intimate Image Abuse and Sexting

This factsheet explains:

- Intimate image abuse
- Sexting
- Child Pornography
- "Grooming" Offences
- Sex offenders register
- What do I do if I've been charged with a crime?

This factsheet gives general legal information. It is not legal advice.
Last reviewed on 25 September 2026

Intimate Image Abuse

Intimate image abuse is when someone shares, or threatens to share, an intimate image of another person without their consent.

This includes sharing or showing the image to another person or posting it online. It applies whether the image is shared in person or online.

It is also an offence if the person sharing the image knows the other person does not consent or does not care whether they consent.

Intimate image-based abuse is a serious criminal offence. If you are found guilty, you may face a prison sentence.

What is an intimate image?

An intimate image is a photo or video that shows:

- A person's genitals, breasts or anal area (even if they are wearing underwear);
- A person undressed, using the toilet, showering or bathing;
- A person doing something they would usually do in private; or
- A person in a sexual manner or context.

Criminal Law: Intimate Image Abuse and Sexting

It does not have to be a real photo. An intimate image can also include photos and videos that have been altered or photoshopped to show any of the things mentioned above. This includes photos generated through AI or 'deepfakes.'

In the ACT, it is a crime to send, supply or make available intimate images or video of someone without that person's consent. That could be showing image or videos to others, posting images or videos online or sending the image or video to another person electronically. You need to get consent to both have the image and send it on.

For example, it would be a crime if you were in possession of an intimate image or video of you and another person, and you sent that image to a third person, even if that image or video was created consensually.

I sent an intimate image to someone. Is it legal for them to show my image to other people?

If you sent the image or video to the first person, that person is not allowed to show or share that image with others without your consent. This law applies to both young people and adults.

Any person (including young people) who shares an intimate image of you without your consent may be charged with a crime and face penalties of imprisonment, large fines or both.

What can I do if someone is sharing or threatening to share an intimate image of me?

If someone has distributed intimate images of you without your consent, or they are threatening to do this, that person is committing a crime. It is important to remember that they have committed the offence, not you. You should not feel scared to get help if this has happened to you.

You could:

1. Collect evidence – of any threats and images that have been shared without your consent. You can take screenshots or print images of the abuse or threats.
2. Get the images removed – if your image has been posted online, you can report it to the website or social media service to get it removed.
3. Report it to the police. **If you are ever in immediate danger, please call the police on 000.**

The crimes in this factsheet are very serious. If you have been charged with any of these crimes it is important to speak to a lawyer. You can speak to a lawyer for free by calling the Legal Aid ACT Helpline on 1300 654 314.

Criminal Law: Intimate Image Abuse and Sexting

Reporting to the Police

Sharing intimate images or footage of someone without their consent or threatening to do this is a very serious crime. If this is happening to you, you can report this crime to the police. In the ACT, there is a special unit within ACT Policing called the Sexual Assault and Child Abuse Team ('SACAT'). SACAT is specially trained to deal with offences like this and they can take your statement and investigate the situation.

Call 131 444 and ask to be put through to SACAT.

Reporting to police is a decision for you to make. If you do not know whether or not you want to report to the police, you may wish to speak to a support service first.

Sexting

What is sexting?

Sexting is using the internet or your phone to share nude/sexually explicit content or messages.

Is sexting a crime?

Sexting can be a crime if the sext is:

- Legally considered to be 'child pornography';
- A sexually suggestive communication to someone under the age of 16; or
- Involves sharing intimate images without consent.

It is also a crime if the messages are harassing or intimidating.

Child Pornography

Child pornography is a picture of a person under 16 who is:

- Showing their private parts;
- Posing in a sexual way;
- Doing a sexual act; or
- In the presence of someone who is doing a sexual act or pose.

It is a crime to create, posses, download or share child pornography. This includes sending a text that contains child pornography to someone, showing other people the child pornography, or uploading the child pornography online.

Criminal Law: Intimate Image Abuse and Sexting

You can be charged with crimes relating to child pornography even if you are under 16 years of age.

If you are the victim of a child pornography crime, you should reach out for help. The Youth Law Centre can give you free and confidential advice about supports available to victims of crime. You can contact the Youth Law Centre on 1300 654 314.

Grooming offences

It is a crime to send messages to people under the age of 16:

- Suggesting they do something sexual; or
- Inviting them to be present when another person participates in an act of a sexual nature.

This behavior is called 'grooming'. You can be charged with this crime, even if you are under 18 years of age. It is also a crime to send or post online pornographic material of someone under the age of 16. Pornographic material includes nudes and other intimate images.

What is the Child Sex Offenders Register?

If you are found guilty of child pornography or another sexual offence against a child, you may be placed on the sex offender register. You can be placed on this register for significant periods of time up to 15 years for single offences. If you are a repeat offender, you can be placed on the register for life.

There are several consequences for being placed on this register. They include but are not limited to, providing your personal details to the Chief Police Officer, reporting obligations to police and restrictions on child related employment.

The crimes in this factsheet are very serious. If you have been charged with any of these crimes it is important to speak to a lawyer. You can speak to a lawyer for free by calling the Legal Aid ACT Helpline on 1300 654 314.

Where can I get help?

Legal Aid ACT
Phone: 1300 654 314 (Monday to Thursday, 8.30am to 7:00pm, Friday 8.30am to 5:00pm)

- Website: www.legalaid.org.au

Criminal Law: Intimate Image Abuse and Sexting

Youth Law Centre

- Phone: 1300 654 314 (Monday to Friday, 8.30am to 5:00pm)
- Email: ylc@legalaidact.org.au

Canberra Rape Crisis Centre

- For free support for those who have experienced sexual assault or domestic violence.
- Website: www.crcc.org.au
- Phone: 1800 737 732

Victims Support ACT

- For non-legal support.
- Phone: (02) 6205 2222

Sexual Health and Family Planning ACT

- For sexual health advice.
- Website: www.shfpact.org.au
- Phone: (02) 6247 3077

Kids Helpline

- For free and private counselling.
- Website: www.kidshelpline.com.au
- Phone: 1800 551 800

1800RESPECT

- Provides free counselling, information and support for people who have experienced sexual assault or domestic and family violence.
- Phone: 1800 737 732

Canberra Sexual Health Centre

- For free testing and treatment.
- Phone: (02) 5124 2184

The Law

Crimes Act 1900 (ACT)

Crimes Act 1900 | HTML view

Criminal Law: Intimate Image Abuse and Sexting

Other useful factsheets by Legal Aid ACT

- *Sex and Consent*

These factsheets are on our website: www.legalaidact.org.au/what-we-do/information-education