



Title: Consent: The age of consent

Level: THIRD

Code: 3.5.2

Links to Curriculum for Excellence

Experiences and outcomes	Benchmarks
<p>I recognise that power can exist within relationships and can be used positively as well as negatively. HWB 3-45a</p> <p>I am aware of the need to respect personal space and boundaries and can recognise and respond appropriately to verbal and non-verbal communication. HWB 3-45b</p> <p>I know where to get support and help with situations involving abuse and I understand that there are laws which protect me from different kinds of abuse. HWB3-49b</p>	<ul style="list-style-type: none"> • Explains the impact an imbalance of power can have on relationships, including sexual relationships, for example, consent, coercion, responsibility for actions and decisions. • Gives examples of laws in relation to sexual health, for example, age of consent, right to confidentiality, consent, coercion, grooming. • Identifies how to take action in a situation involving abusive or inappropriate sexual behaviour, for example, ending unhealthy relationships, local support, police.

About this activity

This session is about the age of consent. The age of consent is the law that states the age a person needs to be before they can agree to have sex lawfully. Young people learning at this (Third) Level may be 12 to 14 years old, it is important that they understand the law but that this is explained and understood in ways that do not frighten them or put them off from ever seeking information, help and support. The key to explaining the age of consent is that it is in place to protect young people and not to punish them. A message from the activity is that most young people wait until they are 16 or older before they have sex.

Resources to support this activity

- Slides
- Props/cards for discussions: About the age of consent

Activity

1. Introduce the session along these lines: That today the class/group will be learning about what is called the age of consent. Share the slide:

The age of consent is the law that states what age a person needs to be before they can agree to have sex lawfully. The age of consent in Scotland for young men and women is 16.

2. Explain that the class is learning about this now because understanding the law and thinking about future relationships helps make sure that the relationships young people have will be healthy, happy and safe. Explain that the slide gives the basic information about the law, but there is more to understand. Ask the young people to work in 3s on the next group activity
3. **Group discussion: About the age of consent** The activity is in 2 parts – a pack of 6 statements to start, a second group of 6 follows. Ask the young people to have a discussion and sort the statements (all about the age of consent) on the cards into 2 piles called: **OK we understand this** and **Not sure or We have a question**. Before they start, tell the young people they can wave you over to check anything – if they do and you are able to help/respond get them to put the card in the pile **Not sure/We have a question** so all the class can hear what has been clarified. Take some time, have a discussion and explore opinions and understandings fully after Part 1, then after Part 2. Young people should read and sort the cards by number/in order as detail develops across the cards.

Part 1 cards

1. If you are under the age of 13 the law says you are too young to give consent to any sexual activity at all, like sexual touching or oral sex or vaginal and anal sex.
2. The age of consent in Scotland for young men and women is 16.
3. The age of consent is the same for everyone – so if you are straight, lesbian or gay.
4. Most people wait until they are 16 or older to have sex.
5. If you're both over 16, and both want to have sex, then it's legal.
6. If one of you is 13, 14 or 15 years old and one of you is 16 or over, and you have sex, then the older young person is breaking the law.

Part 2 cards

7. If you are both aged 13, 14 or 15 and having sex, then you or your partner, or both of you might be at risk of being prosecuted (this means charged with breaking the law).
8. It is very unusual for young people (age 13, 14 or 15) to be prosecuted if both young people are happy and one person is not forcing the other to have sex.
9. If you are 13, 14 or 15 and you speak to a professional person about having sex with your boyfriend/girlfriend then they need to be sure you are safe with this person.
10. If you are under 16 and you are having sex with someone much older than you a health professional will help you and they will be concerned about your safety.
11. It is always wrong and against the law to force someone to have sex, no matter what age you or they are.
12. To help protect young people, the age of consent goes up to 18 when your partner is or has been in a position of trust – that is someone who has cared for you like a carer, a teacher or a youth worker.

4. **The law/some concerns.** The issue of the law can be of concern, and also quite confusing for young people. Acknowledge that the law says it is illegal to have sex before you are 16 but this law is really to protect young people from adults, not make them feel worried or frightened about the law. Use this slide and read it out, check understanding, take any questions.

The law: If you are 13, 14 or 15 and thinking about having sex or having sex you might be worried about the law. If you are, don't think that a professional person will be forced to report you to the police – they won't be. Usually they will want to give you health advice and support you. The professional person needs to make sure you are safe and happy with the situation. Sexual health clinics have a lot of experience working with young people and they believe that you should get a confidential service. You can always contact Childline, they provide a lot of confidential information and support to young people your age.

5. Acknowledge that you have used the word confidential – so just to check everyone gets that use the next slide to explain. Again, take any questions or comments.

Confidential means keeping your stuff private. If you speak to a nurse or doctor they will keep your information private. They will check that you are safe. They will not share information about you unless someone is harming you or you are in danger. Confidentiality means a nurse or doctor will not share your information with your parent or carer, but they will encourage you to talk to them or to adults you trust because they can also support you.

6. **My 5 trusted people.** Acknowledge that all this discussion of age of consent and the law might make young people a bit worried or even confused. In this case, its always good to have someone in mind to talk to with a question or a worry. Set a task, ask the young people to think of five people they could go to with a question or a worry, including one about relationships or a question about sex. Hold up your hand and explain they should count them off on their fingers. The challenge is to think of one or two people in their family, and on the rest of their fingers other people. After a few minutes thinking (maybe chatting) ask the young people to have a chat in their small group of 3 again. They should share as much as they want to about their choice of people, and why them? Say there will be no sharing back in the big group.
7. To end the session, review some information from the last class, explain this is a reminder of some important things that every young person should remember as they start to think about the kinds of relationships they want, now and into the future. Share and discuss/review opinions now:

If you are in a relationship you have the right to be healthy, happy and safe. This means that:

- You and your partner treat each other with respect.
- You care about each other.
- There is never any pressure put on you to do something that makes you feel uncomfortable, worried or scared.
- You never do anything sexual when you don't want to.
- You never feel any pressure to take or send or look at images or messages that are nude or sexual.
- You don't have to spend time with your partner if you don't want to. You can keep your friends and see them when you want to.
- You have the right to break up with your partner if you want to.

8. Acknowledge contributions and remind the young people to keep their trusted individuals in mind whenever they have a question or a worry.

Connecting with home

Text is provided in activity 3.5.1

Further learning activities are available that connect to this RSHP curriculum content

- 3.5.1 Consent: What consent means in a relationship

Practitioner Notes

