

3.5.2 The age of consent: Information

In the law it talks about the 'age of consent'. This means the age someone needs to be before they can agree to have sex.

1. *If you are under the age of 13 the law says you are too young to give consent to any sexual activity 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. This is the case whether you're straight, lesbian or gay. So, if you're both over 16, and both want to have sex, then it's legal. If one of you is under 16, then the other is breaking the law.*

3. *Most people wait until they are 16 or older to have sex.*

4. *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. However this is not common if both young people are happy and one person is not forcing the other to have sex.*

5. *If you are 13, 14 or 15 and your partner is 16 or older then the over 16 is breaking the law. If you speak to a professional person then they need to be sure you are safe with this person, if they are much older than you they will be concerned about your safety.*

6. *Remember, it is always wrong and against the law to force someone to have sex, no matter what age you or they are.*

7. *To help protect young people, the age of consent rises 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, teacher or a youth worker.*

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.