



Title: Consent and the Law

Level: THIRD/FOURTH

Links to Curriculum for Excellence

Experiences and outcomes	Benchmarks
I recognise that power can exist within relationships and can be used positively as well as negatively. HWB 4-45a	<ul style="list-style-type: none"> Distinguishes between a balance of power and abuse of power in relationships, for example, respect, trust, coercion, consent.

Learning intentions

- Young people know that that consent in the context of relationships is about communication and respect and means asking another person for permission to do something.
- Young people understand what the law says about sexual consent.
- Young people understand the pressures young people face to be in relationships including sexual relationships.

Success Criteria

- I can explain what consent in relationships means.
- I can explain what sexual consent is.
- I am building understanding, skills and capacity to assert myself in relationships so that I can express what I want and don't want.
- I have an understanding of the law on sexual offences/sexual consent.

Resources to support this activity

- PowerPoint slides (teacher/educator to insert a final slide with local service information)
- Film: Screwball (duration 12 minutes 22 seconds) <https://www.truetube.co.uk/film/screwball>
Produced by TrueTube, a multi award-winning website for schools. The film is free to access but does require you set up an account or log in if you have already done so.
- Film: How do you know if someone wants to have sex with you? (3 minutes 50 seconds) <https://youtu.be/qNN3nAevQKY>
- 10 facts about consent (on cards for group discussion)
- No consent = No Fairy Tale (1 minute 10) <https://youtu.be/QJTqpydWFNA>

Activity

1. Introduce the session along these lines: That today the class/group will be looking at consent, particularly what consent means when people have sex, and what the law says. Emphasise that there is no assumption that young people are having sex, this is just about preparing for adult life, that young people can make their own good decisions about when sex is right for them.
2. To start, watch the film **Screwball** together – it is a comedy drama about Ryan and Natalie - two young people struggling through their first sexual encounter, and having to deal with each other's expectations. After watching get some initial feedback and thoughts.
Screwball (duration 12 minutes 22 seconds) <https://www.truetube.co.uk/film/screwball>
3. **Being and feeling safe.** Continue by explaining that as the young people will know, they have the right to be healthy, happy and safe in their relationships. Explain you want them to think especially about being **safe**. Ask them to work briefly with a partner to think of what would characterise a 'safe' relationship, then have contributions and discussion. After pairs have had some chat, the slides that follow (4 to 9) could be used to run through and check wither young people thought of each of these characteristics of a safe relationship, refer back to Ryan and Natalie where helpful.

If you are in a relationship you have the right to be healthy, happy and safe. But thinking about what it means to be SAFE in a relationship, what does this mean in practice? Being safe means that....

4. Explain that a part of a being in a relationship is that when you feel ready, you can choose to have sex. Pose the question: **How do you know if someone wants to have sex with you?** Ask the young people to work in their pair, they don't have to write anything down but see if they can come up with 5 ideas.

After a few minutes, ask for feedback (voluntary, don't go around the room). Write the feedback up as it is offered on the smartboard. From the feedback pick out anything that might be worth exploring a bit further, anything that you think would benefit from further clarification. For example, if someone offered '*You just know*' ask '*So, give me some examples of how you would know...?*' (pose such clarification questions to everyone, not just the person who offered the idea). Explain that you are doing this just to be really clear about what we might mean.

5. Introduce and watch the short film **How do you know if someone wants to have sex with you?** (3 minutes 50 seconds) <https://youtu.be/qNN3nAevQKY> take any first thoughts, feedback. (This film is also part of the S1 Make it Good material)
6. **Sexual consent and the Law.** Explain that the law says some important things about sex and consent that the young people need to understand. Start with the introductory slide, ensuring understanding, it may be the case that young people did not understand the scope of what the law says 'sex' is.

If you are doing anything sexual with another person, then you must be sure they are happy and freely agreeing to the sexual activity. This is called giving consent.

Sexual activity includes touching each other's bodies including genitals (your private parts) and penetrative sex, this is when a person puts their fingers or penis or something else into a person's mouth, vagina or anus (bottom).

Then introduce the next 2 slides that give information about the Sexual Offences (Scotland) Act. It will be worth explaining what some of the language means, for example 'sexual exposure' might mean showing someone your sexual body parts, 'communicating indecently' might mean sending nudes/photos of your private parts, voyeurism might mean looking at someone in a changing room or cubicle. 'administering a substance for sexual purposes' might mean spiking someone's drink. Slide 14 deals specifically with the practice known as 'upskirting' which young people need to know is unlawful.

There are laws that protect us from harmful sexual behaviour, abuse and exploitation. An important law is the Sexual Offences (Scotland) Act 2009. The law protects us all against these things:

- Rape
- Sexual assault
- Coercing a person in to being present during a sexual activity
- Coercing a person into looking at a sexual image
- Communicating indecently
- Sexual exposure
- Voyeurism
- Administering a substance for sexual purposes.

The Sexual Offences (Scotland) Act 2009 now includes 'Up-skirting' in the Voyeurism section.

NOTE: Of course, none of this is legal 'advice' rather it is information, we are simply trying to ensure young people understand that the law does address sexual consent and they need to have some understanding of this. If a question is asked that as an educator you do not know the answer to, or feel a young person needs better advice, you can talk to them afterwards and support them to access sexual health information and advice or other advice and support. As with all situations the educator must follow child protection procedures if concerns are raised.

7. **Activity: 10 facts about consent.** Explain that you have some information about sex and consent for the young people to consider. Explain that there are 10 things to remember about consent and they are on the cards (see prop provided) you are giving to the young people. Ask them to work their way through the cards, in pairs or 3s, and sort them into categories two categories: **GET IT/UNDERSTOOD** or **NOT SURE/WE HAVE QUESTIONS**. Stress that it is okay to be not sure or have questions. After some time, follow up with some discussion around the groups about the 10 facts cards. What's well understood? Is anything new? Does anything need clarified?
8. This short animation (1 minute 10 seconds) from Amnesty International is funny and very to the point: **No consent = No Fairy Tale** <https://youtu.be/QJTqpydWFNA>

9. End with thanks for all contributions. Remind young people that you are available to them if they have any questions or worries. Also remind young people (use the final slide with info inserted) of their nearest young people's confidential sexual health/health or support services. Add finally that young people their age still use ChildLine because it offers a great confidential service and someone to talk to.

Additional ideas/activities:

Young people may know these films, they are good and can be used in this or later sessions to touch base with key messages about consent. The first uses the metaphor of sexual consent and offering a cup of tea.

Consent – cup of tea <https://youtu.be/u7Nii5w2Fal> (2 minutes 58 seconds) A good alternative is this:

Cycling through Consent, a Canadian animation inspired by the Tea/consent animation: <https://youtu.be/-JwIKjRaUaw> (3 minutes 47 seconds)

Connecting with home

The text below could be used to communicate with home about this activity.

As part of our learning this term about relationships we are discussing what we mean by consent. In particular the young people are thinking about what consent means when it comes to sex. There is no assumption that young people are having sex, this is just about preparing for adult life, so that young people can make their own good decisions about when sex is right for them. Young people also need to understand what the law says about sex and consent.

These short films will be used, they capture the key messages in our learning activity.

How do you know if someone wants to have sex with you? <https://youtu.be/qNN3nAevQKY>

Consent – cup of tea <https://youtu.be/u7Nii5w2Fal>

Cycling through Consent: <https://youtu.be/-JwIKjRaUaw>

Practitioner Notes