



Title: Consent
Part 2: The age of consent

Level: THIRD/FOURTH

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.

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 the pressures they face in relationships, including sexual relationships.
- Young people know what the age of consent is.

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 am building understanding that I am responsible for my actions towards others.
- I know that I do not need to be in a relationship, and that relationships do not need to be sexual unless I wish them to be so.
- I can explain what the age of consent is.
- I can identify a place or person to go to if I have questions or a worry.

Resources to support this activity

- PowerPoint slides
- Props/cards for discussions: About the age of consent
- Teacher/educator to prepare a slide directing young people to local sexual health or community services.

Activity

1. To start, have a short discussion where young people remember the content and discussion of the last session where they explored consent, and then sexual consent. Use this time to return to any outstanding questions of complexities you want to address. (Slides 2 – 5 provide this information if it helps with the review/checking understanding, but avoid simply reading everything again).
2. Move on to introduce the session along these lines: That today the class/group will be learning about what is called the age of consent. Share the first slide and the questions posed, discuss briefly, and then move on to the next slide and clarify that the law is the same for every young person, regardless of the sex of their partner.

The age of consent is the law that states what age a person needs to be before they can agree to have sex lawfully.

What do you think is the legal age of consent for: A male and female having sex? Two males having sex? Two females having sex?

The age of consent in Scotland for young men and women is 16.

3. 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
4. **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 **We have a question**. Explain that young people should read then sort the cards by number/in order as the detail develops across the cards. 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 **We have a question** pile, 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. (Slides 9 and 10 show the statements, if it is helpful use the slides when reviewing, or split over more slides to use them one-by-one)

Part 1 cards/statements

1. The age of consent in Scotland for young men and women is 16.
2. The age of consent is the same for everyone – so if you are straight, lesbian, gay, bisexual or transgender.
3. Most people wait until they are 16 or older to have sex.
4. If you're both over 16, and both want to have sex, then it's legal.
5. If you are both aged 13,14 or 15, then you and your partner are breaking the law.
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 person is breaking the law.

Part 2 cards/statements

7. If you are under the age of 13, the law says you are too young to give consent to **any** kind of sexual activity at all, like sexual touching or oral sex or vaginal sex or anal sex.

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 professional person will be concerned about your safety. If there is a concern about your safety, the person you speak to may have to share information in order to protect you, but they will always speak to you about this first unless it is absolutely necessary to share the information urgently to protect you from harm.
 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, it is an offence for someone aged 18 or over, to engage in sexual activity with someone aged 16 or 17 if the older person is in a position of trust. A position of trust is someone who looks after you for example, in a school or a care home.
5. **The law/some concerns.** The issue of the law can be of concern, and also quite confusing for young people. Having worked through the earlier cards/statements the next slide acknowledges 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 the 2 slides and read out, *the text in italic provided below* should be said by you by way of explanation. Check understanding as you go, 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.

NOTE: *Acknowledge the law says young people should wait until they are 16 before they have sex. Most young people do. But if they do have sex before they are 16 and want to get some good advice and support, maybe contraception or condoms, then young people should understand that a professional person would not be expected to report them to the police unless the young person is at risk. Usually the professional person will want to give the young person health advice and support. The professional person does need to make sure the young person is safe and happy with the situation.*

Sexual health clinics see young people aged 13 and over. It is confidential, and they are not allowed to tell your parent or carer.

NOTE: *Sexual health clinics have a lot of experience working with young people and they believe that you should get a confidential service. Young people can also contact Childline who provide a lot of confidential information and support to young people your age.*

6. 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, and use the NOTE to give further explanation about how confidentiality works.

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.

NOTE: So, confidentiality means a nurse or doctor will not share information with a parent or carer, but they will encourage a young person to talk to adults they trust because they can also give help and support.

- 7. My 5 trusted people.** Acknowledge that discussion of age of consent and the law might make young people a bit worried or even confused. In this case, it's 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. 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 and chatting ask *if* any young people would like to share their choices, as much as they want to, why them? Acknowledge the range and reasons - remind young people they can always come to you. **Share the prepared slide about local confidential services for young people/ChildLine.**
- 8.** To end the session, ask if there are any outstanding questions or things that need clarified. Then review some information from the last session, explain these 2 slides are 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. Take some time, share and discuss/review opinions now:

A healthy relationship is where both people DO:

- Feel safe, equal, respected and happy.
- Care about what each other want.
- Keep and see friends and family when they want to.
- Break up if they want to.

A healthy relationship is where both people DON'T:

- Put pressure on the other person, and it's as easy to say no as to say yes
- Do things that make the other person feel uncomfortable, anxious or scared.
- Have to spend time with the other person if they don't want to. Each person can spend time on their own if they want to.

- 9.** 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 the part 1 activity: *What consent means in a relationship.*

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

- Consent: What consent means in a relationship

Practitioner Notes