

# Sexual Offences Act 2003



Forum Briefing June 2004

The Sexual Offences Act became law in May 2004 and aims to clarify what constitutes a crime of a sexual nature against children, young people and adults. The Act **does not limit children's right to sex and relationships education and sexual health support and advice**. The Law ensures that those providing information and support with the purpose of protecting a young person from pregnancy, STIs, protecting their physical safety or promoting their well being, will **not** be guilty of an offence.

This applies to anyone acting in the best interests of the young person such as health professionals, teachers, youth workers, Connexions PAs, social care professionals and parents. Young people under 16, including those under 13, **can continue to seek sexual health and contraceptive information, advice or treatment in confidence**. All professionals are encouraged to continue providing information and support in line with their organisations' agreed policies.

The aim of the Act is to protect young people from abuse or exploitation and the age of consent remains 16 for both boys and girls regardless of sexual orientation. There is **no intention to prosecute mutually agreed sexual activity between young people of a similar age where there is no evidence of exploitation or coercion**. The statement below has been developed to explain the Act to young people and the Home Office has also produced a leaflet explaining the elements of the Act designed to protect children and families, which can be downloaded from <http://www.homeoffice.gov.uk/documents/children-safer-fr-sex-crime?version=1>

## Sexual Offences Act (2003): Statement for young people

In England and Wales, the law on Sexual Offences has been updated. Under this law, the legal age for young people to consent to have sex is still 16, whether you are straight, gay or bisexual.

The aim of the law is to protect the safety and rights of young people and make it easier to prosecute people who pressure or force others into having sex they don't want. Forcing someone to have sex is a crime.

Although the age of consent remains at 16, it is not intended that the law should be used to prosecute mutually agreed teenage sexual activity between two young people of a similar age, unless it involves abuse or exploitation.

Under the Sexual Offences Act you still have the right to confidential advice on contraception, condoms, pregnancy and abortion, even if you are under 16.

But remember, whatever your age, you shouldn't have sex until you feel ready.

For more information about sex and relationships visit [www.ruthinking.co.uk](http://www.ruthinking.co.uk)

The Sexual Offences Act can be downloaded from <http://www.hms0.gov.uk/acts/acts2003/20030042.htm>

The Sex Education Forum is the national authority on sex and relationships education (SRE). It believes that good quality SRE is an entitlement for all children and young people and is working with its 48 member organisations – including religious, children's, parents, governors, health and education to ensure this. Info Line 020 7843 1901, [www.ncb.org.uk/sef](http://www.ncb.org.uk/sef), Sex Education Forum, 8 Wakley St, London EC1V 7QE

Sex Education Forum is hosted by NCB. Chief Executive Paul Ennals. Registered Charity Number 258825. Registered in England and Wales No 952717 Registered Office 8 Wakley St, London EC1V 7QE. A Company Limited by Guarantee

