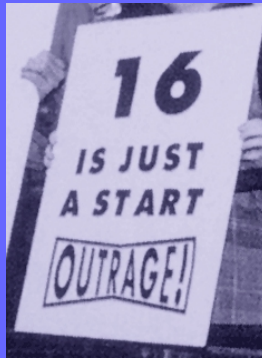


Age of consent

The case against change



The Sexual Offences (Amendment) Bill 1999

“In the exercise of his rights and freedoms, everyone shall be subject only to..... the just requirements of morality, public order and the general welfare in a democratic society”

ARTICLE 29, THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

Contents

The Sexual Offences (Amendment) Bill	2
“Gay rights”, civil rights and Europe	3
The health risks	4
After the age was lowered to 18 in 1994....	5
Homosexual men - banned from giving blood	6
Sexual offences against children	7
Weak safeguards - the Abuse of Trust provisions	9
Immunity for under 16s	10
Public opposition	11
The thin end of the wedge	13
References	14
Key points	Back page



INFLUENCING PUBLIC POLICY

The Christian Institute, March 1999

The Sexual Offences (Amendment) Bill

What the Bill does

- The Sexual Offences (Amendment) Bill lowers the age at which homosexual acts can be committed from 18 to 16. It legalises buggery (anal intercourse) on boys *and girls* aged 16 or 17.
- The Bill introduces an immunity for an under 16 year old who commits buggery or other homosexual acts with someone aged 16 or over.
- What the Home Office describes as “a very limited criminal offence” is introduced in response to concerns that adults in positions of responsibility can abuse their position of trust and sexually exploit the young people in their care.

Reducing the age of consent to 16 should be opposed for two reasons:-

1. The disproportionate risk to young people:

- teenage boys are vulnerable;
- teenage boys *and girls* will be exposed to the health risks of anal intercourse;
- lowering the age of consent will put more sexual pressures on young people;
- there is a promiscuous homosexual sub-culture;
- sexual offences against children are not being properly prosecuted;
- the abuse of trust “safeguards” are very weak and narrow in scope; and
- granting immunity to under 16 year olds will lead to more abuse.

2. Homosexual practice isn't right:

- public opinion opposes lowering the age;
- Christianity and the world's main religious faiths all believe that homosexual practice is wrong;
- reducing the age of consent to 16 is the thin end of the wedge;
- there is no human right to commit buggery on a 16 or 17 year old boy; and
- acceptance and promotion of homosexuality undermines the family.

“Gay rights”, civil rights and Europe

There is no human right to commit buggery on a 16 or 17 year old in any human rights convention.

The “Gay Rights” group Stonewall quote Article 1 of the 1948 Universal Declaration of Human Rights: “All human beings are born free and equal in dignity”. Stonewall do not quote Article 29(2) which states that “In the exercise of his rights and freedoms, everyone shall be subject only to.... the just requirements of morality, public order and the general welfare in a democratic society.”¹

“Gay rights” are not the same as civil rights

A person cannot help their gender, race or disability. But people can control their sexual *behaviour*. Just because a person experiences sexual attraction does not give him the right to act upon it. Just because a man is attracted to a particular woman does not give him the *right* to sleep with her. Society demands restraint.

“Gay rights” are fundamentally about behaviour. The law on the age of homosexual consent is not about the feelings of attraction. It is about behaviour.

General Colin Powell, the first black chairman of the US Joint Chiefs of Staff, has said, “Unlike race or gender, sexuality is not a benign trait. It is manifested by behaviour. While it would be decidedly biased to assume certain behaviours based on gender or membership in a particular racial group, the same is not true for sexuality.”²

Sutherland v UK

This case is often cited as a reason why the UK must lower the age of consent to 16. It is claimed that the Court has issued a judgment to this effect. *This is simply not true*. The European Court of Human Rights has not yet heard the Sutherland case. The filtering body for the Court, the European Commission of Human Rights, issued an advisory opinion in July 1997 (Application No. 25186/94) in which it said that it felt Sutherland should win his case. But this opinion is not legally binding upon the Court, and the court often ignores the views of the Commission. Nor is it a final settlement.

It is also important to note that the Commission itself only arrived at its view after the UK Government decided not to defend the case.

Absolute criminalisation of homosexuality has been held to be contrary to the Convention in the *Dudgeon* case, but there has never been a Court case on the homosexual age of consent. Paradoxically there was a Commission report in *Wells v UK upholding* a differential age of consent in the UK when it was 21.³

The health risks

Parliament cannot avoid considering the health implications of the behaviour that is to be made legal for 16 and 17 year olds. There are serious health risks associated with anal intercourse and other homosexual activities.

- 92% of homosexual men have engaged in anal intercourse according to Department of Health commissioned research, 71% in the past year.⁴
- Only 6.5 % of heterosexual men report having anal intercourse with a woman in the past year.⁵
- Durex, the leading condom manufacturer states “Anal intercourse is a high-risk activity because of the potential for infection from STDs including HIV transmission. Currently, there are no specific standards for the manufacture of condoms for anal sex. Current medical advice is therefore to avoid anal sex... risk assessment of condoms in anal use has not been undertaken for ethical reasons”.⁶
- In the UK, 72% of all male HIV infections are through homosexual intercourse. Heterosexuals (other than those already in a high risk category) make up only 4% of infections.⁷
- Men who have *ever* engaged in any homosexual sex are banned for life from giving blood in the United Kingdom.⁸ (See page 6).

In some countries anal intercourse is widely practiced by heterosexuals as a form of contraception. This is one of the factors behind high levels of HIV infection amongst heterosexuals in those countries.

Anal intercourse

“Anal intercourse, penile or otherwise, traumatises the soft tissues of the rectal lining. These tissues are meant to accommodate the relatively soft fecal mass as it is prepared for expulsion by the slow contractions of the bowel and are nowhere near as sturdy as vaginal tissue... Even in the absence of major trauma, minor or microscopic tears in the rectal lining allow for the immediate contamination and the entry of germs into the bloodstream.”

“We are designed with a nearly impenetrable barrier between the bloodstream and the extraordinarily toxic and infectious contents of the bowel. Anal intercourse creates a breach in this barrier for the receptive partner, whether or not the insertive partner is wearing a condom.”

Dr Jeffrey Satinover *Homosexuality and the Politics of Truth*. Baker, 1997, page 67

After the age was lowered to 18 in 1994....

- HIV infections “acquired through sex between men” rose by 11% from 1995 to 1996 - “a considerable rise compared with previous years” according to the BMJ. New cases of HIV occur “especially in young homosexual men (aged less than 30 years)”.⁹
- The Terrence Higgins Trust report¹⁰ that up to 20% of gay men in London are HIV+.

EVENING STANDARD ***** WEDNESDAY, 12 NOVEMBER, 1997 21

Aids ‘biggest killer of young men in London’

AIDS is by far the largest cause of premature death in London for young and middle-aged men, according to a report out today which estimates that one in every 100 men in the capital now has the disease. Public health directors estimate that nearly 10,000 people in inner London are infected with HIV, most of them homosexual, in the report containing data from across the capital. However, a leading Aids specialist today

by JO REVILL
Health Correspondent

pattern of mortality in men, is now comparable to major cities in the US,” the report adds. The figures are based on estimates of the numbers infected in the past. In all, 4,750 people have died from Aids since 1981, four-fifths of them homosexuals. There were 3,780 homosexual deaths to the end of 1996 in inner London. Among inject-

city. The estimates suggest that most cases will continue to be in homosexual men, but the greatest proportional growth of Aids will be in heterosexuals, especially in outer London. The report says Londoners are also taking too many risks in having numerous sexual partners without using precautions. Dr Brian Gazzard, Aids physician at the Chelsea and Westminster Hospital, said: “I don’t see any major changes. We handle a

Prevalence of HIV in England and Wales in 1997 Annual Report of the Unlinked Anonymous Prevalence Monitoring Programme



- The BMA used to argue that since boys mature later than girls, the age of homosexual consent should be 18. In 1994 the BMA changed their position. They accepted that young gay men are especially at risk from sexual disease including HIV, but they argued that the age of consent should be lowered to 16 since the “law may inhibit efforts to improve the sexual health of young homosexual and bisexual men”.¹¹
- But Government research has shown that lack of advice is not the issue.
- In December 1998 the Department of Health reported¹² that “Behavioural data and the occurrence of new episodes of acute sexually transmitted infections, many of which are associated with unprotected anal intercourse, show that high risk behaviour between homosexual and bisexual men is continuing and involving men of *all age-groups*.” [Emphasis added]
- The report comments that, after all the health promotion campaigns, “risk taking sexual behaviour has not diminished”, “Most of the HIV infections will have been acquired since health promotion aimed at the homosexual and bisexual community began in the early to mid-1980s.”¹³
- The Department of Health study also found that “Substantial numbers of HIV infected homosexual and bisexual men” were being infected by new diseases. A third of this group knew they were HIV+ at the time they were infected by another disease.¹⁴

Homosexual men - banned from giving blood

Keep Blood Transfusion Safe

Thank you for volunteering to be a blood donor; your gift could save someone's life.

Blood transfusions are safer now than they've ever been because we take such care with donor screening. All donations are tested thoroughly for dangerous viruses, but some viruses like HIV and hepatitis B and C cannot always be detected at the earliest stages of infection.

In fact, very occasionally, it may take up to a year between the time someone is infected and the time it shows up in tests. This means your blood might not show any signs of infection but could still pass on a disease.


The chances of this happening are very small, but if there is any risk you could have been infected – please don't give blood.

This leaflet will help you decide if you have been at risk. If, after reading it, you are still unsure or you need help, please talk in complete confidence to the nurse or doctor at the session.


Or, if you need time to think about it, it's quite alright to make an excuse and leave the session without giving blood, and with no questions asked.

Remember – you can't get hepatitis, HIV or any other infection by giving blood.


You should NEVER give blood if:




you, or your partner are HIV positive




you carry the hepatitis B or C virus



you are a man who has had sex with another man, even 'safe sex' using a condom




you have ever worked as a prostitute




you have ever injected yourself with drugs, even once


You should not give blood FOR A YEAR after sex with:




a man who has had sex with another man (if you are female)




a prostitute



anyone who has injected themselves with drugs



anyone with haemophilia or a related blood clotting disorder who has received clotting factor concentrates



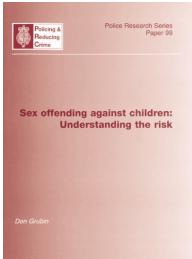
anyone, of any race, who has been sexually active in Africa* in the past year. This is because the main route of HIV infection there is heterosexual sex.

* report from Morocco, Algeria, Tunisia, Egypt or Egypt.

Please do not give blood if you think you need a test for HIV or hepatitis, or if you have had sex in the past year with someone you think may be HIV or hepatitis positive.
if you have any doubts or questions, talk to the nurse or doctor.

Department of Health, Do not give blood without reading this leaflet, December 1995

Sexual offences against children



The Home Office has recently published a major report on sexual offences against children by Professor Don Grubin. Exact figures regarding the incidence of sex offending against children are difficult to calculate for obvious reasons. But official police figures indicate the true level of child sexual abuse may be as high as 72,600 cases a year.¹⁵

Three important findings from the report are highlighted here.

1. Prosecutions of the main sex offences against children have fallen by 31%

Prof Grubin's Table 1 (below) shows that "the number of cautions or convictions for sexual offences against children has been declining steadily in recent years."¹⁶

Table 1: Number of convictions or cautions in England and Wales for the six most common sexual offences against children in 1985 and 1995¹

	1985	1995	% change
Indecent assault on female < 16	2,416	2,116	-12%
Unlawful sexual intercourse with girl < 16	1,550	603	-61%
Indecent assault on male < 16	674	476	-29%
Gross indecency with girls 14 or under	206	129	-37%
Unlawful sexual intercourse with girl < 13	168	122	-27%
Gross indecency with boy 14 or under	122	84	-31%
Total	5136	3530	-31%

Right across the board, convictions for sexual offences against children have been falling year after year. The Home Office report shows that from 1985 to 1995 convictions for the six most serious sexual offences against children fell by 31%.

Professor Grubin points out that *reports* of gross indecency with children 14 and under, (girls and boys) *more than doubled* from 633 to 1,287 over the ten year period to 1995, despite the fact that *convictions declined*.¹⁷ There is clearly a serious problem with enforcement of laws against child sex offences.

2. Adolescent offenders account for up to one third of all sex crimes

The Home Office report noted that about 30% of all sex offence convictions and cautions are of individuals aged under 21.¹⁸ It quoted one study which found that 36% of sexual offenders against children *were themselves* under 18.¹⁹

The Bill gives immunity from prosecution to under 16 year old boys (see page 10) because it is argued that victims should not be prosecuted. We agree, but giving *blanket* immunity is a dangerous policy. It ignores the fact that under 16 year olds can be offenders and incentivises homosexual activity with older men. This will *increase* the number of child sex offences.

3. *Almost all child abuse is committed by men, up to one third is homosexual*

Professor Grubin finds that less than 5% of sex offences against children are known to have been committed by women.²⁰ He reports that a reasonable estimate is that “approximately 20 - 33% of child abuse is homosexual in nature and about 10% mixed”.²¹ Why is there so much homosexual abuse when only 0.3% of men are exclusively homosexual?

Though the crime is just as heinous, it is not surprising that more girls are abused than boys since 95% of child sex offenders are men and the vast majority of men are heterosexual. It would be completely wrong to say that all homosexuals are child molesters, but it is true to say that homosexual abuse is over-represented in the crime statistics.

Stonewall claim that many of those who molest boys are married men. They have missed the point. Even if every single act of homosexual child abuse was committed by a married man, it would not change the central issue that lowering the age of homosexual consent takes away the main protection from 16 and 17 year olds - the automatic criminalisation of the older man.

Conclusion

- Prosecutions of sexual offences against children have plummeted, despite increases in reports to the police;
- The Government should be enforcing the law rather than liberalising it;
- The number of homosexual offences against boys is disproportionate to the number of homosexuals;
- Lowering the age of consent will remove a main protection from these boys;
- Prosecutions for abuse will hinge on whether consent was given rather than at present where simply proving that the sexual activity took place is enough for the older party to be convicted of an age of consent offence.

Only 0.3% of men are exclusively homosexual

The largest and most detailed study to date, *British Sexual Attitudes and Lifestyles* has found that whilst 1.1% of men have had a homosexual partner during the past year only 0.3% of men are *exclusively* homosexual.²²

At sometime in their lives 3.5% of men have had a same-sex sexual partner²³, but 50% of these never repeated the experience with another man.²⁴ The study concludes that many men go through a phase in their youth: “..homosexual experience is often a relatively isolated or passing event.”²⁵

Weak safeguards - the Abuse of Trust provisions

The Bill makes it a criminal offence for adults in certain positions of responsibility to have sexual relations (homosexual or heterosexual) with a young person aged under 18 in their care. The situations covered are very tightly defined in Clause 4. They comprise young offenders' institutions, children's homes, foster care, hospitals and full time education.

A “very limited criminal offence” : 10-15 prosecutions a year

- The Home Office states in the Bill's 'Explanatory Notes' that it only expects 10 - 15 prosecutions a year as a result of the new offence²⁶. The regulatory impact on charities and voluntary bodies is “negligible”.²⁷
- The Home Office say that Abuse of Trust is a “very limited criminal offence”²⁸ with “minimal resource implications”.²⁹

Prosecutions may go up by 15 a year but for the main sexual offences against children prosecutions are falling by an average of 160 a year and there maybe over 72,000 child sex offences committed every year. We would welcome serious legislation on abuse of trust, but this Bill is riddled with loopholes and the safeguards are far too narrow in scope.

Abuse of Trust Loopholes

- Part time pupils studying for 4 days out of 5 are not protected. This is illogical. If a teacher is capable of abusing the trust of a full-time pupil, he is capable of abusing the trust of a part-time pupil.
- Many categories of potential abusers are not covered including: step-parents, youth workers, and religious leaders.
- The absurd “pre-existing relationship” defence in Clause 3(3) means that if a “sexual relationship” existed between the adult and the young person *before* the new offence came into force, any sexual activity which takes place *after* the offence comes into force is exempt. This defence, which is easy to raise and difficult to refute, will be routinely used in the first few years of the legislation.
- The requirement that only those who regularly care for young people can be convicted will create another line of defence - an “ad hoc carers defence”.

The Commons stages

During the Committee and Report stages unsuccessful attempts were made to extend the abuse of trust provisions to cover (i) existing relationships³⁰ (ii) part time pupils³¹ (iii) step families³² (iv) religious organisations³³ (v) youth workers³⁴ and (vi) temporary teachers and carers.³⁵

Immunity for under 16s

During the Commons Report stage the Government introduced a new Clause 2 to decriminalise homosexual activity for the younger party where one is under sixteen and the other sixteen or over.

If both parties are under 16, then under the Bill (as now), they both commit an offence. Where one party is under 16 and the other is 16 or over, the Bill gives immunity to the younger party. It is claimed that, by removing from him the fear of prosecution, this will help a person under sixteen to go to the police to report sexual abuse.³⁶ As a matter of fact, *the CPS do not prosecute boys in these circumstances.*³⁷

The worst possible incentive : homosexual activity with an older man

Under the Bill, an older man can assure a younger man whom he is seducing that, as he is under 16, he is not committing any offence: “Don’t worry you’re not doing anything wrong - you are in the clear, they can only get me.”

The Bill incentivises the most dangerous kind of homosexual activity: that between a younger boy and an older man.

Blackmail

This incentive could also encourage blackmail. Dr. Evan Harris, the Liberal Democrat MP who first called for under 16s to be given immunity³⁸, now claims that the Bill creates a “blackmailer’s charter” since there have not been other changes to protect the *older* party.³⁹ He told the *Pink Paper*, “A young man who wanted to get the better of, say, a teacher or social worker could engage in a sexual act in the knowledge that he is immune from prosecution. Then there would be nothing to stop him reporting it to the police.”⁴⁰

Acting with impunity

As pointed out on page 7, it is important to remember that 30% of all sex offence convictions and cautions are of under 21 year olds.⁴¹ Boys under 16 will commit some of these offences. So in the case of a sexually predatory boy, the immunity provides an incentive for him to seduce a boy who is just over the age of consent. If a fifteen year old boy seduces a boy his own age, he is committing an offence. If he seduces a boy age sixteen, he is committing no offence.

The discretion to prosecute under sixteens for homosexual age of consent offences should be left with the CPS, otherwise fifteen year old boys can engage in sexual activity with impunity - as long as they do so with an older male.

Public opposition

MPs voted 313 to 130 for the Sexual Offences (Amendment) Bill on Second Reading on January 25th 1999.⁴² Yet voters are still overwhelmingly opposed to lowering the age of consent. When the House of Lords rejected lowering the age in July 1998, Peers were far more in tune with public opinion than the House of Commons. A Gallup opinion poll found that 59% believed that the Lords were right to overturn the Commons decision.⁴³ The same opinion poll found that 65% thought the homosexual age of consent should be eighteen. Only 26% favoured sixteen.



Daily Mail
NEWSPAPER OF THE YEAR 2000
Huge Lords majority rejects gay consent at 16
SPEAKING FOR THE PEOPLE



The Guardian
The House of Lords have voted 12 to 6 to reject the Government's proposal to lower the age of consent for gay sex to 16.

The Guardian/ICM poll of 10th November 1998 found 69% of the public wanted eighteen. Again, only 26% favoured sixteen.⁴⁴

NOP's July 1998 *Young People* survey (which did not allow for 'don't know' responses) found 68% opposed to lowering the age and 32% in favour.⁴⁵ The same survey conducted a year earlier found a similar split of 72% to 28%.⁴⁶

A major study in 1994 found that over 70% of men believe sex between two men to be always or mostly wrong. Interestingly, younger respondents were "not markedly more tolerant than older ones".⁴⁷ People do not hate homosexuals, they just believe that what they do is wrong.

The Christian faith

The historic Christian faith has always affirmed Biblical teaching that *homosexual acts* are always wrong. Homosexual temptation is not sinful. Yielding to it is. Homosexual practice like adultery and other sexual sins can be forgiven provided there is faith and repentance.

For Anglicans the recent Lambeth conference re-stated again that homosexual practice is incompatible with the Bible. While some liberal bishops from the UK and USA opposed Lambeth Resolution 1.10,⁴⁸ the vast majority agreed with its statement that:

- Homosexual practice is incompatible with the Bible;
- Christians can experience same-sex attraction and that the Church should seek sensitively to minister to such people;
- For those not called to marriage sexual abstinence is the right course; and
- Same-sex unions are to be rejected.



The Times WEDNESDAY JULY 22 1998
We can't endorse this error
George Carey says only a back society allows gay sex at 16
W... the House of Lords...
The Archbishop of Canterbury, George Carey, has said that the House of Lords' decision to reject the Government's proposal to lower the age of consent for gay sex to 16 is a "back society" and that the Church cannot endorse it.

Public opposition (continued)

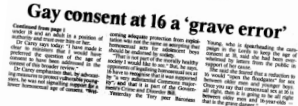
The Archbishop of Canterbury said after the debate at the Lambeth Conference “I see no room in scripture for any sexual activity outside matrimony for husband and wife. I believe this motion says what we have all held Anglican morality stands for.”⁴⁹

Dr Carey, like Cardinal Hume, opposes the lowering of the age of homosexual consent.

The non-Christian faiths

All the world’s main religions have consistently viewed homosexual practice as morally wrong. For Muslims, homosexual practice is explicitly forbidden in the Koran. Sikhs and Hindus strongly affirm friendship between men, but view homosexual practice as morally wrong.

In recent years there have been “modernisers”, particularly amongst those claiming to be Christian or Jewish, who reject the historic teaching of their traditions. But from a world perspective they are very much a fringe minority.



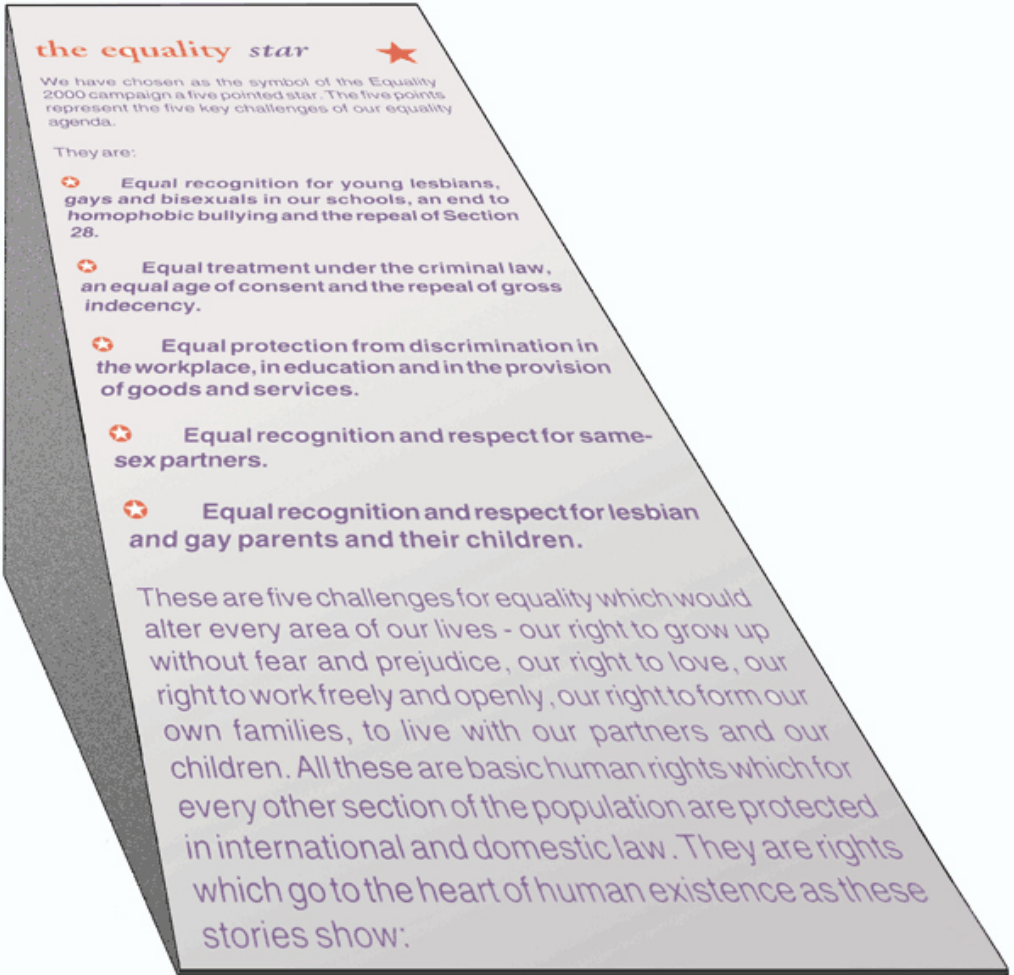
Stonewall’s own public opinion poll

Homosexual rights group Stonewall recently commissioned NOP to provide an opinion poll on the homosexual age of consent and the Sexual Offences (Amendment) Bill. In answer to NOP’s **question 1**, 66% said they wanted an equal age of consent. Stonewall then claimed that “66% of people want equality at 16”⁵⁰. This claim is simply not true because **question 2** (asked of those who said they wanted equality) revealed that *only 37% of the total population want the age of consent at 16 or lower* (56% of the 66% wanting equality) - a figure comparable with that found by previous polls.

It was also claimed that 60% are “in favour of the Bill”⁵¹. This is quite misleading. It is based on the following very confused **question 4** about a “package of measures”: “Here are the two changes contained in the package of measures and I’d like you to tell me *whether you agree or disagree with that package?* 1. The age of sexual consent will be 16 for everyone. 2. It will be an offence for anyone in a position of trust or authority who is looking after a young person to have any kind of sexual activity with that young man or young woman (italics added).” 60% said they agreed “with that package”. But the Poll shows only 37% in favour of lowering the age of consent to 16. Therefore some will no doubt agree “with that package” on the grounds that *if there is going to be a reduction to 16 they want it “packaged” with safeguards*. Also the actual safeguards of the Bill are much weaker than the strong safeguards suggested by the NOP question (see page 9).

The thin end of the wedge

Gay rights campaigners want more than just an age of consent at 16. Stonewall, the leading gay rights campaign group, have set out their demands in their 'Equality 2000' booklet. In order not to mis-represent what is said in any way, the demands are reproduced below.



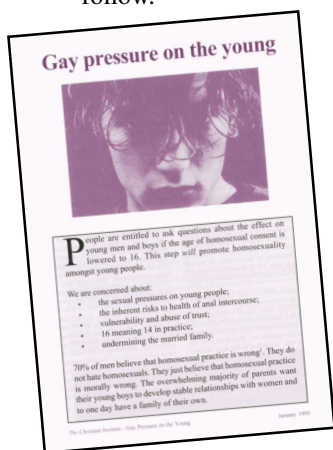
After 16, Stonewall will be back for more... their 'human rights' include the "right to form our own families" and "equal recognition and respect for same-sex partners". Adoption by homosexuals and "gay marriage" are already on the agenda.

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- ² Ministry of Defence *Report of the Homosexuality Policy Assessment Team* February 1996, Appendix 6 to Annex H
- ³ *Dudgeon v UK* (Series A Vol 45) and *Wells v UK* (as X v UK App No 7215/75 3 EHRR 63), in Faran S, *The UK before the European Court of Human Rights* Blackstone Press 1996, pages 200-208
- ⁴ Weatherburn P et al, *The Sexual Lifestyles of Gay and Bisexual Men in England and Wales*, HMSO, 1992, page 13, 15
- ⁵ Johnson A M et al *Sexual Attitudes and Lifestyles*, Blackwell Scientific Publications, 1994, page 164
- ⁶ http://www.durex.com/scientific/faqs/faq_4.html at 4 March 1999
- ⁷ Public Health Laboratories, *Communicable Disease Report*, 25th July 1997 Vol 7 No 30 page 272, table 2. The 4% figure given in the text assumes that all "unknown" categories are heterosexual.
- ⁸ *Do not give blood without reading this leaflet*, The UK Blood Transfusion Services, Department of Health, December, 1995
- ⁹ Adler M W Education and Debate, *Sexual Health - A Health of the Nation Failure*, BMJ, Vol 314, 14 June 1997
- ¹⁰ <http://www.tht.org.uk/pubs/prvinfec.htm> at 16th March 1999
- ¹¹ *Age of Consent for Homosexual Men*, The BMA, 1994, page 2 and 9
- ¹² *Prevalence of HIV in England and Wales in 1997* : Dept of Health, December 1998, page 35
- ¹³ *Ibid*, pages 13, 35
- ¹⁴ *Ibid*, page 13
- ¹⁵ Grubin, Prof D, *Sex offending against children: understanding the risk*, Home Office, Police Research Series, Paper 99, 1998, page 12
- ¹⁶ *Ibid* page 4
- ¹⁷ *Ibid* page 4, see also Hansard, House of Commons, 9th March 1999, cols 129-130 wa
- ¹⁸ *Ibid* page 21
- ¹⁹ *Loc cit*.
- ²⁰ *Ibid* page vi
- ²¹ *Ibid* page 14
- ²² Wellings K et al, *Sexual Behaviour in Britain*, Penguin, 1994, page 209
- ²³ *Ibid* page 187
- ²⁴ *Ibid* page 213
- ²⁵ *Ibid* page 203
- ²⁶ The Home Office, *Sexual Offences (Amendment) Bill*, Explanatory Notes, House of Lords, para 23
- ²⁷ *Ibid* para 26
- ²⁸ Home Office, Interim report: Abuse of Trust, November 1998, para 32
- ²⁹ *Ibid* para 33
- ³⁰ Hansard, House of Commons, Standing Committee E, *Sexual Offences (Amendment) Bill*, col.s 24-32
- ³¹ Standing Committee E, *Op Cit*, cols 85-107 and Hansard, House of Commons, 1 March 1999, col 785-788
- ³² Standing Committee E, *Op Cit*, cols 65-84 and 107
- ³³ Standing Committee E, *Op Cit*, cols 65-84
- ³⁴ *Loc cit*
- ³⁵ Standing Committee E, *Op Cit*, cols 107-120
- ³⁶ Hansard, House of Commons, 1st March 1999, col 756
- ³⁷ The Home Office, *Sexual Offences (Amendment) Bill*, *Explanatory Notes*, House of Lords, para 22. We have been advised that in practice prosecutions are not brought against the younger party where there is an over 16 year old involved. Certainly the prosecution figures bear this out.
- ³⁸ Hansard, House of Commons, 25th January 1999, col. 83
- ³⁹ Hansard, House of Commons, 1 March 1999, col. 765 and the *Pink Paper*, 19 February 1999
- ⁴⁰ *Pink Paper*, 19 February 1999
- ⁴¹ Grubin, Prof D, *Op cit* page 21
- ⁴² Hansard, House of Commons, 25 January 1999, col 110
- ⁴³ Gallup Political Index, *Social Trends*, August 1998
- ⁴⁴ Guardian/ICM opinion poll, *The Guardian* 10th November 1998
- ⁴⁵ *NOP Young People*, 24th - 26th July 1998
- ⁴⁶ *NOP Young People*, 18th - 20th July 1997
- ⁴⁷ Johnson et al, *Sexual Attitudes and Lifestyles*, Blackwell Scientific Publications, 1994, page 241
- ⁴⁸ Lambeth Resolution I.10 <http://www.anglican.org/online/LC98res/sec1.html>
- ⁴⁹ Daily Mail, 6th August 1998
- ⁵⁰ www.stonewall.org.uk/aoc and www.stonewall.org.uk/aoc/NOP-conc.html on 16th March 1999
- ⁵¹ www.stonewall.org.uk/aoc/NOP-figs.html & [NOP/420022](http://www.stonewall.org.uk/aoc/NOP/420022) : Age of Consent

Key Points

- 70% of the public oppose lowering the age of consent;
- Only 0.3% of men are exclusively homosexual over a lifetime;
- Under 18 year olds are children in law. They need protection from sexual exploitation as the Bill's abuse of trust provisions imply;
- The European Court of Human Rights has not decided that the UK must lower the age of consent. It has not yet heard the case of Sutherland v UK which concerns the age of consent;
- The health risks of homosexual activity are very high, enough to make lowering the age of consent a public health issue;
- The Terrence Higgins Trust say 20% of homosexual men in London are HIV+;
- 72% of all male HIV infections are as a result of homosexual intercourse;
- The Department of Health has expressed concern that, despite all the safer sex campaigns targeting homosexual and bi-sexual men, "risk taking sexual behaviour has not diminished";
- Any man who has ever had "sex with another man" is banned from donating blood for life; and
- Sixteen and seventeen year old boys are less mature than girls at the same age. They should be given more time to consider whether they really want to embark on the homosexual lifestyle with all the consequences that would follow.



The accompanying booklet *Gay pressure on the young* shows that :

- homosexual orientation is not "fixed at 16";
- homosexual behaviours have inherent risks to health;
- "safer sex" advice is often ignored by homosexual men and even when it is followed there are significantly high failure rates; and
- homosexuals acknowledge the risks of their own sub-culture.



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The case against change

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Page