

*These notes relate to the Sexual Offences (Scotland) Act
2009 (asp 9) which received Royal Assent on 14 July 2009*

SEXUAL OFFENCES (SCOTLAND) ACT 2009

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4 – Children

Older Children

Section 31 – Causing an older child to participate in a sexual activity

85. This section creates the offence of “causing an older child to participate in a sexual activity”. Subsection (1) provides that the offence may be committed only by a person aged 16 or over. Further, it provides that the offence is committed only where the perpetrator intentionally causes an older child to participate in a sexual activity.