

*These notes refer to the Sexual Offences (Amendment) Act
2000 (c.44) which received Royal Assent on 30 November 2000*

SEXUAL OFFENCES (AMENDMENT) ACT 2000

EXPLANATORY NOTES

SUMMARY

3. The Act makes three changes to the law on sexual offences. First, it reduces the minimum age at which a person, whether male or female, may lawfully consent to buggery (an offence which does not exist in Scotland) and certain homosexual acts. This reduction is from 18 to 16 in England and Wales and Scotland, and from 18 to 17 in Northern Ireland. This equalises the age of consent for sexual activity so that it is the same for male homosexuals as for heterosexuals and lesbians ie 16 in England, Wales and Scotland and 17 in Northern Ireland. Second, in all jurisdictions, a person under the age of consent no longer commits an offence themselves if they engage in buggery (not Scotland) or certain homosexual acts with a person over the age of consent.
4. Third, the Act introduces a new offence where a person aged 18 or over has sexual intercourse or engages in any other sexual activity with or directed towards a person under that age, if the person aged 18 or over is in a position of trust in relation to the younger person in circumstances specified in the Act. A person convicted of such an offence, unless they are under 20 years old, will be subject to the notification requirements under the Sex Offenders Act 1997. Any person convicted of the offence may also be made the subject of an “extended sentence” by the court.