

SASO* GLASGOW BRANCH
STRATHCLYDE POLICE HEADQUARTERS
PITT STREET GLASGOW

2nd October 2008

Debate: THIS HOUSE BELIEVES THAT SEX BETWEEN CONSENTING 13 to 15
YEAR OLDS SHOULD BE DECRIMINALISED

Chair Shereen Nanjiani, Journalist and Broadcaster

For the Motion Professor Joe Thomson, Scottish Law Commission
Seconded Professor David Archard, Lancaster University

Against the Motion John Deighan, Parliamentary Officer, Catholic Church in
Scotland
Seconded Detective Chief Inspector William Prendergast, Strathclyde
Police

Sheriff Rita Rae welcomed everyone to the debate and passed the debate on to the proposer.

Joe Thomson outlined the proposal reiterating that this proposal was only for consenting 13 to 15 yr olds. No child under 13 can be deemed to have given consent and the excuse of not knowing the age will not be accepted.

In support of the motion he gave a lively speech and some of his views were that it this would allow 13-15 yr olds healthy sexual exploration but would not be coerced by older people and many younger children are more than able to give informed consent at this age.

He pointed out that until 1926 the age of consent was 12 for girls and 14 for boys then it was raised to 16.

John Deighan opposed the motion saying that we, the adults have the responsibility to protect children from emotional turmoil before they are prepared.

He had a 13yr old son who would be very willing to give consent to smoking, drinking and driving, thinking that he was mature enough. Fortunately the law did not agree with him. Our culture has changed and children are now bombarded with images and views that are not always healthy.

David Archer seconding the motion advised that he had been a panel member in Dundee for 7 years. He believes that the only moral principle should be consent. Of course we must protect the victims of sexual assault but society should not impose. Whether we like it or not, teenagers are having sex. He agreed with John that it was regrettable that we live in a highly sexualised society which makes sex attractive. He believes we require educating them , giving them informed choices. He believes that we are making unwanted felons of young people just for having sex too soon.

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Detective Chief Inspector William Prendergast gave a very lively speech against the motion. He advised that whilst a lot of 13-15 yr olds are fit and raring to go, at that age he would have run away from it. His parents brought him up knowing right from wrong and as they believed it was wrong he had too much respect for them to go against their wishes. He pointed out that though 13 – 15 yrs old could be prosecuted, the reality was that prosecution was rare as it was seen as a welfare issue and would be referred to the hearing system. He feels that this would send out the wrong message and could leave vulnerable children open to exploitation and coercion. Teenagers are not emotionally able to cope with all the break ups of relationships without having to deal with the sexual side as well We as adults have to protect children in particular ones whose parents are not able to give them proper guidance.

After questions from the floor the motion was put to the vote and the motion was carried by 39 votes to 37.

A report compiled for SACP by Margaret Gaughan