**Session Twelve: WHEN IS A SEXUAL RELATIONSHIP OFFENSIVE?**

**WORKSHEET 3 FACILITATOR INFORMATION – SEXUAL OFFENCES ACT: CARDS & DEFINITIONS ANSWER SHEET**

**DEFINITION 1 Rape**

Rape is classified as penetration by the penis of somebody’s vagina, anus or mouth, without their consent. Rape can be committed against men or women, but since it involves penile penetration it is only committed by men.

**DEFINITION 2 Assault by penetration**

It is an offence to penetrate the anus or vagina of someone else with any part of the body or with an object, if the penetration is sexual and if the person does not consent.

**DEFINITION 3 Sexual assault**

This law covers any kind of intentional sexual touching of somebody else without their consent. It includes touching any part of their body, clothed or unclothed, either with your body or with an object.

**DEFINITION 4 Causing a person to engage in a sexual activity without consent**

This law covers any kind of sexual activity without consent. For instance it would apply to a woman who forces a man to penetrate her, or an abuser who makes their victim engage in masturbation.

**DEFINITION 5 Administering a substance with intent**

This law makes it a separate offence to give someone any substance – for instance spiking their drink – without their consent, and with the intention of stupefying them so that sexual activity can take place. In this instance, sexual activity could include stripping someone or taking pornographic photos of them. Someone can be charged with this offence on top of any separate charge for rape or sexual assault. They can also be charged when the intended sexual activity did not take place, for instance when someone sees what is going on and intervenes to stop it.

**DEFINITION 6 Other ‘intent’ offences**

Two new laws – ‘committing an offence with intent’ and ‘trespass with intent’ – cover situations where abusers commit one offence (such as violence, trespass, or detaining someone against their will) with the intention of then committing a sexual offence.

**DEFINITION 7 Other offences**

Other offences under the Act include exposure (or ‘flashing’), voyeurism, sex in public toilets, and sex with animals or with corpses. Voyeurism is a new offence which applies to watching people without their consent when they are involved in private acts. It includes setting up, viewing or recording people through electronic equipment such as webcams or cameras. There are also important sections of the Act which deal with prostitution and trafficking, and with sexual offences against people with mental disorders, including learning disabilities.

**DEFINITION 8 Child Sexual Exploitation**

This involves offenders grooming young people under 18 and using their power to sexually abuse them. It can take many forms, whether it occurs through a seemingly 'consensual' relationship with an older partner, or a young person having sex in return for attention, gifts, alcohol or cigarettes.

UK Definition:

'The sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of performing, and/or others performing on them, sexual activities.'

**DEFINITION 9 Trafficking**

This is the movement of children within the UK or into the UK from other countries for the purpose of sexually abusing them.

**DEFINITION 10 Rohypnol**

This is a Tranquiliser type drug controlled under Class C of the Misuse of Drugs Act. Class C drugs can be sold only by pharmacists if you have a doctor's prescription. This drug, often called 'Date Rape drug' renders a person incapable of giving consent and they are often unaware of what has happened over a period of time. Unauthorised possession (i.e. without a prescription) could result in a prison sentence of up to 2 years and an unlimited fine.

**DEFINITION 11 Consent**

The age of consent to any form of sexual activity for males and females is 16 years. Children under 13 years cannot legally give their consent to any form of sexual activity. Young people between the ages of 13-15 years may be deemed as 'competent to consent' by professionals using the Fraser Guidelines for contraceptive services. Young people of any age can access information and advice from sexual health services.