



Angus CPC multi-agency sexual activity
guidance

Underage sexual activity is any sexual activity of children under 16 years of age. While young people grow and develop the focus will be on providing support to learn about healthy, respectful, consensual, and safe relationships. Further reading is available in a Scottish Government document: Key Messages for Young People on Healthy Relationships and Consent (Scottish Government 2019).

Sexual intercourse and oral sex between children under the age of 16 years remains unlawful in Scotland. Police Scotland are committed to ensuring the safety and wellbeing of children and young persons across Scotland and will respond to reports of apparent underage sexual activity in a way that is compatible with the National Guidance for Child Protection in Scotland and the principles of GIRFEC.

Underage sexual activity is referred to in sections 4.246 to 4.258. (Page 174 – 176) of the National Guidance for Child Protection in Scotland 2021, all multi-agency staff within Angus should familiarise themselves with this when dealing with an incident of underage sexual activity.

In relation to children over 13 years of age professional judgement will be used to consider the potential impact on the young persons involved and whether they are at risk of harm. Some factors to consider (although not exhaustive) are:

- Any power imbalance
- The age, including any age difference
- Any use of force or exploitation
- Whether any indecent images have been taken, suggesting abuse or exploitation
- Whether there's any conduct involving overt aggression, manipulation, coercion, or bribery
- Any disinhibiting uses of substances
- The child's use of substances contributing to the risk of harm
- Any attempts to secure secrecy by the dominant person
- Evidence of grooming
- Previous concerns of a similar nature
- The other person is in a position of trust.

If the professional judgement is there are child protection concerns for the young person contact the Locality Social Work Team (numbers to be included) or if the young person is at immediate risk of harm contact Police as a matter of urgency.

Children (regardless of gender) under 13 years of age cannot consent to any form of sexual activity. Part 4 of the Sexual Offences (Scotland) Act 2009 states any such activity is an offence against a child and an IRD must be convened. Any medical care provided by health will be overseen by a Paediatrician and

not a sexual health clinic. Useful information for Health staff can be found in the Gillick Competence and Fraser Guidelines <https://learning.nspcc.org.uk/child-protection-system/gillick-competence-fraser-guidelines> .

Further information is contained in the [National guidance for child protection in Scotland 2021](#) describes the responsibilities and expectations for all involved in protecting children and will support the care and protection of children.

Third Sector support available for Young People in Angus in relation to underage sexual activity:

- Support and Advice on sexual health
Hillcrest Futures
Young People's Services Angus
29B Canmore Street / Forfar / DD8 3HT
Tel: 01307 460101
- AWARE (Angus Women's Aid) provide health relationship programmes for young people. Tel: 01241 439437
- Womens Rape & Sexual Abuse Centre – Dundee & Angus Council
The Prevention Project provides free interactive workshops for young people aged 11 – 25.
Contact: support@wrasac.org.uk
- Dundee & Angus Young Survivors Project (DAYS) provides support to young people of any gender aged between 8 -18 who have experienced sexual abuse of any kind.
Contact: days@wrasac.org.uk Tel: 01382 201291

The Angus CARM policy should also be considered should the identified behaviours require this approach.

Final Draft 25-08-23