

# Age of Sexual Consent

Some points for consideration

# The right to self-determination

- Young people do have a right to self-determination
- Young people should be empowered to make informed decisions
- Young people should be part of the consultation process and their voice should be heard in matters that concern them

# Access to reliable information

- Lowering the age of consent can increase the likelihood of young people's seeking reputable information, since it is no longer considered as illicit behaviour
- Ensure such information is accessible and that young people do have the means to access and use that information

# Holistic education

- Irrespective of the age of consent ensuring that young people have access to holistic sexuality and relationship education is paramount
- Such education should gradually start from early childhood and progress through adolescence to adulthood to empower young people to support and protect their sexual development

# A positive approach to sexuality

- Sexual health and wellbeing require a positive approach to sexuality. We must ensure that the sexual right of all persons are respected, protected and fulfilled.
- Criminalisation might not be the best way to engender positive perceptions towards sexuality

# Age banding

- Explore the introduction of age banding in Maltese legislation. Such a mechanism takes into consideration the age difference between sexual partners.

# Sexual orientation & gender differences

- Although the Maltese legislation does not discriminate on the basis of sexual orientation, discrimination can result from selective enforcement with regards to individual cases due to homophobic reactions, particularly from parents or guardians.
- Although the legislation would apply equally to males and females it is worth noting that males and females are not impacted in the same manner

# Instilling a sense of agency

- Reducing the age of consent could potentially expose vulnerable young people to be increasingly exposed to abusive situations. Child protection legislations must continue to be enforced.
- Instil in young people a sense of agency over their own lives, a positives sense of self and assertiveness that allows them to say no when an action is not in their best interest.