

PROTECTION OF CHILDREN AND PREVENTION OF SEXUAL OFFENCES (SCOTLAND) ACT 2005

EXPLANATORY NOTES

THE ACT

3. The primary policy objective of this Act is to improve the protection given to children and young people from those who would wish to cause them sexual harm, or exploit them for sexual purposes. The Act also aims to improve the protection given to adults and children alike from those convicted of sexual offences who still pose a risk of sexual harm. The Act does this in the following ways.
 - It introduces a new offence of sexual grooming of a person under 16;
 - It introduces Risk of Sexual Harm Orders (RSHOs) which are designed to protect children from those who display inappropriate behaviour towards them;
 - It introduces a new offence of paying for the sexual services of a person under 18;
 - It introduces new offences of causing, inciting, controlling, arranging or facilitating the provision of sexual services by children or child pornography;
 - It removes the statutory time limit for prosecution of the offence of unlawful intercourse with a girl between 13 and 16;
 - It amends current legislation criminalising the taking, possessing and distribution of indecent images of children so that it applies to images of people under 18 rather than only to images of those under 16;
 - It extends the use of Sexual Offences Prevention Orders (SOPOs) so that they can be imposed on those convicted of sex offences by the court when they are sentenced.