



GOVERNMENT OF GIBRALTAR
PRESS OFFICE
No.6 Convent Place
Gibraltar
Tel:70071; Fax: 74524

PRESS RELEASE

No: 221/2009

Date: 5th November 2009

Equalisation of age of consent for homosexual and heterosexual sex.

In July, Parliament debated a Private Member's Bill that sought to equalise the age of consent. The Bill did not obtain majority support. Given the differing views that had been expressed on the legal and human rights aspects of the matter during the debate in Parliament, and given the importance that it attached to Gibraltar's laws being compatible with the European Convention of Human Rights, the Government said that it would seek a ruling from the Courts on the matter.

The Chief Minister and the Attorney General have to-day issued Court Proceedings in which they are seeking a declaration from the Supreme Court as to whether, and if so how, the difference in treatment between homosexual men on the one hand and heterosexuals and lesbian women on the other, as regards the differing ages of consent for sexual intercourse, buggery and sexual activity in Part XII of the Criminal Offences Act, and therefore the different circumstances in which they can be prosecuted, violates Sections 1 and/or 14 or any other provision of the Constitution.

The proceedings will be conducted by the Attorney General as Counsel for the two claimants.