

# PAEDOPHILIA

**Some questions and answers**

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## Some Questions and Answers

### Introduction

Paedophiles - - sexual lovers of children - - are generally hated, feared and despised by people who may never (consciously) have met one, and they are brutally penalised by existing laws.

In the belief that knowledge dispels prejudice, this booklet sets out to answer the commonest questions and suppositions about paedophilia, and to argue that those involved represent no special threat to society, but on the contrary are often a force for social good.

1. **What is paedophilia ?**

Sexual love directed towards children. (Concise Oxford Dictionary, 1976). Paederasty means etymologically much the same, although it is now defined (by the C.O.D.) as "sodomy with a boy".

2. **What do you mean by "children" ?**

The word "child" is nowadays generally used to describe a person between birth and puberty. Some, however, regard childhood as extending to higher ages.

People's view of childhood has changed throughout history. In other times quite young children coped with responsibilities that are now regarded as the province of adults, and in some cultures they still do. In the feudal period the term could include young adults and serfs.

When we refer to "children" in this pamphlet, we mean both in pre-puberty and early adolescence.

3. **Are paedophiles exclusively attracted to children ?**

Often, but not necessarily.

4. **What age-group attracts paedophiles ?**

Usually somewhere in the 8 - 15 range.

5. **Are all paedophiles male ? Are they all homosexual ?**

No. They can be of either sex or any orientation.

6. **Are they ever married ? What about paedophile feelings within the family ?**

Some paedophiles are married. But some other parents are now aware of sexual feelings for their own children.

7. **Would most paedophiles like to be "normal" ?**

Some would, being tired of the furtiveness, guilt or repression forced on them by society. Others, believing that their sexuality is natural, harmless, and an integral part of their personality, would not wish to be changed even if this were possible—which it is not. (Imprisoned paedophiles often go through the motions of being "cured" for reasons of expediency).

8. **Have they chosen to be paedophile ?**

No more than other people have chosen their sexual feelings. They just happen to find themselves attracted to children.

9. **Is paedophilia an illness ?**

Whether someone is "ill" can be very much a matter of opinion, as we know from those countries where political dissidents are conveniently declared "mentally ill". (All it means in such cases is that their views are unacceptable to the State).

Much of the medical profession in this country was content, until quite recently, to consider homosexuality an illness. But as homosexuals have organised themselves to challenge this view, medical opinion itself has changed. Homosexuals are now widely regarded as ordinary, healthy people - - a minority, but no more "ill" than the minority who are left-handed. There is no reason why paedophilia should not win similar acceptance.

10. **Is it possible to change paedophiles ?**

All psychiatrists can do is make them happier paedophiles. Otherwise, all that has been managed so far is to neutralise some paedophiles by treatment with drugs. Aversion therapy, unless achieving a complete breakdown of the personality, seems to have only a very temporary effect.

It is not desirable to destroy a paedophile's love for children. What is desirable is to change paedophiles from outcasts into useful members of a society which will accept non-parental love for children.

11. **Surely paedophiles must be immature people ?**

What is maturity ? Judged by one accepted yardstick - - the ability to cope with a demanding and responsible job - - we know that many paedophiles are well up to the mark, notably in the teaching profession. Many too, like good parents, have a highly developed (mature) sense of care and responsibility for the children they are with.

As for "playing" with children, either sexually or otherwise, this is no evidence of a juvenile mind. Childish things aren't necessarily immature in the sense of being ill-judged, and child attitudes to sex, for instance, tend to be a lot less neurotic than adult ones.

There is no such thing as a paedophile personality, any more than there is a paedophile physique or physiogomy.

12. **Why aren't they attracted to partners of their own age ?**

Some of them are. As for the others, no-one seems to know - - there is an abundance of theory, but no solid evidence. They are certainly not necessarily people who can't relate to other adults or get on well with them, though they often become aware of their paedophilia through their lack of attraction to adults.

(But does the question really matter ? Other people don't worry about why they are sexually interested in adults. Must everyone be the same ?)

13. **What attracts paedophiles to children, and especially to children of certain ages ?**

The same range of factors that determines other people's sexual and emotional preferences. For some, it is mainly a physical or aesthetic matter (the charm of smallness and lightness), for some it may be psychological (identification, nostalgia, or a need to protect), while for some it could have moral significance (a love of directness, innocence, emotional honesty - - qualities adults tend to lose). For most, probably, a mixture of these things. There are as many answers as there are paedophiles.

14. **Is it true that paedophiles assault children ?**

Almost never, in any meaningful sense of the word. Aggressiveness isn't a paedophile trait. Matti Virkkunen<sup>1</sup> pointed out in her 1975 study of paedophile "offences" that in many cases the child was a willing partner and the adult was "gentle, fond of children and benevolent".

The legal term "indecent assault" is a misnomer which is largely to blame for the irrational fear with which paedophiles are regarded. It may mean nothing more than touching the child with his or her consent, and can refer to tender and mutually satisfying acts.

15. **Surely paedophiles force children into sex ?**

Again, almost never. As parents know, it's hard enough, even with the full sanction of parenthood, to make children do things they don't want to: and paedophiles, of all people, are in no position to bully or blackmail.

The fact is that children are interested in sex from an early age - Kinsey<sup>2</sup> noted that even infants are capable of orgasm - and are eager to make contact with a sympathetic person. Loretta Bender and Abraham Blau<sup>3</sup> wrote, as long ago as 1937, that a paedophile relationship is often initiated by the child. Sex between children and adults can arise with surprising naturalness and innocence in the context of, say, a swimming-bath or a summer camp. Physical exhilaration in children is often close to sexual arousal, and in a play situation many a startled teacher or supervising adult has been seduced by his charges.

16. **But the adult must often be the seducer, obviously ?**

Even in cases where the adult takes the lead, the word "seduction" should not necessarily imply that the child is being led towards sin, corruption or other anti-sexual concepts. Perhaps a better word would be "introduction", or, as a Dutch Government report<sup>4</sup> has suggested, "initiation". The report draws this conclusion:

1. Matti Virkkunen (Helsinki) Victim - precipitated Paedophilia Offences, *Brit. J. Criminol*, Vol. 15, No. 2, April 1975.
2. Alfred C. Kinsey et al, *Sexual Behaviour in the Human Male*, W.B. Saunders Co, 1948.
3. Loretta Bender, Abraham Blau; *The Reaction of Children to Sexual Relations with Adults*, *Am. J. Orthopsychiat.* 7;500 - 518, 1937.
4. Speijer - 1967.

"A society which seeks to eliminate seductive situations will not encourage public moral welfare. On the contrary, it is desirable for young people of both sexes that they are able to meet and cope with such situations. A normal development requires broad possibilities of introduction, experiment, contact and initiation".

17. **Surely many children are not capable of sexual activity before puberty ?**

Puberty is the time at which it becomes possible for children to reproduce; it is not the age at which sexual pleasure begins. Others besides Kinsey have shown that sexual activity and orgasm commonly occur in pre-pubescent children, and take much the same forms as with adults. Boys frequently enjoy "dry orgasms" long before ejaculation is possible.

The average age of puberty is around 14 for boys and 12 for girls, but it can arrive in some children as early as 6, whereas others can be in their late 'teens before it occurs.

18. **What do paedophiles do sexually to children ?**

It's not so much what they do to children as what adult and child do and enjoy together. What happens physically depends on the sex, and to some extent, the age of the participants. Fondling, kissing and mutual masturbation are the most usual activities. Otherwise, just whatever adults - - or children - - do among themselves.

19. **Why do we hear so little about women paedophiles ?**

Criminal prosecutions in this field are very rare, probably because women can express their sexual feelings towards children in a far less obvious way than men. Mothers can be extremely sensual with their children, for instance, without attracting untoward attention, as indeed can women in such professions as social work, child nursing and teaching.

20. **Won't paedophile experience harm children physically ?**

Folklore about common physical damage due to early sexual experience abounds, both from unofficial and official sources, but hard facts are seldom if ever offered, and those which can be inferred from official reports seem to refute it.

The Wolfenden Report on Homosexuality concluded that "cases in which physical injury results from the act of buggery are very rare". In vaginal intercourse with girls, as with women, there is the possibility that the hymen will rupture, but real damage to the vagina is extremely uncommon.

21. **What about the risk of a young girl becoming pregnant ?**

Pregnancy in a girl only becomes possible after she reaches the age at which she can menstruate. The average age for this is 12, but it can happen as young as 9, or rarely, at an even earlier age.

The incidence of early pregnancy is low, and could be further reduced if information about birth control and abortion were more effectively spread, and contraceptive aids made freely available to girls at the onset of puberty.

22. **But shouldn't we protect children from VD ?**

Certainly, by all possible means - - just as we should try to protect adults. But attitudes to VD, regarding it as somehow defiling or more terrible than other diseases, impede this. As a result, a cloud of secrecy covers the subject, and guilt and shame afflicts many of those infected, so that the disease remains untreated for a large proportion of the sufferers. It is untreated VD which is the real danger.

There are children who have VD now, and the problem will not go away if we outlaw their sexual activity. On the contrary, only by encouraging children and adults to be less guilty about their sex lives, and providing them with knowledge of the symptoms of VD, will its incidence be reduced. More sex education and regular VD check-ups (perhaps even in schools) would help children to avoid the disease far more than unrealistic and socially harmful sexual puritanism does.

23. **What about the psychological effect on the child ?**

If a paedophilic experience is agreeable, there is no ill effect at all. In fact, Bender and Blau's study<sup>5</sup> showed that a number of pre-pubescent children who had had sexual contacts with adults seemed actually to benefit from it: "The emotional placidity of most of the children would seem to indicate that they derived some fundamental satisfaction from the relationship. The children rarely acted as injured parties and often did not show any evidence of guilt, anxiety or shame. Any emotional disturbance they presented could be attributed to external restraint rather than internal guilt".

Mental or emotional distress in cases involving mutually desired relationships is caused, in other words, by intervention from police or parents.

24. **Do paedophile contacts predispose children to become paedophile or homosexual ?**

No - - though this is a widely held view, and what magistrates usually mean when they speak of paedophiles "corrupting" children. (Should homosexuals or paedophiles be regarded as corrupt ?) Experts, including those reporting to the Wolfenden Committee, have found no evidence to support it.

25. **Surely children are innocent ?**

Innocence in the sense of chastity is an invention of puritans - - particularly in the 19th Century - - who thought sex basically dirty. Truly innocent children simply enjoy sex and are interested in it. They have to be taught to fear and shun socially unapproved forms of it. It is not the paedophile who corrupts the child, but the puritan.

26. **Do children really know what they're doing ?**

They often know a great deal more than they're given credit for. Even without sex education, they have always known about masturbation, about "tickling" and "exploring", and have done it among themselves.

27. **But are children capable of "consenting" to sexual activity ?**

This is a central question which needs to be answered at some length.

(a) **Can children take a moral decision at an early age ?**

One could study a child's intellectual development, his growing awareness of moral concepts, in an attempt to pinpoint some age, or stage, at which he is capable of considering moral questions. But this would assume that the child needs to make some difficult decision. If we believe that sexual activity is morally neutral, neither "right" nor "wrong", there is no need for the child (or anyone else) to worry over complicated questions. All that matters is whether the act is pleasurable.

Some children will withhold consent because they have already been taught to accept their parents' code. No-one ever asks whether they understand that.

(b) **Surely children can't always tell adults what they want ?**

Even babies have ways of expressing their wishes, in broad terms, just by crying when they are hungry or have a wet nappy. By the time they have learnt a few key words like "yes" and "no", "nice" and "nasty", they have the basic equipment for giving or withholding consent. Not that an adult is likely to be in any doubt, simply from the child's demeanour, as to whether he has its consent. If the child seems puzzled and hesitant, rather than relaxed and cheerful, he should assume that he hasn't.

(c) **How can a young child deter an adult ?**

Just as rape, or the use of drugs or physical force on children, should be heavily penalised by law, so (more lightly) should pestering, upon the child's complaint. At present, owing to the cloud of shame and unmentionability that hangs over sex, some children lack the social support that enables a girl, for instance, to refuse to dance with someone she doesn't like. A healthier attitude would make it easier for the child to speak up, without feeling embarrassed about it.



The problem, however, seems unlikely to be a major one. Children are obstinate refusers of things they don't like, as any mother knows who has tried to bully them into eating unwelcome food; besides which most paedophiles, like other people, don't enjoy sex with an unenthusiastic partner.

The greatest danger, though not common, would be in an incestuous relationship, because parental control is hard for a child to challenge or evade. More freedom for children to make their own decisions would also have the effect of making them less vulnerable.

- (d) **What if the adult persists, and gets the child to agree to something it doesn't really want ?**

The adult should then be liable to legal action and social condemnation.

28. **Isn't there the danger of a paedophile being a child-murderer ?**

When paedophiles see a child murder report in the newspapers, they are at least as sickened by it as everyone else: possibly even more so. These crimes - - the result of, for example, hatred, sadism or mental derangement - - are not a part or side-effect of paedophilia, any more than other sex murders are of other sexual orientations.

Fewer children, in fact, are at risk of violence from paedophiles than from parents.

29. **Surely the best advice is "never talk to strangers" ?**

While it is both good and valid to desire to protect those who are smaller and less experienced from people who would do them violence, children are rarely attacked by strangers. In fact, there is a far far bigger chance of a child being involved in a road accident than meeting a dangerous stranger. It is much better to teach them to be cautious and discriminating in their dealings with people, than that they should fear most of the community.

30. **Are paedophile relationships illegal ?**

Yes, where sexual acts are involved. Sex with children and between children is illegal below certain ages, and these are covered by various and complex laws. (See Legal Appendix). A paedophile can be sentenced to life imprisonment even for non-violent, consenting sex acts.

31. **But surely these laws are necessary to protect children ?**

Although those who drew up the laws relating to sexual acts involving children probably meant to offer protection, the result has been needless harm and suffering of many kinds. Children have been humiliated, ostracised, separated from those they love, forbidden sexual relationships, ridden with sexual guilt, even driven to committing suicide. Some parents too have been humiliated and ostracised and separated from their children.

The privately experienced horror and shock of parents is magnified for the child by the public involvement of police, court and press. What he or she had seen as a pleasurable and perhaps loving experience is transformed into a traumatic parade of guilt, hate and retribution. Often the possibility of such reactions is well known to the child, and can - - to use the word in its proper sense - - corrupt the relationship from the start, through guilt and furtiveness.

Children who have sought out sexual relationships have been the subject of care orders under the Children and Young Persons Acts, even in circumstances where the child and parents want to remain together. To the child this can only be seen as punishment. It is ironic that a law designed to protect should be seen by the "protected" as punishing.

**32. What is the effect of the law on the paedophiles themselves ?**

They are not only humiliated and ostracised, but harassed, imprisoned and put in solitary confinement. Sometimes they commit suicide. Even those paedophiles who never come into conflict with the law live in a state of fear or frustration. They know that whatever esteem they have earned in their working or domestic lives can be totally destroyed if they are arrested for a paedophile offence. Even family and "friends" may disown them.

**33. What is the worst defect of the present law ?**

Its brutal lack of discrimination between those relationships which have been mutually loving and caring, or at least pleasurable and desired by the child as well as the adult, and those which are not mutual and may involve force or coercion. This confusion is perhaps the main cause of the oppression of paedophiles, and in cases of arrest encourages their physical abuse and assault by police, prison warders, and particularly other prisoners. This abuse is common knowledge in the prison service, and sometimes a blind eye is turned to it. The abuser, like the law, makes no distinction between the gentle and the violent.

**34. Should the age of consent be abolished altogether ?**

Yes. Consent is important, age is not.

**35. Wouldn't lowering or abolishing the age of consent lead to an increase in child prostitution ?**

Tighter legal sanctions against child prostitution may need to be introduced to prevent exploitation. However, for the most part prostitution occurs because society prevents people from being together - sexually or in other ways; thus forcing them to buy or sell a pale shadow of what they need. If people were allowed to express themselves naturally together, prostitution would be reduced rather than increased.

**36. What of the dangers of child pornography ?**

There is nothing wrong with child erotica as such, providing the child is happy to take part. The danger lies in the commercialisation of the erotica and in the fact that it is illegal to produce photographs or films depicting children in explicitly sexual acts and poses: like prohibition liquor child porn production and distribution attracts gangster types in search of fast money, who may well push children into sexual acts they do not want.

Whereas nudity and erotic behaviour can be beautiful, and therefore films and other means of depicting them can be desirable in themselves, there is a greater amount of pornography sold in our society than would be the case if people were able to be sexual with one another, rather than limited to solitary fantasies; a flourishing pornography trade is more indicative of a sexually restrictive society, than a sexually free one.

**37. Can't children learn about sex among themselves ?**

They do. But an adult is often able to encourage a more unselfish and thoughtful attitude to personal relationships - - the best form of sex education. Many children are unable to think of their parents having sex, and are afraid of ridicule from others if they reveal their own sexual interest or ignorance. However, it is not simply a matter of learning: some children desire sex with adults.

**38. Shouldn't parents have some control over their children's sex lives ?**

Parents already have a great deal of power. The daily lives of many children, particularly younger ones, are completely ordered by their parents. But loving parents will allow their children room to learn from new experiences and so be more independent.

It is becoming increasingly accepted that repression of children's sexual feelings can harm them, particularly later in life. Many parents who realise this encourage the growing sexual awareness of their children. Some, too, accept paedophile relationships, seeing how important these are to the child.

**39. Can a paedophile relationship last ?**

Very deep affection often develops between an adult and child, whether accompanied by sex or not. Sceptics have pointed out - - rightly - - that when children reach adolescence they cease to interest the paedophile sexually; but this in no way implies rejection. An unpossessive friendship remains.

**40. Teachers, clergymen, scoutmasters and youth workers are thought to be particularly prone to child-love. Are they, and should paedophiles be excluded from youth work ?**

Paedophiles are naturally drawn to work involving children, for which many of them have extraordinary talent and devotion. (Often they are also the ones the children value most). If this field were to be "purged", there would be a damaging reduction of people left to do the work.

41. Does paedophilia lead to the breakdown of family life ?

The family unit will survive for as long as it deserves to. In some cases it has broken down, and for those children with an unhappy home life, a loving paedophile relationship may be of enormous benefit. Parents and paedophiles should be allies in the loving and bringing up of children (as some indeed already are), not rivals or enemies.

42. What are paedophiles doing to help each other ?

An organisation exists to help paedophiles and is working to change attitudes; the Paedophile Information Exchange (PIE). Founded in 1974 it is seeking to dispel the myths connected with paedophilia, and trying to show that most paedophiles desire gentle, loving and mutually pleasurable relationships. The group believes that attitudes towards young people should change so that the existence of their sexuality and other feelings are recognised and accepted. Its aim is to make public scientific, sociological and similar information about paedophilia to show how the lives of children and paedophiles are distorted by society's prohibitive values. PIE also tries to provide a means whereby paedophiles can communicate with one another and so help reduce the feeling of guilty isolation which is often a feature of their lives.

43. How can I help ?

By understanding that most paedophiles are ordinary, decent, sensible human beings, no more sexually depraved than yourself, and with a capacity for loving and helping children which is at present being repressed.

By allowing them to express themselves openly and without fear.

By realising that children should have some degree of control over their own lives, including the right to choose sexual partners.

By looking back to your own childhood and remembering if you ever felt drawn to an adult, or vice versa.

By acknowledging that, as an adult, you may have suppressed unconventional sexual feelings.

By trying to think of sex, in all its loving forms, as something pleasant and likeable.

## APPENDICES

### Appendix 1: The Law.

#### 1. What laws cover paedophile relationships ?

##### (a) In England and Wales.

The laws relating to the age of consent affect both homosexual and heterosexual relationships. The age of consent for female heterosexuals is 16; for male homosexuals it is 21, although in relationships involving someone between 16 and 21 "consent" can be adduced as a mitigating circumstance. There are certain other restrictions in law on male homosexual relationships, for those over 21, which do not exist for heterosexual ones.

The position in which the younger partner is a male in a heterosexual relationship or a female in a homosexual relationship is less clearcut. The only restrictions in statute law which can be applied to them are those imposed by the Indecency with Children Act (1960), which sets a lower limit of 14 on certain sexual acts, especially where the initiative is taken by the child or no touching is involved, and by Sections 14 and 15 of the Sexual Offences Act (1956), which defines any sexual act done to a boy or girl aged under 16 as an indecent assault, whether or not they agree to it. However, it is questionable whether this law has been applied to lesbian acts. In the case of women in general, and women and boys in particular, charges are less commonly brought than when the older partner is a man, and when they are, the charges may be dropped even where a man in a similar case would be imprisoned for several years.

The maximum sentence for a man over 21 who commits buggery (anal intercourse) with a boy under 16, or for a man who has unlawful sexual intercourse with a girl under 13, is life imprisonment. Except where the man is under 24, has not been previously charged similarly, and reasonably believed the girl to be over 16, the maximum penalty for a man who has intercourse with a girl aged between 13 and 16 is two years.

Those who are convicted of sexual acts (excluding rape) of a non-consenting nature may be charged with indecent assault. However, since those below certain ages are assumed in law to be incapable of consent, those above the specified age who are involved in mutually pleasurable and desired sexual acts with children below these ages can also be charged with "indecent assault". Similarly, a child below the age of consent, but above the age of criminal responsibility - 10 years - may be charged with "indecent assault" on another child below this age, even when the relationship is mutually desired. Obviously, this leads to a confusion in people's minds between those relationships involving rape and violence and those which are mutually desired.

In some cases a person over 14 may be charged with committing an act of "gross indecency" with or to a person under 14. It is also an irrebuttable presumption in law that a boy under 14 cannot be the "active partner" in heterosexual intercourse or buggery. (Anyone who knows anything about boys under 14 will realise that this legal presumption is absurd). Certain other laws control sexual relationships with or between "defectives", whether above or below the age of consent.

(b) **In Scotland and Northern Ireland.**

In Scotland and Northern Ireland there are more severe restrictions on male homosexual relations amounting to a total ban, and other aspects of the law relating to sexual activity are also different.

2. **What is meant by Gross Indecency, Indecent Assault, Unlawful Sexual Intercourse and Buggery ?**

**Gross Indecency.** The word "indecency" as used here almost always means a sexual act or exhibition. "Gross Indecency" is not statutorily defined in law, but two statutory offences are covered by the term. The first concerns certain sexual acts between males - - and actual physical contact is not needed for a conviction under this charge. It is enough if the persons charged have so placed themselves that a "grossly indecent exhibition" was going on between them (e.g. masturbation or exposure of penis). Complaint by the other party is not necessary for conviction. The other statutory offence is contained in the Indecency with Children Act, which prohibits certain sexual acts of a person over 14 with a person below that age. An example of such an act is when a child under 14 is encouraged by an adult to touch the adult's or some other adult's genitals. There are various common law offences of "gross indecency", which may include heterosexual intercourse above the age of consent in a public place.

**Indecent Assault.** This legal term covers a wide range of sexual acts with people under the "age of consent", many of which need not involve any force or violence. These could be anything from the gentle touching of a limb to forcible buggery. The term is also used to describe non-consensual sexual acts (short of rape) with a person over the age of consent. Unlike "gross indecency", "indecent assault" must involve physical contact.

**Unlawful Sexual Intercourse.** Coitus by a man with a girl who is below the age of consent. If the girl is over 13, the offence is regarded as less grave.

**Buggery.** This is legally defined as sexual intercourse *per anum* (the penis inserted in the anal passage) of a man or youth with a person or animal of either sex. (Intercourse with an animal *per vaginam* is, oddly, also covered by the term). It is sufficient only to prove that there was penetration for a charge to be brought; semen need not have been emitted.

3. What is the incidence of paedophile offences ? \*

**Gross Indecency:**

- (a) "Indecency between males" (1956 Sexual Offences Act). 1627 convictions. 1% were for "indecencies" with boys under 14. 6% of those convicted were under 22.
- (b) "Indecency with children" (1960 Indecency with Children Act). 392 convictions. Of these, 44 were tried in a Crown Court: 40 males and 4 females. 24 of the convictions were for offences with boys, 20 for offences with girls. 2½% of those found guilty were under 22.

**Indecent Assault:**

- (a) On males: 800 convictions.
- (b) On females: 3014 convictions (including 5 women). 37% of those found guilty were under 22. (Note: these figures do not distinguish between child and adult "victims" - - though it is believed that at least 60% of the convictions were for "assaults" on under 16's - - nor does the law differentiate between mutually desired and non-desired acts when those said to be "assaulted" were children).

**Unlawful Sexual Intercourse:**

- (a) With a girl under 16: 656 convictions. 40% of those found guilty were under 22, 9% under 18.
- (b) With a girl under 13: 112 convictions. 45% of those found guilty were under 22, 13% under 18. (Note: most of the cases appear to have been consensual. The law makes no distinction between mutually desired and non-desired coitus with girls under 13. There also appear to have been more cautions than convictions).

**Buggery: (Of all those found guilty of buggery, 14% were under 22, 4% under 18).**

- (a) With males: 142 convictions. 105 were for buggery with boys under 16. (Note: the law makes no distinction between mutually desired and non-desired acts with boys under 16. However, according to the Home Office Research Unit Bulletin No. 3, "most of the offences with boys of 14 and 15 appear from the documents we have consulted to have been consensual". Indications are that the same is true in cases involving boys under 14).
- (b) With females: 20 convictions. (Note: all heterosexual acts of buggery are illegal, whether consensual or not).
- (c) With Animals: 2 convictions.

\* Figures extracted from Home Office Research Unit Bulletin No. 3, Spring 1976, and the Criminal Statistics for England and Wales, 1973.

4. **Has Paedophile activity always been outlawed in Britain ?**

Laws and attitudes change constantly through history and reveal many contradictory strands. Present attitudes to paedophilia, defined as the "corruption of minors", have developed particularly over the past two centuries. In Britain before the 19th century there was less of a difference between the treatment of children and adults in questions of morality. All sexual activity not directed towards procreation in marriage tended to be regarded as sinful. (Although some boys and girls lived together in marriage very early in their lives, sometimes before they could procreate). Punishments for contravening these ill-defined rules were sporadic and inconsistent.

At the time of Henry VIII the State began to take over from the Church jurisdiction for certain laws, including some rules of personal morality, and condemnation of sex acts outside procreation in marriage was one of these. It was a slow process, but the definition of exactly what was illegal by the enactment of various "sex crimes" did not properly get under way until the 19th century. From the 18th century the taboos against masturbation attempted to terrify young people out of expressing their sexuality. In the late 19th century the age of consent for females involved in heterosexual acts was twice increased, initially from 12 to 13 and later from 13 to 16. The 1885 Criminal Law Amendment Act, which created the offence of "gross indecency between males", effectively banned all male homosexual activities whatever the age of the people concerned and whether or not there was consent. One of its consequences was a clamp-down on those who were, like Oscar Wilde, believed to have been involved with youths.

In that period it was regarded as essential that a child's "innocence" should be protected as long as possible. This puritanical morality is still influential, and the penalties for certain consensual male homosexual paedophilic acts were actually increased in 1967 when the law was liberalised for "consenting adults" (i.e. men over 21). There is nothing magical or eternal about our current attitudes and laws. They have evolved over time, and can be changed for the better over time.

5. **Is it outlawed in all cultures ?**

Just as attitudes change through time, so they vary from culture to culture. In some societies, what we would call paedophilic acts are accepted as a natural part of social life. The Kiwai of New Guinea require young males to be sodomised during puberty rites to "make them strong" and other cultures have condoned adult / child sexual contacts at certain periods of a person's life.

Even in Western Europe attitudes have varied enormously. In France and certain other European countries, the Napoleonic Code loosened previous connections between laws and morals. In Holland all kinds of sexual relations with children, whether heterosexual or homosexual, were legal (except in cases where the adult used violence or where the child did not



consent) until 1886, when the age of consent was raised to 16. In France too, the laws in relation to sexual activity between children and adults were very liberal until counter revolutionary activity by the Church led to successive increases in the age of consent and to repression of homosexuality. But since the 1960's Western European countries have been lowering their ages of consent, and total abolition has already been suggested in a few of them. Many people are beginning to realise that an "age of consent" is very arbitrary and must surely disappear in time. In any case, protection of the non-consenting is a far more valid and just concept.

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## Appendix 2: Further Reading.

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