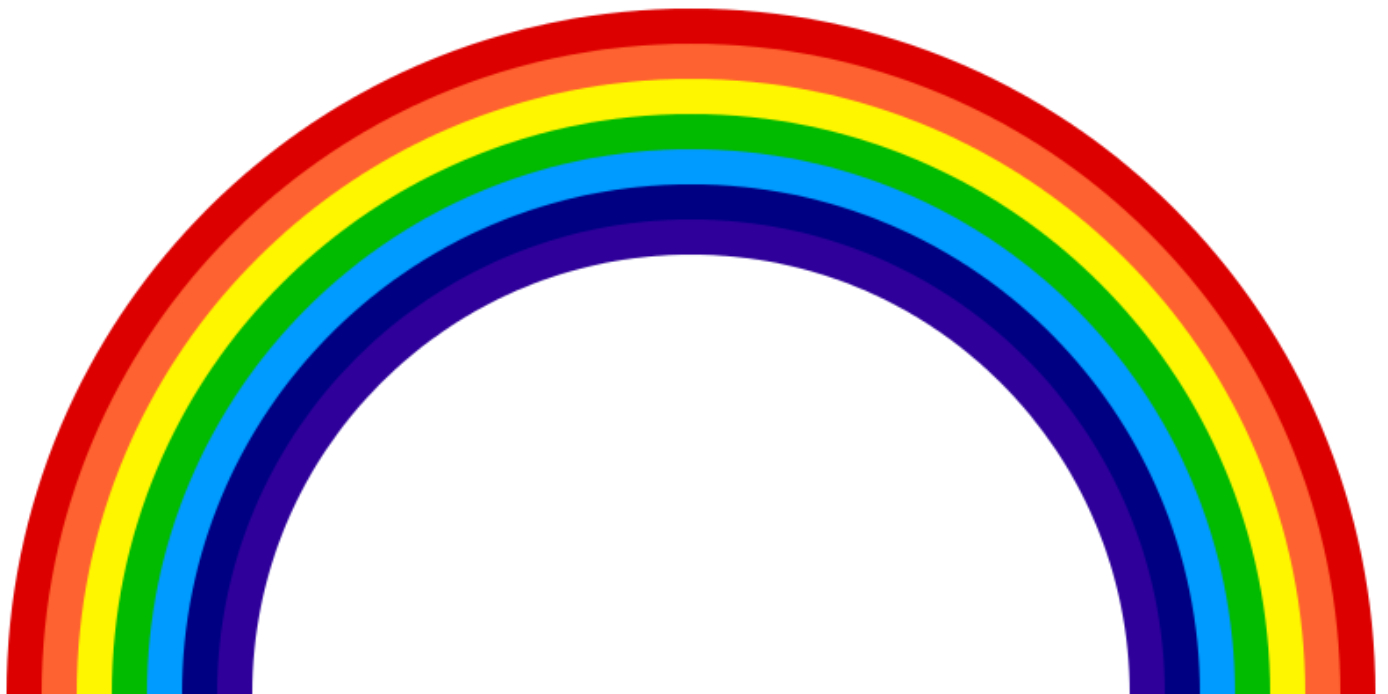


# **Sexual Offences Act, 1967**

**50th anniversary of the  
decriminalisation of homosexual  
acts in England and Wales**



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Fifty years ago, on 27 July 1967, the Sexual Offences Act received Royal Assent. This Act decriminalised homosexual acts carried out in private between men in England and Wales. It also revised the maximum punishment for men convicted of homosexual acts, changing it from life imprisonment to imprisonment of no more than ten years. Although the age of consent for sex between men and women was 16, this Act only decriminalised sex between men over the age of 21; it also did not cover the Merchant Navy or the Armed Forces. The Act did not extend to Scotland or Northern Ireland.

### **Background**

Before the passing of the Act, homosexual activity between men was a crime. The Buggery Act of 1533 was the first civil law to deal with the matter, which had previously been covered only by ecclesiastical law. This Act made intercourse involving anal penetration punishable by death; this remained the penalty until 1861, when it was changed to imprisonment of at least ten years. In 1885 the Criminal Law Amendment Act (known as the Labouchere Amendment) made “gross indecency” between men a crime; this covered forms of sexual activity other than anal intercourse.

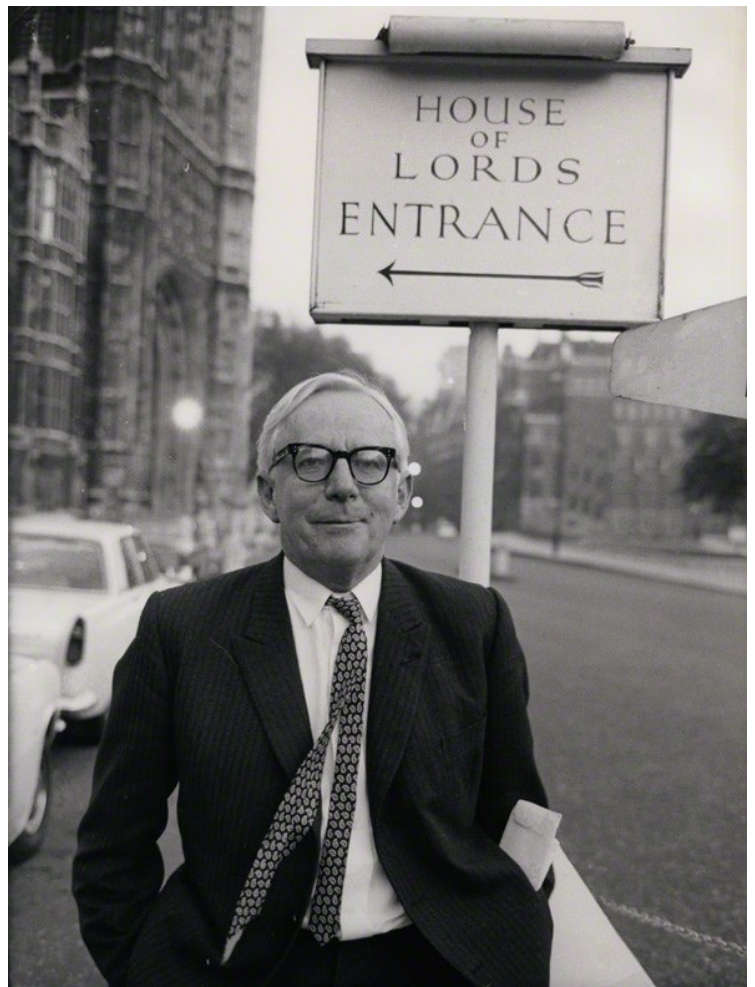
In 1954 the government appointed a committee to review the legislation which dealt with prostitution and homosexual offences. At this time, there were over a thousand men in prison in England and Wales for homosexual offences. Many well-known men had been convicted during this period; one was Alan Turing, who died two months before the committee was appointed.

The committee was known as the Wolfenden Committee after its chairman, Lord Wolfenden. Its report (Cmnd. 247) was published in September 1957, and recommended that homosexual acts in private between consenting adult men should be decriminalised.

In July 1966 Labour MP Leo Abse proposed the Sexual Offences (No.2) Bill, arguing that the law as it stood was “unjust and unenforceable”. Several attempts had been made before this to amend the law on this subject—an earlier Sexual Offences Bill had been introduced in the House of Lords by Lord Arran in April, and Humphry Berkeley had introduced another in the House of Commons in December 1965—but they were unsuccessful. However, on this occasion, after many hours of debate—the final discussions of the Bill, before its Third Reading, lasted from 10.15pm to 5.30am—the Bill was passed.



Leo Abse



Lord Arran

## Aftermath

The passing of the Act did not change things in the UK overnight. Gay venues were policed more aggressively, being raided and sometimes closed down. Thousands of men continued to be convicted of crimes relating to their sexuality in the decades following the Act, and some sentences became harsher: a man found guilty of gross indecency with a man between the ages of 16 and 21 faced a maximum of five years' imprisonment, rather than the earlier two. Between 1966 and 1974 the numbers of prosecutions for homosexual offences increased by 55%. Men could still be convicted for soliciting or importuning, resulting in arrests for smiling and winking at other men in the street. The law only decriminalised sexual acts taking place in private, which did not include hotels and guest houses. Discrimination on the grounds of sexual orientation remained legal for decades, with many gay men losing their jobs or being evicted from their homes. Newspapers and magazines containing lonely hearts adverts for gay men were prosecuted for conspiring to corrupt public morals. The law and public opinion gradually changed, becoming much less harsh towards gay men, but this did not happen automatically.

**1972**—First official Gay Pride march in London

**1980**—Homosexual activity between men decriminalised in Scotland.

**1982**—Homosexual activity between men decriminalised in Northern Ireland.

**1984**—Chris Smith, the UK's first openly gay MP, comes out.

**1988**—The Local Government Act is passed. Its Section 28 bans local authorities from “promoting homosexuality”.

**1994**—Criminal Justice and Public Order Act lowers age of consent for men having sex with men to 18. It is still 16 for others.

**1998**—Waheed Alli becomes the first openly gay member of the House of Lords.

**2000**—Gay people are allowed to serve openly in the UK's armed forces.

**2001**—Age of consent for men having sex with men lowered to 16.

**2003**—Section 28 repealed by the Local Government Act. The Sexual Offences Act 2003 repeals the Labouchere Amendment.

**2005**—The first civil partnerships between same-sex couples take place

**2013**—The Marriage (Same-Sex Couples) Act is passed, allowing same-sex couples to marry in England and Wales

**2014**—The Marriage and Civil Partnership (Scotland) Act is passed, allowing same-sex couples to marry in Scotland

**2017**—The Policing and Crime Act includes a provision pardoning men who were convicted of homosexual acts which are no longer criminal offences.



## **Commemoration**

Events are taking place throughout London and across the country to mark the Act's 50th anniversary. These include:

- “Gay UK: Love, Law and Liberty”, an exhibition at the British Library which looks at the build-up to the Act, its impact, and the remaining challenges. From 2 June to 19 September.
- “Desire, love, identity: exploring LGBTQ identities”, an exhibition at the British Museum which uses objects to examine queer histories, identities and lives from ancient civilisations to the present day. From 11 May to 15 October.
- “Gross Indecency”, an exploration at the British Film Institute of on-screen homosexuality in British cinema from the publication of the Wolfenden Report to the onset of AIDS. Runs throughout July and August.
- “Queer Talk: Homosexuality in Britten’s Britain”, an exhibition about the life and work of Benjamin Britten and his lover Peter Pears at the couple’s former home The Red House. From 1 February to 28 October.



- “Queer British Art 1861-1967” at Tate Britain, an exhibition which explores how artists expressed themselves in a time when established assumptions about gender and sexuality were being questioned and transformed. From 5 April to 1 October.
- “Prejudice and Pride”, a programme of events throughout the year at National Trust Properties exploring their LGBTQ heritage.
- “Refracted: Collection Highlights”, an exhibition at the Russell-Cotes art gallery in Bournemouth organised with members of the local LGBT+ community, taking the rainbow flag symbol as its theme. From 13 May to 8 September.
- “Coming Out: Sexuality, Gender and Identity”, an exhibition at the Walker Gallery in Liverpool bringing together artists whose work explores gender and sexuality. From 28 July to 5 November.
- “Never Going Underground: the Fight for LGBT+ Rights”, an exhibition at the People’s History Museum in Manchester curated by members of the local LGBT+ community which explores and celebrates those who campaigned and campaign for LGBT+ equality. From 25 February to 3 September.