

AI INDEX: EUR 45/02/98
18 FEBRUARY 1998

NEWS RELEASE

United Kingdom: "Bolton 7" - prisoners of conscience if imprisoned

Amnesty International announced today that it would consider the "Bolton Seven" -- seven men convicted on charges relating to consensual homosexual activities in private -- to be prisoners of conscience if imprisoned. A sentencing hearing is due to be held in the Crown Court in Bolton, England on Friday 20 February.

The men were convicted of "gross indecency" and "buggery" charges in connection with sexual activities which took place in the home of one of the defendants.

"These seven people were convicted, in effect, solely because of the homosexual nature of their relations -- under laws which place discriminatory restrictions on sexual behaviour between men," Amnesty International said today.

The Crown Prosecution Service appears to have been swayed in prosecuting the Bolton 7 by the distinctions currently existing in UK law between heterosexual and male homosexual acts.

The Sexual Offences Acts criminalize homosexual relations involving more than two men or involving males under 18 as "gross indecency". One of the seven was aged 17 and a half at the time. No equivalent offence or restrictions exist for consensual heterosexual relations for which the age of consent is 16. Consensual sexual relations between women over 16 are not criminalized. The age of consent for "buggery" (anal intercourse) is set at 18 for both heterosexual and homosexual relations, but unlike heterosexual anal intercourse, the law criminalizes such relations between men if more than two people are present.

The seventeen and a half year old, who has consistently and publicly maintained that he participated freely in the events which led to the convictions, has himself been convicted of gross indecency.

Last year, the European Commission on Human Rights concluded that the discriminatory age of consent for homosexual relations under UK law violated the rights to respect for private life and freedom from discrimination under the European Convention on Human Rights.

In view of the discriminatory aspects of the law relating to sexual offences, Amnesty International is calling on the Government of the United Kingdom to take immediate action to amend all legislation which places discriminatory restrictions on private and consensual sexual behaviour between men and which could therefore lead to the imprisonment of people solely on the basis of their homosexuality.

If any of the Bolton 7 are imprisoned, Amnesty International will be calling for their immediate and unconditional release as prisoners of conscience. ENDS.../