

**Changes to legislation:** Sexual Offences Act 2003, Cross Heading: Northern Ireland is up to date with all changes known to be in force on or before 10 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 3

#### SEXUAL OFFENCES FOR PURPOSES OF PART 2

##### Modifications etc. (not altering text)

- C1** Sch. 3 modified (28.6.2022) by 2007 c. 21, s. 28(4ZA) (as inserted by Police, Crime, Sentencing and Courts Act 2022 (c. 32), ss. 146(c), 208(5)(p))
- C1** Sch. 3 modified (S.) (31.3.2023) by Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (asp 22), ss. 25(3), 45(2)(3) (with s. 44); S.S.I. 2023/51, reg. 2 (with reg. 3)

##### *Northern Ireland*

- 61 Rape.
- 62 An offence under section 52 of the Offences against the Person Act 1861 (c. 100) (indecent assault upon a female) if—
- (a) where the offender was under 18, he is or has been sentenced, in respect of the offence, to imprisonment for a term of at least 12 months;
  - (b) in any other case—
    - (i) the victim was under 18, or
    - (ii) the offender, in respect of the offence or finding, is or has been—
      - (a) sentenced to a term of imprisonment,
      - (b) detained in a hospital, or
      - (c) made the subject of a community sentence of at least 12 months.
- 63 An offence under section 53 or 54 of that Act (abduction of woman by force for unlawful sexual intercourse) if the offender—
- (a) was 18 or over, or
  - (b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.
- 64 An offence under section 61 of that Act (buggery) if—
- (a) the offender was 20 or over, and
  - (b) the victim or (as the case may be) other party was under 18.
- 65 An offence under section 62 of that Act of assault with intent to commit buggery if the victim or (as the case may be) other party was under 18, and the offender —
- (a) was 18 or over, or
  - (b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.
- 66 An offence under section 62 of that Act of indecent assault upon a male person if—

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- (a) where the offender was under 18, he is or has been sentenced, in respect of the offence, to imprisonment for a term of at least 12 months;
  - (b) in any other case—
    - (i) the victim was under 18, or
    - (ii) the offender, in respect of the offence or finding, is or has been—
      - (a) sentenced to a term of imprisonment,
      - (b) detained in a hospital, or
      - (c) made the subject of a community sentence of at least 12 months.
- 67 An offence under section 2 of the Criminal Law Amendment Act 1885 (c. 69) (procurement) if the offender—
  - (a) was 18 or over, or
  - (b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.
- 68 An offence under section 3 of that Act (procuring defilement of woman by threats or fraud, etc.) if the offender—
  - (a) was 18 or over, or
  - (b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.
- 69 An offence under section 4 of that Act of unlawful carnal knowledge of a girl under 14 if the offender—
  - (a) was 18 or over, or
  - (b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.
- 70 An offence under section 5 of that Act of unlawful carnal knowledge of a girl under 17, if the offender was 20 or over.
- 71 An offence under section 7 of that Act (abduction of girl under 18) if the offender—
  - (a) was 18 or over, or
  - (b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.
- 72 An offence under section 11 of that Act (homosexual offences) if—
  - (a) the offender was 20 or over, and
  - (b) the victim or (as the case may be) other party was under 18.
- 73 An offence under section 1 of the Punishment of Incest Act 1908 (c. 45) (incest by males), if —
  - (a) where the offender was under 18, he is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months;
  - (b) in any other case—
    - (i) the victim or (as the case may be) other party was under 18, or
    - (ii) the offender, in respect of the offence or finding, is or has been—
      - (a) sentenced to a term of imprisonment, or
      - (b) detained in a hospital.
- 74 An offence under section 2 of that Act (incest by females), if—
  - (a) where the offender was under 18, he is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months;

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- (b) in any other case—
    - (i) the victim or (as the case may be) other party was under 18, or
    - (ii) the offender, in respect of the offence or finding, is or has been—
      - (a) sentenced to a term of imprisonment, or
      - (b) detained in a hospital.
- 75 An offence under section 21 of the Children and Young Persons Act (Northern Ireland) 1968 (c. 34) (causing or encouraging seduction or prostitution of a girl under 17) if the offender—
  - (a) was 18 or over, or
  - (b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.
- 76 An offence under section 22 of that Act (indecent conduct towards a child) if the offender—
  - (a) was 18 or over, or
  - (b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.
- 77 An offence under Article 3 of the Protection of Children (Northern Ireland) Order 1978 (S.I. 1978/1047 (N.I. 17)) (indecent photographs of children) if the offender—
  - (a) was 18 or over, or
  - (b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.
- 78 An offence under section 170 of the Customs and Excise Management Act 1979 (c. 2) (penalty for fraudulent evasion of duty etc.) in relation to goods prohibited to be imported under section 42 of the Customs Consolidation Act 1876 (c. 36) (indecent or obscene articles), if the prohibited goods included indecent photographs of persons under 16, and the offender—
  - (a) was 18 or over, or
  - (b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.
- 79 An offence under Article 9 of the Criminal Justice (Northern Ireland) Order 1980 (S.I. 1980/704 (N.I. 6)) (inciting girl under 16 to have incestuous sexual intercourse) if the offender—
  - (a) was 18 or over, or
  - (b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.
- 80 An offence under Article 122 of the Mental Health (Northern Ireland) Order 1986 (S.I. 1986/595 (N.I. 4)) (offences against women suffering from severe mental handicap).
- 81 An offence under Article 123 of that Order (offences against patients) if—
  - (a) where the offender was under 18, he is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months;
  - (b) in any other case, the offender, in respect of the offence or finding, is or has been—
    - (i) sentenced to a term of imprisonment,
    - (ii) detained in a hospital, or
    - (iii) made the subject of a community sentence of at least 12 months.

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- 82 An offence under Article 15 of the Criminal Justice (Evidence, etc.) (Northern Ireland) Order 1988 (S.I. 1988/1847 (N.I. 17) (possession of indecent photographs of children) if the offender—
- (a) was 18 or over, or
  - (b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.
- 83 An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (c. 44) (abuse of position of trust), if the offender, in respect of the offence or finding, is or has been—
- (a) sentenced to a term of imprisonment,
  - (b) detained in a hospital, or
  - (c) made the subject of a community sentence of at least 12 months.
- 84 An offence under Article 19 of the Criminal Justice (Northern Ireland) Order 2003 (S.I. 2003/1247 (N.I. 13)) (buggery) if—
- (a) the offender was 20 or over, and
  - (b) the victim or (as the case may be) other party was under 17.
- 85 An offence under Article 20 of that Order (assault with intent to commit buggery) if the victim was under 18 and the offender—
- (a) was 18 or over, or
  - (b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.
- 86 An offence under Article 21 of that Order (indecent assault upon a male) if—
- (a) where the offender was under 18, he is or has been sentenced, in respect of the offence, to imprisonment for a term of at least 12 months;
  - (b) in any other case—
    - (i) the victim was under 18, or
    - (ii) the offender, in respect of the offence or finding, is or has been—
      - (a) sentenced to a term of imprisonment,
      - (b) detained in a hospital, or
      - (c) made the subject of a community sentence of at least 12 months.
- 87 An offence under section 15 of this Act (meeting a child following sexual grooming etc.).
- 88 An offence under any of sections 16 to 19 of this Act (abuse of trust) if the offender, in respect of the offence or finding, is or has been—
- (a) sentenced to a term of imprisonment,
  - (b) detained in a hospital, or
  - (c) made the subject of a community sentence of at least 12 months.
- 89 An offence under section 47 of this Act (paying for sexual services of a child) if the victim or (as the case may be) other party was under 17 and the offender—
- (a) was 18 or over, or
  - (b) is or has been sentenced in respect of the offence to a term of imprisonment of at least 12 months.
- [<sup>F</sup>189A An offence under section 48 of this Act (causing or inciting child prostitution or pornography) if the offender –

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- (a) was 18 or over, or
- (b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.

**Textual Amendments**

**F1** Sch. 3 paras. 89A-89C inserted (19.2.2007) by [The Sexual Offences Act 2003 \(Amendment of Schedules 3 and 5\) Order 2007 \(S.I. 2007/296\)](#), arts. 1(1), **2(3)**

- 89B An offence under section 49 of this Act (controlling a child prostitute or a child involved in pornography) if the offender –
- (a) was 18 or over, or
  - (b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.

**Textual Amendments**

**F1** Sch. 3 paras. 89A-89C inserted (19.2.2007) by [The Sexual Offences Act 2003 \(Amendment of Schedules 3 and 5\) Order 2007 \(S.I. 2007/296\)](#), arts. 1(1), **2(3)**

- 89C An offence under section 50 of this Act (arranging or facilitating child prostitution or pornography) if the offender –
- (a) was 18 or over, or
  - (b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.]

**Textual Amendments**

**F1** Sch. 3 paras. 89A-89C inserted (19.2.2007) by [The Sexual Offences Act 2003 \(Amendment of Schedules 3 and 5\) Order 2007 \(S.I. 2007/296\)](#), arts. 1(1), **2(3)**

- 90 An offence under section 66 of this Act (exposure) if—
- (a) where the offender was under 18, he is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months;
  - (b) in any other case—
    - (i) the victim was under 18, or
    - (ii) the offender, in respect of the offence or finding, is or has been—
      - (a) sentenced to a term of imprisonment,
      - (b) detained in a hospital, or
      - (c) made the subject of a community sentence of at least 12 months.
- 91 An offence under section 67 of this Act (voyeurism) if—
- (a) where the offender was under 18, he is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months;
  - (b) in any other case—
    - (i) the victim was under 18, or
    - (ii) the offender, in respect of the offence or finding, is or has been—
      - (a) sentenced to a term of imprisonment,

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- (b) detained in a hospital, or
- (c) made the subject of a community sentence of at least 12 months.
- 92 An offence under section 69 or 70 of this Act (intercourse with an animal, sexual penetration of a corpse) if —
  - (a) where the offender was under 18, he is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months;
  - (b) in any other case, the offender, in respect of the offence or finding, is or has been—
    - (i) sentenced to a term of imprisonment, or
    - (ii) detained in a hospital.
- [<sup>F2</sup>92A An offence under section 63 of the Criminal Justice and Immigration Act 2008 (possession of extreme pornographic images) if the offender—
  - (a) was 18 or over, and
  - (b) is sentenced in respect of the offence to imprisonment for a term of at least 2 years.]

#### Textual Amendments

- F2** Sch. 3 para. 92A inserted (26.1.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\), ss. 148\(1\), 153\(7\), Sch. 26 para. 58\(3\); S.I. 2008/2993, art. 2\(2\)\(j\)](#)

- [<sup>F3</sup>  
<sup>F4</sup>92B] An offence under Article 5 or 6 of the Sexual Offences (Northern Ireland) Order 2008 (rape, assault by penetration).

#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\), arts. 2\(3\), 13; S.R. 2008/510, art. 2](#)
- F4** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\), ss. 177\(1\), 182\(1\)\(h\), Sch. 21 para. 62\(3\)](#)

- [  
<sup>F5</sup>92C] An offence under Article 7 of that Order (sexual assault) if—
  - (a) where the offender was under 18, he is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months;
  - (b) in any other case—
    - (i) the victim was under 18, or
    - (ii) the offender, in respect of the offence or finding, is or has been—
      - (aa) sentenced to a term of imprisonment,
      - (bb) detained in a hospital, or
      - (cc) made the subject of a community sentence of at least 12 months.

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#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**
- F5** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 177(1), 182(1)(h), **Sch. 21 para. 62(3)**

[<sup>F6</sup>92D] An offence under Article 8, 12 or 13 of that Order (causing sexual activity without consent, rape of a child under 13, assault of a child under 13 by penetration).

#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**
- F6** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 177(1), 182(1)(h), **Sch. 21 para. 62(3)**

[<sup>F7</sup>92E] An offence under Article 14 of that Order (sexual assault of a child under 13) if the offender—

- (a) was 18 or over, or
- (b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.

#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**
- F7** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 177(1), 182(1)(h), **Sch. 21 para. 62(3)**

[<sup>F8</sup>92F] An offence under any of Articles 15 to 19 of that Order (causing or inciting a child under 13 to engage in sexual activity, sexual offences against children committed by adults).

#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**
- F8** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 177(1), 182(1)(h), **Sch. 21 para. 62(3)**

[<sup>F9</sup>92G] An offence under Article 20 of that Order (sexual offences against children committed by children or young persons), if the offender is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.

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#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**
- F9** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. **177(1)**, **182(1)(h)**, {Sch. 21, para. 62(3)}

[<sup>F10</sup>92H] An offence under Article 21 of that Order (arranging or facilitating the commission of a sexual offence against a child) if the offender—

- (a) was 18 or over, or
- (b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.

#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**
- F10** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. **177(1)**, **182(1)(h)**, **Sch. 21 para. 62(3)**

[<sup>F11</sup>92HA] .....

#### Textual Amendments

- F11** Sch. 3 para. 92HA omitted (27.11.2023) by virtue of [Justice \(Sexual Offences and Trafficking Victims\) Act \(Northern Ireland\) 2022 \(c. 19\)](#), s. 30(2), **Sch. 2 para. 8(a)**; S.R. 2023/188, art. 3(b)

[<sup>F12</sup>92I] An offence under Article 22 of that Order (meeting a child following sexual grooming etc).

#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**
- F12** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. **177(1)**, **182(1)(h)**, **Sch. 21 para. 62(3)**

[<sup>F13</sup>92IA] An offence under Article 22A of that Order (sexual communication with a child).]

#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**



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**F13** Sch. 3 para. 92IA inserted (27.11.2023) by Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 (c. 19), s. 30(2), **Sch. 2 para. 8(b)**; S.R. 2023/188, art. 3(b)

[  
**F14**92IB An offence under Article 22B of that Order (communicating with a person with a view to grooming a particular child).

#### Textual Amendments

**F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of The Sexual Offences (Northern Ireland Consequential Amendments) Order 2008 (S.I. 2008/1779), arts. 2(3), **13**; S.R. 2008/510, **art. 2**

**F14** Sch. 3 paras. 92IB-92IE inserted (27.11.2023) by Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 (c. 19), **ss. 4(2)**, 30(2); S.R. 2023/188, art. 3(a)

92IC An offence under Article 22C of that Order (communicating with a group with a view to grooming a particular child).

#### Textual Amendments

**F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of The Sexual Offences (Northern Ireland Consequential Amendments) Order 2008 (S.I. 2008/1779), arts. 2(3), **13**; S.R. 2008/510, **art. 2**

**F14** Sch. 3 paras. 92IB-92IE inserted (27.11.2023) by Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 (c. 19), **ss. 4(2)**, 30(2); S.R. 2023/188, art. 3(a)

92ID An offence under Article 22D of that Order (communicating with a person with a view to grooming any child).

#### Textual Amendments

**F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of The Sexual Offences (Northern Ireland Consequential Amendments) Order 2008 (S.I. 2008/1779), arts. 2(3), **13**; S.R. 2008/510, **art. 2**

**F14** Sch. 3 paras. 92IB-92IE inserted (27.11.2023) by Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 (c. 19), **ss. 4(2)**, 30(2); S.R. 2023/188, art. 3(a)

92IE An offence under Article 22E of that Order (communicating with a group with a view to grooming any child).]

#### Textual Amendments

**F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of The Sexual Offences (Northern Ireland Consequential Amendments) Order 2008 (S.I. 2008/1779), arts. 2(3), **13**; S.R. 2008/510, **art. 2**

**F14** Sch. 3 paras. 92IB-92IE inserted (27.11.2023) by Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 (c. 19), **ss. 4(2)**, 30(2); S.R. 2023/188, art. 3(a)

[  
**F15**92J] An offence under any of Articles 23 to 26 of that Order (abuse of a position of trust) if the offender, in respect of the offence, is or has been—

- (a) sentenced to a term of imprisonment,
- (b) detained in a hospital, or

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(c) made the subject of a community sentence of at least 12 months.

#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**
- F15** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 177(1), 182(1)(h), **Sch. 21 para. 62(3)**

[<sup>F16</sup>92K] An offence under Article 32 or 33 of that Order (familial sexual offences against children) if the offender—

- (a) was 18 or over, or
- (b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.

#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**
- F16** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 177(1), 182(1)(h), **Sch. 21 para. 62(3)**

[<sup>F17</sup>92L] An offence under Article 37 (paying for sexual services of a child) if the victim or (as the case may be) other party was under 16, and the offender—

- (a) was 18 or over, or
- (b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.

#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**
- F17** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 177(1), 182(1)(h), **Sch. 21 para. 62(3)**

[<sup>F18</sup>92M] An offence under Article 38 (causing or inciting child prostitution or pornography) if the offender—

- (a) was 18 or over, or
- (b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.

#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**

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**F18** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 177(1), 182(1)(h), **Sch. 21 para. 62(3)**

[<sup>F19</sup>92N] An offence under Article 39 (controlling a child prostitute or a child involved in pornography) if the offender—  
(a) was 18 or over, or  
(b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.

#### Textual Amendments

**F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**

**F19** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 177(1), 182(1)(h), **Sch. 21 para. 62(3)**

[<sup>F20</sup>92O] An offence under Article 40 (arranging or facilitating child prostitution or pornography) if the offender—  
(a) was 18 or over, or  
(b) is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.

#### Textual Amendments

**F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**

**F20** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 177(1), 182(1)(h), **Sch. 21 para. 62(3)**

[<sup>F21</sup>92P] An offence under any of Articles 43 to 50 of that Order (offences against persons with a mental disorder impeding choice, inducements etc. to persons with mental disorder).

#### Textual Amendments

**F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**

**F21** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 177(1), 182(1)(h), **Sch. 21 para. 62(3)**

[<sup>F22</sup>92Q] An offence under any of Articles 51 to 54 of that Order (care workers for persons with mental disorder) if—  
(a) where the offender was under 18, he is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months;  
(b) in any other case, the offender, in respect of the offence or finding, is or has been—  
(i) sentenced to a term of imprisonment,

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- (ii) detained in a hospital, or
- (iii) made the subject of a community sentence of at least 12 months.

#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**
- F22** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), **ss. 177(1), 182(1)(h)**, {Sch. 21, para. 62(3)}

[<sup>F23</sup>92R] An offence under Article 65 of that Order (administering a substance with intent).

#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**
- F23** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), **ss. 177(1), 182(1)(h)**, **Sch. 21 para. 62(3)**

[<sup>F24</sup>92S] An offence under Article 66 or 67 of that Order (committing an offence or trespassing, with intent to commit a sexual offence) if—

- (a) where the offender was under 18, he is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months;
- (b) in any other case—
  - (i) the intended offence was an offence against a person under 18, or
  - (ii) the offender, in respect of the offence or finding, is or has been—
    - (aa) sentenced to a term of imprisonment,
    - (bb) detained in a hospital, or
    - (cc) made the subject of a community sentence of at least 12 months.

#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**
- F24** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), **ss. 177(1), 182(1)(h)**, {Sch. 21, para. 62(3)}

[<sup>F25</sup>92T] An offence under Article 68 or 69 of that Order (sex with an adult relative) if—

- (a) where the offender was under 18, he is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months;
- (b) in any other case, the offender, in respect of the offence or finding, is or has been—
  - (i) sentenced to a term of imprisonment, or
  - (ii) detained in a hospital.

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#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**
- F25** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 177(1), 182(1)(h), **Sch. 21 para. 62(3)**

- [<sup>F26</sup>92U] An offence under Article 70 of that Order (exposure) if—
- (a) where the offender was under 18, he is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months;
  - (b) in any other case—
    - (i) the victim was under 18, or
    - (ii) the offender, in respect of the offence or finding, is or has been—
      - (aa) sentenced to a term of imprisonment,
      - (bb) detained in a hospital, or
      - (cc) made the subject of a community sentence of at least 12 months.

#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**
- F26** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 177(1), 182(1)(h), **Sch. 21 para. 62(3)**

- [<sup>F27</sup>92V] An offence under Article 71 of that Order (voyeurism) if—
- (a) where the offender was under 18, he is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months;
  - (b) in any other case—
    - (i) the victim was under 18, or
    - (ii) the offender, in respect of the offence or finding, is or has been—
      - (aa) sentenced to a term of imprisonment,
      - (bb) detained in a hospital, or
      - (cc) made the subject of a community sentence of at least 12 months.

#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**
- F27** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. **177(1)**, 182(1)(h), {Sch. 21 para. 62(3)}

- [<sup>F28</sup>92VA] (1) An offence under Article 71A or 71B of that Order (voyeurism: additional offences) if—

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- (a) the offence was committed for the purpose mentioned in Articles 71A(2)(a)(i) and (5)(a)(i) and 71B(2)(a)(i) and (5)(a)(i) (sexual gratification), and
  - (b) the relevant condition is met.
- (2) Where the offender was under 18, the relevant condition is that the offender is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.
- (3) In any other case, the relevant condition is that—
- (a) the victim was under 18, or
  - (b) the offender, in respect of the offence or finding, is or has been—
    - (i) sentenced to a term of imprisonment,
    - (ii) detained in a hospital, or
    - (iii) made the subject of a community sentence of at least 12 months.

#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**
- F28** Sch. 3 paras. 92VA, 92VB inserted (27.11.2023) by [Justice \(Sexual Offences and Trafficking Victims\) Act \(Northern Ireland\) 2022 \(c. 19\)](#), s. 30(2), **Sch. 1 para. 4**; S.R. 2023/188, art. 3(b)

- 92VB (1) An offence under Article 72A of that Order (sending etc an unwanted sexual image) if—
- (a) the offence was committed for the purpose mentioned in Article 72A(3)(a) (sexual gratification), and
  - (b) the relevant condition is met.
- (2) Where the offender was under 18, the relevant condition is that the offender is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months.
- (3) In any other case, the relevant condition is that—
- (a) the victim was under 18, or
  - (b) the offender, in respect of the offence or finding, is or has been—
    - (i) sentenced to a term of imprisonment,
    - (ii) detained in a hospital, or
    - (iii) made the subject of a community sentence of at least 12 months.]

#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; S.R. 2008/510, **art. 2**
- F28** Sch. 3 paras. 92VA, 92VB inserted (27.11.2023) by [Justice \(Sexual Offences and Trafficking Victims\) Act \(Northern Ireland\) 2022 \(c. 19\)](#), s. 30(2), **Sch. 1 para. 4**; S.R. 2023/188, art. 3(b)

[<sup>F29</sup>92W] An offence under Article 73 or 74 of that Order (intercourse with an animal, penetration of a corpse) if—

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- (a) where the offender was under 18, he is or has been sentenced in respect of the offence to imprisonment for a term of at least 12 months;
- (b) in any other case, the offender, in respect of the offence or finding, is or has been—
  - (i) sentenced to a term of imprisonment, or
  - (ii) detained in a hospital.]

#### Textual Amendments

- F3** Sch. 3 paras. 92A-92V inserted "after paragraph 92" (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), **13**; [S.R. 2008/510](#), **art. 2**
- F29** Sch. 3 paras. 92A-92V renumbered as Sch. 3 paras. 92B-92W (12.11.2009) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 177(1), 182(1)(h), **Sch. 21 para. 62(3)**

- [<sup>F30</sup>92X An offence under section 62(1) of the Coroners and Justice Act 2009 (possession of prohibited images of children) if the offender—
- (a) was 18 or over, and
  - (b) is sentenced in respect of the offence to imprisonment for a term of at least 2 years.]

#### Textual Amendments

- F30** Sch. 3 para. 92X inserted (6.4.2010) by [Coroners and Justice Act 2009 \(c. 25\)](#), ss. 177(1), 182(5), **Sch. 21 para. 62(4)**; [S.I. 2010/816](#), **art. 2**, [Sch. para. 20\(a\)](#) (with art. 7)

- [<sup>F31</sup>92Y An offence under section 69 of the Serious Crime Act 2015 (possession of paedophile manual) if the offender—
- (a) was 18 or over, or
  - (b) is sentenced in respect of the offence to imprisonment for a term of at least 12 months.]

#### Textual Amendments

- F31** Sch. 3 para. 92Y inserted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), s. 88(3)(b), **Sch. 4 para. 66(4)**; [S.R. 2015/190](#), **reg. 2**



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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 60B(5)(i) substituted for s. 60B(5)(i)(ii) by [2015 c. 9 \(N.I.\) Sch. 1 para. 123\(1\)Sch. 9 Pt. 1](#) (This amendment not applied to legislation.gov.uk. S. 60B already repealed (N.I.) (14.1.2015) by 2015 c. 2 (N.I.), s. 28(2), Sch. 5; and omitted (E.W.) (31.7.2015) by virtue of 2015 c. 30, Sch. 5 para. 5(2); S.I. 2015/1476, reg. 2(j))
- s. 103C(4B) inserted by [2022 c. 32 s. 178\(7\)\(b\)](#)
- s. 103E(5C)(5D) inserted by [2022 c. 32 s. 178\(8\)](#)
- s. 103F(3B) inserted by [2022 c. 32 s. 178\(9\)\(a\)](#)
- s. 103FA103FB inserted by [2022 c. 32 s. 178\(10\)](#)
- s. 108(9) inserted by [2011 c. 18 s. 17\(2\)](#)
- s. 122A(8A) inserted by [2022 c. 32 s. 178\(11\)\(a\)](#)
- s. 122A(9B) inserted by [2022 c. 32 s. 178\(11\)\(b\)](#)
- s. 122D(4C)(4D) inserted by [2022 c. 32 s. 178\(12\)](#)
- s. 122E(3B) inserted by [2022 c. 32 s. 178\(13\)\(a\)](#)
- s. 122EA122EB inserted by [2022 c. 32 s. 178\(14\)](#)
- s. 136ZA(3) inserted by [2022 c. 32 s. 178\(15\)](#)