



Criminal Justice and Immigration Act 2008

2008 CHAPTER 4

PART 5

CRIMINAL LAW

Pornography etc.

70 **Indecent photographs of children: Northern Ireland**

- (1) The Protection of Children (Northern Ireland) Order 1978 ([S.I. 1978/1047 \(N.I. 17\)](#)) is amended as follows.
- (2) In Article 2(2) (interpretation) in paragraph (b) of the definition of “indecent pseudo-photograph”, for “a pseudo-photograph” substitute “an indecent pseudo-photograph”.
- (3) After Article 2(2) insert—

“(2A) In this Order, references to a photograph also include—

 - (a) a tracing or other image, whether made by electronic or other means (of whatever nature)—
 - (i) which is not itself a photograph or pseudo-photograph, but
 - (ii) which is derived from the whole or part of a photograph or pseudo-photograph (or a combination of either or both); and
 - (b) data stored on a computer disc or by other electronic means which is capable of conversion into an image within paragraph (a);

and paragraph (3)(c) applies in relation to such an image as it applies in relation to a pseudo-photograph.”
- (4) In article 3A(1)(b) (exception for members of the Security Service)—
 - (a) after “Security Service” insert “or the Secret Intelligence Service”;
 - (b) for “the Service” substitute “that Service”.