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STATUTORY INSTRUMENTS

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**2008 No. 1769**

The Sexual Offences (Northern Ireland) Order 2008

**PART 2**

NON-CONSENSUAL SEXUAL OFFENCES

*Causing sexual activity without consent*

**Conclusive presumptions about consent**

**10.**—(1) If in proceedings for an offence to which this Article applies it is proved that the defendant did the relevant act and that any of the circumstances specified in paragraph (2) existed, it is to be conclusively presumed—

- (a) that the complainant did not consent to the relevant act, and
- (b) that the defendant did not believe that the complainant consented to the relevant act.

(2) The circumstances are—

- (a) the defendant intentionally deceived the complainant as to the nature or purpose of the relevant act;
- (b) the defendant intentionally induced the complainant to consent to the relevant act by impersonating a person known personally to the complainant.

**Status:**

Point in time view as at 02/02/2009.

**Changes to legislation:**

There are currently no known outstanding effects for the The Sexual Offences (Northern Ireland) Order 2008, Section 10.