
STATUTORY INSTRUMENTS

2008 No. 1769

The Sexual Offences (Northern Ireland) Order 2008

PART 3

SEXUAL OFFENCES AGAINST CHILDREN

Familial sex offences against children under 18

Family relationships

- 34.**—(1) The relation of one person (A) to another (B) is within this Article if—
- (a) it is within any of paragraphs (2) to (4), or
 - (b) it would be within one of those paragraphs but for Article 40 of the Adoption (Northern Ireland) Order 1987 (NI 22) (status conferred by adoption).
- (2) The relation of A to B is within this paragraph if—
- (a) one of them is the other's parent, grandparent, brother, sister, half-brother, half-sister, aunt or uncle, or
 - (b) A is or has been B's foster parent.
- (3) The relation of A to B is within this paragraph if A and B live or have lived in the same household, or A is or has been regularly involved in caring for, training, supervising or being in sole charge of B, and—
- (a) one of them is or has been the other's step-parent,
 - (b) A and B are cousins,
 - (c) one of them is or has been the other's stepbrother or stepsister, or
 - (d) the parent or present or former foster parent of one of them is or has been the other's foster parent.
- (4) The relation of A to B is within this paragraph if—
- (a) A and B live in the same household, and
 - (b) A is regularly involved in caring for, training, supervising or being in sole charge of B.
- (5) For the purposes of this Article—
- (a) “aunt” means the sister or half-sister of a person's parent, and “uncle” has a corresponding meaning;
 - (b) “cousin” means the child of an aunt or uncle;
 - (c) a person is a child's foster parent if—
 - (i) he is a person with whom the child has been placed under Article 27(2)(a) or 75(1)(a) of the 1995 Order (fostering), or
 - (ii) he fosters the child privately, within the meaning given by Article 106(1) of the 1995 Order;

Changes to legislation: *The Sexual Offences (Northern Ireland) Order 2008, Section 34 is up to date with all changes known to be in force on or before 15 March 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](#)*

- (d) a person is another's partner (whether they are of different sexes or the same sex) if they live together as partners in an enduring family relationship;
- (e) “step-parent” includes a parent's partner and “stepbrother” and “stepsister” include the child of a parent's partner.

Changes to legislation:

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Changes and effects yet to be applied to :

- art. 34(1)(b) words inserted by [2022 c. 18 \(N.I.\) Sch. 3 para. 71](#)