

STATUTORY INSTRUMENTS

**2008 No. 1769**

**The Sexual Offences (Northern Ireland) Order 2008**

**PART 3**

**SEXUAL OFFENCES AGAINST CHILDREN**

*[<sup>F1</sup>Abuse of children under 18: payment for sexual services and involvement in indecent images]*

**[<sup>F1</sup>Causing or inciting abuse: payment for sexual services and involvement in indecent images]**

**38.**—[<sup>F2</sup>(1) A person (A) commits an offence if—

- (a) A intentionally causes or incites another person (B) to offer or provide sexual services to a third person in return for payment, and
- (b) either—
  - (i) B is under 18, and A does not reasonably believe that B is 18 or over, or
  - (ii) B is under 13.

(1A) A person (A) commits an offence if—

- (a) A intentionally causes or incites another person (B) to be involved in the recording or streaming or other transmission of an indecent image of B, and
- (b) either—
  - (i) B is under 18, and A does not reasonably believe that B is 18 or over, or
  - (ii) B is under 13.]

(2) A person guilty of an offence under this Article is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding 14 years.

**Textual Amendments**

- F1** Art. 38 heading substituted (27.11.2023) by [Justice \(Sexual Offences and Trafficking Victims\) Act \(Northern Ireland\) 2022 \(c. 19\), s. 30\(2\), Sch. 2 para. 3\(3\)](#); S.R. 2023/188, art. 3(b)
- F2** Art. 38(1)(1A) substituted for art. 38(1) (27.11.2023) by [Justice \(Sexual Offences and Trafficking Victims\) Act \(Northern Ireland\) 2022 \(c. 19\), s. 30\(2\), Sch. 2 para. 3\(2\)](#); S.R. 2023/188, art. 3(b)

**Changes to legislation:**

There are currently no known outstanding effects for the The Sexual Offences (Northern Ireland) Order 2008, Section 38.