
STATUTORY INSTRUMENTS

2008 No. 1769

The Sexual Offences (Northern Ireland) Order 2008

PART 2

NON-CONSENSUAL SEXUAL OFFENCES

Rape

Rape

- 5.—(1) A person (A) commits an offence if—
- (a) he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis,
 - (b) B does not consent to the penetration, and
 - (c) A does not reasonably believe that B consents.
- (2) Whether a belief is reasonable is to be determined having regard to all the circumstances, including any steps A has taken to ascertain whether B consents.
- (3) Articles 9 and 10 apply to an offence under this Article.
- (4) A person guilty of an offence under this Article is liable, on conviction on indictment, to imprisonment for life.
- (5) Any reference to rape in a statutory provision shall be construed in accordance with paragraph (1).
- (6) The common law offence of rape is abolished.