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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**

*Assault*

**Assault by penetration**

- 6.**—(1) A person (A) commits an offence if—
- (a) he intentionally penetrates the vagina or anus of another person (B) with a part of his body or anything else,
  - (b) the penetration is sexual,
  - (c) B does not consent to the penetration, and
  - (d) 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.