

SCHEDULES

SCHEDULE 1

Minor and consequential amendments

Criminal Justice (Northern Ireland) Order 2008 (NI 1)

35.—(1) The Criminal Justice (Northern Ireland) Order 2008 is amended as follows.

(2) In Schedule 1 (serious offences) after paragraph 31 insert—

“The Sexual Offences (Northern Ireland) Order 2008 (NI 2)

31A. An offence under—

Article 5 (rape),

Article 6 (assault by penetration),

Article 7 (sexual assault),

Article 8 (causing a person to engage in sexual activity without consent),

Article 12 (rape of a child under 13),

Article 13 (assault of a child under 13 by penetration),

Article 14 (sexual assault of a child under 13),

Article 15 (causing or inciting a child under 13 to engage in sexual activity),

Article 16 (sexual activity with a child),

Article 17 (causing or inciting a child to engage in sexual activity),

Article 18 (engaging in sexual activity in the presence of a child),

Article 19 (causing a child to watch a sexual act),

Article 21 (arranging or facilitating commission of a sexual offence against a child),

Article 22 (meeting a child following sexual grooming etc.),

Article 32 (sexual activity with a child family member) where paragraph (4) of that Article applies,

Article 33 (inciting a child family member to engage in sexual activity) where paragraph (4) of that Article applies,

Article 37 (paying for sexual services of a child) where paragraph (3) or (4) of that Article applies,

Article 38 (causing or inciting child prostitution or pornography),

Article 39 (controlling a child prostitute or a child involved in pornography),

Article 40 (arranging or facilitating child prostitution or pornography),

Article 43 (sexual activity with a person with a mental disorder impeding choice),

Article 44 (causing or inciting a person, with a mental disorder impeding choice, to engage in sexual activity),

Changes to legislation: There are currently no known outstanding effects for the *The Sexual Offences (Northern Ireland) Order 2008, Paragraph 35*. (See end of Document for details)

Article 45 (engaging in sexual activity in the presence of a person with a mental disorder impeding choice),

Article 46 (causing a person, with a mental disorder impeding choice, to watch a sexual act),

Article 47 (inducement, threat or deception to procure sexual activity with a person with a mental disorder),

Article 48 (causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement, threat or deception),

Article 49 (engaging in sexual activity in the presence, procured by inducement, threat or deception, of a person with a mental disorder),

Article 50 (causing a person with a mental disorder to watch a sexual act by inducement, threat or deception),

Article 51 (care workers: sexual activity with a person with a mental disorder),

Article 52 (care workers: causing or inciting sexual activity),

Article 62 (causing or inciting prostitution for gain),

Article 63 (controlling prostitution for gain),

Article 65 (administering a substance with intent),

Article 66 (committing an offence with intent to commit a sexual offence),

Article 67 (trespass with intent to commit a sexual offence).”

(3) In Part 2 of Schedule 2 (specified sexual offences) after paragraph 14 insert—

“The Sexual Offences (Northern Ireland) Order 2008 (NI 2)

14A. An offence under—

Article 5 (rape),

Article 6 (assault by penetration),

Article 7 (sexual assault),

Article 8 (causing a person to engage in sexual activity without consent),

Article 12 (rape of a child under 13),

Article 13 (assault of a child under 13 by penetration),

Article 14 (sexual assault of a child under 13),

Article 15 (causing or inciting a child under 13 to engage in sexual activity),

Article 16 (sexual activity with a child),

Article 17 (causing or inciting a child to engage in sexual activity),

Article 18 (engaging in sexual activity in the presence of a child),

Article 19 (causing a child to watch a sexual act),

Article 20 (sexual offences against children committed by children or young persons),

Article 21 (arranging or facilitating commission of a sexual offence against a child),

Article 22 (meeting a child following sexual grooming etc.),

Article 23 (abuse of position of trust: sexual activity with a child),

Article 24 (abuse of position of trust: causing or inciting a child to engage in sexual activity),

Article 25 (abuse of position of trust: sexual activity in the presence of a child),

Article 26 (abuse of position of trust: causing a child to watch a sexual act),

Article 32 (sexual activity with a child family member),

Article 33 (inciting a child family member to engage in sexual activity),
Article 37 (paying for sexual services of a child),
Article 38 (causing or inciting child prostitution or pornography),
Article 39 (controlling a child prostitute or a child involved in pornography),
Article 40 (arranging or facilitating child prostitution or pornography),
Article 43 (sexual activity with a person with a mental disorder impeding choice),
Article 44 (causing or inciting a person, with a mental disorder impeding choice, to engage in sexual activity),
Article 45 (engaging in sexual activity in the presence of a person with a mental disorder impeding choice),
Article 46 (causing a person, with a mental disorder impeding choice, to watch a sexual act),
Article 47 (inducement, threat or deception to procure sexual activity with a person with a mental disorder),
Article 48 (causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement, threat or deception),
Article 49 (engaging in sexual activity in the presence, procured by inducement, threat or deception, of a person with a mental disorder),
Article 50 (causing a person with a mental disorder to watch a sexual act by inducement, threat or deception),
Article 51 (care workers: sexual activity with a person with a mental disorder),
Article 52 (care workers: causing or inciting sexual activity),
Article 53 (care workers: sexual activity in the presence of a person with a mental disorder),
Article 54 (care workers: causing a person with a mental disorder to watch a sexual act),
Article 62 (causing or inciting prostitution for gain),
Article 63 (controlling prostitution for gain),
Article 65 (administering a substance with intent),
Article 66 (committing an offence with intent to commit a sexual offence),
Article 67 (trespass with intent to commit a sexual offence),
Article 71 (exposure),
Article 72 (voyeurism),
Article 74 (intercourse with an animal),
Article 75 (sexual penetration of a corpse).”

Changes to legislation:

There are currently no known outstanding effects for the The Sexual Offences (Northern Ireland) Order 2008, Paragraph 35.