



Sexual Offences Act 2003

2003 CHAPTER 42

PART 1

SEXUAL OFFENCES

Inducements etc. to persons with a mental disorder

- 34 Inducement, threat or deception to procure sexual activity with a person with a mental disorder**
- (1) A person (A) commits an offence if—
- with the agreement of another person (B) he intentionally touches that person,
 - the touching is sexual,
 - A obtains B's agreement by means of an inducement offered or given, a threat made or a deception practised by A for that purpose,
 - B has a mental disorder, and
 - A knows or could reasonably be expected to know that B has a mental disorder.
- (2) A person guilty of an offence under this section, if the touching involved—
- penetration of B's anus or vagina with a part of A's body or anything else,
 - penetration of B's mouth with A's penis,
 - penetration of A's anus or vagina with a part of B's body, or
 - penetration of A's mouth with B's penis,
- is liable, on conviction on indictment, to imprisonment for life.
- (3) Unless subsection (2) applies, a person guilty of an offence under this section is liable—
- on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
 - on conviction on indictment, to imprisonment for a term not exceeding 14 years.

Status:

Point in time view as at 01/05/2004.

Changes to legislation:

Sexual Offences Act 2003, Section 34 is up to date with all changes known to be in force on or before 23 February 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.