



Serious Crime Act 2015

2015 CHAPTER 9

PART 5

PROTECTION OF CHILDREN AND OTHERS

Protection of children

67 Sexual communication with a child

After section 15 of the Sexual Offences Act 2003 insert—

“15A Sexual communication with a child

- (1) A person aged 18 or over (A) commits an offence if—
 - (a) for the purpose of obtaining sexual gratification, A intentionally communicates with another person (B),
 - (b) the communication is sexual or is intended to encourage B to make (whether to A or to another) a communication that is sexual, and
 - (c) B is under 16 and A does not reasonably believe that B is 16 or over.
- (2) For the purposes of this section, a communication is sexual if—
 - (a) any part of it relates to sexual activity, or
 - (b) a reasonable person would, in all the circumstances but regardless of any person’s purpose, consider any part of the communication to be sexual;and in paragraph (a) “sexual activity” means an activity that a reasonable person would, in all the circumstances but regardless of any person’s purpose, consider to be sexual.
- (3) A person guilty of an offence under this section is liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine or both;

Status: This is the original version (as it was originally enacted).

- (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years.”