
Changes to legislation: There are currently no known outstanding effects for the
Sexual Offences (Scotland) Act 2009, SCHEDULE 3. (See end of Document for details)

SCHEDULE 3

(introduced by section 50)

ALTERNATIVE VERDICTS

<i>Offence</i>	<i>Section introducing offence</i>	<i>Alternative offence</i>
Rape	Section 1	Sexual assault by penetration Sexual assault Having intercourse with an older child Assault at common law [^{F1} Assault with intent to commit rape at common law Assault with intent to commit the offence of rape under section 1 of this Act Assault with intent to commit the offence of rape of a young child Abduction with intent to commit rape at common law Abduction with intent to commit the offence of rape under section 1 of this Act Abduction with intent to commit the offence of rape of a young child An offence under section 1 (incest) of the Criminal Law (Consolidation) (Scotland) Act 1995 An offence under section 2 (intercourse with step-child) of that Act]
Sexual assault by penetration	Section 2	Sexual assault Engaging in penetrative sexual activity with or towards an older child Engaging in sexual activity with or towards an older child Assault at common law [^{F2} Assault with intent to commit rape at common law Assault with intent to commit the offence of rape under section 1 of this Act Assault with intent to commit the offence of rape of a young child Abduction with intent to commit rape at common law

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Sexual assault	Section 3	<p>Abduction with intent to commit the offence of rape under section 1 of this Act Abduction with intent to commit the offence of rape of a young child]</p> <p>Engaging in sexual activity with or towards an older child Assault at common law [F²Assault with intent to commit rape at common law Assault with intent to commit the offence of rape under section 1 of this Act Assault with intent to commit the offence of rape of a young child Abduction with intent to commit rape at common law Abduction with intent to commit the offence of rape under section 1 of this Act Abduction with intent to commit the offence of rape of a young child]</p>
Sexual coercion	Section 4	<p>Coercing a person into being present during a sexual activity Coercing a person into looking at a sexual image Communicating indecently Causing a person to see or hear an indecent communication Causing an older child to participate in a sexual activity Assault at common law [F²Assault with intent to commit rape at common law Assault with intent to commit the offence of rape under section 1 of this Act Assault with intent to commit the offence of rape of a young child Abduction with intent to commit rape at common law Abduction with intent to commit the offence of rape under section 1 of this Act</p>

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		Abduction with intent to commit the offence of rape of a young child]
Coercing a person into being present during a sexual activity	Section 5	Sexual coercion Coercing a person into looking at a sexual image Communicating indecently Causing a person to see or hear an indecent communication Sexual exposure Assault at common law
Coercing a person into looking at a sexual image	Section 6	Sexual coercion Coercing a person into being present during a sexual activity Communicating indecently Causing a person to see or hear an indecent communication Sexual exposure Assault at common law
Communicating indecently	Section 7(1)	Sexual coercion Coercing a person into being present during a sexual activity Coercing a person into looking at a sexual image Causing a person to see or hear an indecent communication Sexual exposure
Causing a person to see or hear an indecent communication	Section 7(2)	Sexual coercion Coercing a person into being present during a sexual activity Coercing a person into looking at a sexual image Communicating indecently Sexual exposure
Sexual exposure	Section 8	Public indecency at common law Breach of the peace at common law
Voyeurism	Section 9	Breach of the peace at common law
Rape of a young child	Section 18	Sexual assault on a young child by penetration

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Sexual assault on a young child by penetration

Section 19

Sexual assault on a young child
 Having intercourse with an older child
 Engaging in penetrative sexual activity with or towards an older child
 Engaging in sexual activity with or towards an older child
 Engaging while an older child in sexual conduct with or towards another older child
 Assault at common law
 [F²Assault with intent to commit rape at common law
 Assault with intent to commit the offence of rape under section 1 of this Act
 Assault with intent to commit the offence of rape of a young child
 Abduction with intent to commit rape at common law
 Abduction with intent to commit the offence of rape under section 1 of this Act
 Abduction with intent to commit the offence of rape of a young child]

Sexual assault on a young child
 Engaging in penetrative sexual activity with or towards an older child
 Engaging in sexual activity with or towards an older child
 Assault at common law
 [F²Assault with intent to commit rape at common law
 Assault with intent to commit the offence of rape under section 1 of this Act
 Assault with intent to commit the offence of rape of a young child
 Abduction with intent to commit rape at common law
 Abduction with intent to commit the offence of rape under section 1 of this Act

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Sexual assault on a young child	Section 20	Abduction with intent to commit the offence of rape of a young child] Engaging in sexual activity with or towards an older child Engaging while an older child in sexual conduct with or towards another older child Engaging while an older child in consensual sexual conduct with another older child Assault at common law [^{F2} Assault with intent to commit rape at common law Assault with intent to commit the offence of rape under section 1 of this Act Assault with intent to commit the offence of rape of a young child Abduction with intent to commit rape at common law Abduction with intent to commit the offence of rape under section 1 of this Act Abduction with intent to commit the offence of rape of a young child]
Causing a young child to participate in a sexual activity	Section 21	Causing a young child to be present during a sexual activity Causing a young child to look at a sexual image Communicating indecently with a young child Causing a young child to see or hear an indecent communication Causing an older child to participate in a sexual activity Causing an older child to be present during a sexual activity Causing an older child to look at a sexual image Communicating indecently with an older child Causing an older child to see or hear an indecent communication

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<p>Causing a young child to be present during a sexual activity</p>	<p>Section 22</p>	<p>Assault at common law [F2 Assault with intent to commit rape at common law Assault with intent to commit the offence of rape under section 1 of this Act Assault with intent to commit the offence of rape of a young child Abduction with intent to commit rape at common law Abduction with intent to commit the offence of rape under section 1 of this Act Abduction with intent to commit the offence of rape of a young child]</p> <p>Causing a young child to participate in a sexual activity Causing a young child to look at a sexual image Communicating indecently with a young child Causing a young child to see or hear an indecent communication Sexual exposure to a young child Causing an older child to participate in a sexual activity Causing an older child to be present during a sexual activity Causing an older child to look at a sexual image Communicating indecently with an older child Causing an older child to see or hear an indecent communication Sexual exposure to an older child</p>
<p>Causing a young child to look at a sexual image</p>	<p>Section 23</p>	<p>Causing a young child to participate in a sexual activity Causing a young child to be present during a sexual activity Communicating indecently with a young child Causing a young child to see or hear an indecent communication</p>

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		Sexual exposure to a young child
		Causing an older child to participate in a sexual activity
		Causing an older child to be present during a sexual activity
		Causing an older child to look at a sexual image
		Communicating indecently with an older child
		Causing an older child to see or hear an indecent communication
		Sexual exposure to an older child
Communicating indecently with a young child	Section 24(1)	Causing a young child to participate in a sexual activity
		Causing a young child to be present during a sexual activity
		Causing a young child to look at a sexual image
		Causing a young child to see or hear an indecent communication
		Sexual exposure to a young child
		Causing an older child to participate in a sexual activity
		Causing an older child to be present during a sexual activity
		Causing an older child to look at a sexual image
		Communicating indecently with an older child
		Causing an older child to see or hear an indecent communication
		Sexual exposure to an older child
Causing a young child to see or hear an indecent communication	Section 24(2)	Causing a young child to participate in a sexual activity
		Causing a young child to be present during a sexual activity
		Causing a young child to look at a sexual image
		Communicating indecently with a young child

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			Sexual exposure to a young child Causing an older child to participate in a sexual activity Causing an older child to be present during a sexual activity Causing an older child to look at a sexual image Communicating indecently with an older child Causing an older child to see or hear an indecent communication Sexual exposure to an older child
Sexual exposure to a young child	Section 25		Sexual exposure to an older child Public indecency at common law Breach of the peace at common law
Voyeurism towards a young child	Section 26		Voyeurism towards an older child Breach of the peace at common law
Having intercourse with an older child	Section 28		Engaging in penetrative sexual activity with or towards an older child Engaging in sexual activity with or towards an older child Engaging while an older child in sexual conduct with or towards another older child
Engaging in penetrative sexual activity with or towards an older child	Section 29		Engaging in sexual activity with or towards an older child Engaging while an older child in sexual conduct with or towards another older child
Engaging in sexual activity with or towards an older child	Section 30		Engaging while an older child in sexual conduct with or towards another older child Engaging while an older child in consensual sexual conduct with another older child

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Causing an older child to participate in a sexual activity	Section 31	Causing an older child to be present during a sexual activity Causing an older child to look at a sexual image Communicating indecently with an older child Causing an older child to see or hear an indecent communication
Causing an older child to be present during a sexual activity	Section 32	Causing an older child to participate in a sexual activity Causing an older child to look at a sexual image Communicating indecently with an older child Causing an older child to see or hear an indecent communication Sexual exposure to an older child
Causing an older child to look at a sexual image	Section 33	Causing an older child to participate in a sexual activity Causing an older child to be present during a sexual activity Communicating indecently with an older child Causing an older child to see or hear an indecent communication Sexual exposure to an older child
Communicating indecently with an older child	Section 34(1)	Causing an older child to participate in a sexual activity Causing an older child to be present during a sexual activity Causing an older child to look at a sexual image Causing an older child to see or hear an indecent communication Sexual exposure to an older child
Causing an older child to see or hear an indecent communication	Section 34(2)	Causing an older child to participate in a sexual activity Causing an older child to be present during a sexual activity

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		Causing an older child to look at a sexual image
		Communicating indecently with an older child
		Sexual exposure to an older child
Sexual exposure to an older child	Section 35	Public indecency at common law
		Breach of the peace at common law
Voyeurism towards an older child	Section 36	Breach of the peace at common law

Textual Amendments

- F1** Sch. 3: entries inserted (1.12.2010) by The Sexual Offences (Scotland) Act 2009 (Supplemental and Consequential Provisions) Order 2010 (S.S.I. 2010/421), art. 2, **Sch. para. 4(a)**
- F2** Sch. 3: entries inserted (1.12.2010) by The Sexual Offences (Scotland) Act 2009 (Supplemental and Consequential Provisions) Order 2010 (S.S.I. 2010/421), art. 2, **Sch. para. 4(b)**

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