

*These notes refer to the Justice Act (Northern Ireland)
2016 (c.21) which received Royal Assent on 12 May 2016*

Justice Act (Northern Ireland) 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3

Miscellaneous

Section 51: Disclosing private sexual photographs and films with intent to cause distress

This Section creates an offence of disclosing private sexual photographs and films if the disclosure is made without the consent of the individual in the photograph or film and the intention is to cause distress to that individual (Section 51(1)) but it is not an offence if the disclosure is made to the individual involved (Section 51(2)).

The Section sets out the defences that apply to the offence, which may include that the disclosure was necessary to prevent, detect or investigate crime, that the disclosure in the course of publication of journalistic material was in the public interest, or that there was a previous disclosure for reward. (Sections 51(3)-(7)).

The Section sets out the penalty for disclosing a private sexual photograph or film with intent to cause distress on conviction on indictment as a term of imprisonment of up to 2 years or a fine (or both), or on summary conviction to a term of imprisonment of up to 6 months or a fine not exceeding the statutory maximum (or both) (Section 51(9)).