



Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022

CHAPTER 19

JUSTICE (SEXUAL OFFENCES AND TRAFFICKING VICTIMS) ACT (NORTHERN IRELAND) 2022

PART 1

Sexual offences

CHAPTER 1

Criminal conduct

1. Voyeurism: additional offences
2. Sending etc an unwanted sexual image
3. Amendments consequential on sections 1 and 2
4. Sexual grooming: pretending to be a child
5. Abuse of position of trust: relevant positions
6. Private sexual images: threatening to disclose
7. Miscellaneous amendments as to sexual offences

CHAPTER 2

Anonymity and privacy

Status: This is the original version (as it was originally enacted).

Anonymity of victims

8. Extended anonymity of victims
9. Disapplication of anonymity of victim after death
10. Increase in penalty for breach of anonymity
11. Special rules for providers of information society services

Anonymity of suspects

12. Restriction on reports as to suspects of sexual offences
13. Meaning of sexual offence in section 12
14. Power to disapply reporting restriction
15. Magistrates' courts rules
16. Offence relating to reporting
17. Interpretation of sections 12 to 16
18. Consequential amendment

Exclusion from proceedings

19. Serious sexual offences: exclusion of public from court

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20. Guidance about this Part

PART 2

Trafficking and exploitation

21. Support for victims of trafficking etc
22. Defence for slavery and trafficking victims
23. Strategies on slavery and trafficking offences
24. Protective measures for victims of slavery or trafficking

PART 3

Protection from harm

CHAPTER 1

Prevention orders

25. Qualifying offences for sexual offences prevention orders
26. Time limit for making violent offences prevention orders

CHAPTER 2

Causing or risking serious harm

27. Consent to harm for sexual gratification is no defence
28. Offence of non-fatal strangulation or asphyxiation

PART 4

Final provisions

29. Ancillary regulations
30. Commencement
31. Short title

SCHEDULES

SCHEDULE 1 — Consequential amendments: voyeurism and unwanted sexual images

Police and Criminal Evidence (Northern Ireland) Order 1989 (NI 12)

1. In Article 53A(2) (questioning and treatment of persons by police:...

Sexual Offences (Amendment) Act 1992 (c. 34)

2. In section 2(3) (offences under law of Northern Ireland to...

Industrial Tribunals (Northern Ireland) Order 1996 (NI 18)

3. In Article 13(4) (power to provide for restriction of publicity...

Sexual Offences Act 2003 (c. 42)

4. In Schedule 3 (sexual offences for purposes of notification requirements),...

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

5. In Part 2 of Schedule 2 (specified sexual offences), in...

SCHEDULE 2 — Miscellaneous amendments as to sexual offences

PART 1 — Amendments of references to certain forms of child sexual abuse

1. The Sexual Offences (Northern Ireland) Order 2008 is amended as...

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

2. For the italic heading preceding Article 37 substitute “Abuse of...
3. (1) Article 38 is amended as follows.
4. (1) Article 39 is amended as follows.
5. (1) Article 40 is amended as follows.
6. For Article 41 substitute— (1) This Article applies for the purposes of Articles 38...
PART 2 — Amendments relating to the offence of engaging in sexual communication with a child
7. In Article 76(10)(a) of the Sexual Offences (Northern Ireland) Order...
8. In Schedule 3 to the Sexual Offences Act 2003 (sexual...
9. In section 90 of the Justice Act (Northern Ireland) 2015,...
PART 3 — Amendment relating to the offence of paying for the sexual services of a person
10. In Article 64A of the Sexual Offences (Northern Ireland) Order...

SCHEDULE 3 — Offence of breach of anonymity: providers of information society services

Exceptions for mere conduits

1. (1) A service provider does not commit an offence under...

Exception for caching

2. (1) A service provider does not commit an offence under...

Exception for hosting

3. (1) A service provider does not commit an offence under...

Interpretation

4. In this Schedule— “information society service” means any service normally...

SCHEDULE 4 — Offence of non-fatal strangulation or asphyxiation: consequential amendments

Police and Criminal Evidence (Northern Ireland) Order 1989 (NI 12)

1. In Article 53A (qualifying offences for particular investigative purposes), in...

Sexual Offences Act 2003 (c. 42)

2. In Schedule 5 (lists of offences for making particular orders),...

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

3. In Schedule 2 (lists of offences for sentencing matters), in...

Domestic Violence, Crime and Victims Act 2004 (c. 28)

4. In section 7A (certain rules of evidence and procedure), after...

Law Reform (Miscellaneous Provisions) (Northern Ireland) Order 2006 (NI 14)

5. In Article 2 (unjustifiable punishment of children), in paragraph (2)—...