
STATUTORY INSTRUMENTS

2008 No. 1769

The Sexual Offences (Northern Ireland) Order 2008

PART 3

SEXUAL OFFENCES AGAINST CHILDREN

Sexual offences against children under 16

[^{F1}Sexual communication with a child

22A.—(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 Article, 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 sub-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 Article is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years.]

Textual Amendments

F1 Art. 22A inserted (25.7.2015) by Justice Act (Northern Ireland) 2015 (c. 9), ss. 90(1), 106(1)(b)

Changes to legislation:

There are currently no known outstanding effects for the The Sexual Offences (Northern Ireland) Order 2008, Section 22A.