Changes to legislation: There are currently no known outstanding effects for the The Sexual Offences (Northern Ireland) Order 2008, Section 5. (See end of Document for details)

STATUTORY INSTRUMENTS

2008 No. 1769

The Sexual Offences (Northern Ireland) Order 2008

PART 2

NON-CONSENSUAL SEXUAL OFFENCES

Rape

5.—(1) A person (A) commits an offence if—
   (a) he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis,
   (b) B does not consent to the penetration, and
   (c) A does not reasonably believe that B consents.

(2) Whether a belief is reasonable is to be determined having regard to all the circumstances, including any steps A has taken to ascertain whether B consents.

(3) Articles 9 and 10 apply to an offence under this Article.

(4) A person guilty of an offence under this Article is liable, on conviction on indictment, to imprisonment for life.

(5) Any reference to rape in a statutory provision shall be construed in accordance with paragraph (1).

(6) The common law offence of rape is abolished.
Changes to legislation:
There are currently no known outstanding effects for the The Sexual Offences (Northern Ireland) Order 2008, Section 5.