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DRAFT STATUTORY INSTRUMENTS

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**2008 No.**

The Sexual Offences (Northern Ireland) Order 2008

PART 4

SEXUAL OFFENCES AGAINST A PERSON WITH A MENTAL DISORDER

*Care workers for persons with a mental disorder*

**Articles 51 to : exception for spouses and civil partners**

**56.**—(1) Conduct by a person (A) which would otherwise be an offence under any of Articles 51 to 54 against another person (B) is not an offence under that Article if at the time—

- (a) B is 16 or over, and
- (b) A and B are lawfully married or civil partners of each other.

(2) In proceedings for such an offence it is for the defendant to prove that A and B were at the time lawfully married or civil partners of each other.