



# Criminal Justice and Public Order Act 1994

## 1994 CHAPTER 33

### PART XI

#### SEXUAL OFFENCES

##### *Rape*

#### 142 Rape of women and men.

F1 .....

##### Textual Amendments

F1 S. 142 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), ss. 139, 140, 142, Sch. 6 para. 32(3), [Sch. 7](#); S.I. 2004/874, [art. 2](#)

##### *Male rape and buggery*

#### 143 Male rape and buggery.

F2 .....

##### Textual Amendments

F2 S. 143 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), ss. 139, 140, 142, Sch. 6 para. 32(3), [Sch. 7](#); S.I. 2004/874, [art. 2](#)

**Changes to legislation:** Criminal Justice and Public Order Act 1994, Part XI is up to date with all changes known to be in force on or before 04 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

### *Revised penalties for certain sexual offences*

#### **144 Revised penalties for buggery and indecency between men.**

<sup>F3</sup> .....

##### **Textual Amendments**

**F3** S. 144 repealed (1.5.2004) by Sexual Offences Act 2003 (c. 42), ss. 139, 140, 142, Sch. 6 para. 32(3), Sch. 7; S.I. 2004/874, art. 2

### *Homosexuality*

<sup>F4</sup>**145** .....

##### **Textual Amendments**

**F4** S. 145 repealed and superseded (8.1.2001) by 2000 c. 44, s. 1(5); S.I. 2000/3303, art. 2(1); S.S.I. 2000/452, art. 2(a)

#### **146 Extension of Sexual Offences Act 1967 to the armed forces and merchant navy.**

(1) Section 1(5) of the Sexual Offences Act 1967 (homosexual acts in the armed forces) is repealed.

(2) In section 80 of the <sup>M1</sup>Criminal Justice (Scotland) Act 1980—

- (a) subsection (5) (homosexual acts in the armed forces) shall cease to have effect;
- (b) in subsection (7)—
  - (i) after paragraph (b) there shall be inserted the word “ or ”; and
  - (ii) paragraph (d) (homosexual acts on merchant ships) and the word “; or” immediately preceding that paragraph shall cease to have effect;
- (c) subsection (8) (interpretation) shall cease to have effect.

(3) Section 2 of the <sup>M2</sup>Sexual Offences Act 1967 (homosexual acts on merchant ships) is repealed.

<sup>F5</sup>(4) .....

##### **Extent Information**

**E1** S. 146(1)(3) extends to England and Wales; s. 146(2) extends to Scotland only; s. 146(4) extends to England and Wales and Scotland see s. 172(7)(8)(13)

##### **Textual Amendments**

**F5** S. 146(4) omitted (27.4.2017) by virtue of Merchant Shipping (Homosexual Conduct) Act 2017 (c. 26), ss. 1, 2(1)

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#### Marginal Citations

**M1** 1980 c. 62.

**M2** 1967 c. 60.

### 147 Homosexuality on merchant ships and in the armed forces: Northern Ireland.

(1) In the <sup>M3</sup>Homosexual Offences (Northern Ireland) Order 1982, the following are revoked—

- (a) in article 3(1) (homosexual acts in private), the words “and Article 5 (merchant seamen)”; and
- (b) article 5 (homosexual acts on merchant ships).

(2) Article 3(4) of the Homosexual Offences (Northern Ireland) Order 1982 (homosexual acts in the armed forces) is revoked.

<sup>F6</sup>(3) . . . . .

#### Textual Amendments

**F6** [S. 147\(3\)](#) omitted (27.4.2017) by virtue of [Merchant Shipping \(Homosexual Conduct\) Act 2017](#) (c. 26), [ss. 1, 2\(1\)](#)

#### Marginal Citations

**M3** [S.I. 1982/1536 \(N.I. 19\)](#).

### 148 Amendment of law relating to homosexual acts in Scotland.

In section 80(6) of the <sup>M4</sup>Criminal Justice (Scotland) Act 1980 (which defines “homosexual act” for the purpose of section 80), after “gross indecency” there is inserted “or shameless indecency”.

#### Marginal Citations

**M4** 1980 c. 62.

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 51(10)(a)(ia) inserted by [2003 c. 44 Sch. 36 para. 11\(3\)](#)