



# Criminal Justice and Immigration Act 2008

## 2008 CHAPTER 4

### PART 5

#### CRIMINAL LAW

##### *Pornography etc.*

#### **69 Indecent photographs of children: England and Wales**

- (1) The Protection of Children Act 1978 (c. 37) is amended as follows.
- (2) In section 1B(1)(b) (exception for members of the Security Service)—
  - (a) after “Security Service” insert “ or the Secret Intelligence Service ”;
  - (b) for “the Service” substitute “ that Service ”.
- (3) After section 7(4) (meaning of photograph), insert—

“(4A) References to a photograph also include—

  - (a) a tracing or other image, whether made by electronic or other means (of whatever nature)—
    - (i) which is not itself a photograph or pseudo-photograph, but
    - (ii) which is derived from the whole or part of a photograph or pseudo-photograph (or a combination of either or both); and
  - (b) data stored on a computer disc or by other electronic means which is capable of conversion into an image within paragraph (a);

and subsection (8) applies in relation to such an image as it applies in relation to a pseudo-photograph.”
- (4) In section 7(9)(b) (meaning of indecent pseudo-photograph), for “a pseudo-photograph” substitute “ an indecent pseudo-photograph ”.

**Status:**

Point in time view as at 08/07/2008.

**Changes to legislation:**

Criminal Justice and Immigration Act 2008, Section 69 is up to date with all changes known to be in force on or before 05 January 2024. 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.