
STATUTORY INSTRUMENTS

2008 No. 1769

The Sexual Offences (Northern Ireland) Order 2008

PART 4

SEXUAL OFFENCES AGAINST A PERSON WITH A MENTAL DISORDER

Inducements etc. to persons with a mental disorder

Inducement, threat or deception to procure sexual activity with a person with a mental disorder

47.—(1) A person (A) commits an offence if—

- (a) with the agreement of another person (B) he intentionally touches that person,
- (b) the touching is sexual,
- (c) A obtains B's agreement by means of an inducement offered or given, a threat made or a deception practised by A for that purpose,
- (d) B has a mental disorder, and
- (e) A knows or could reasonably be expected to know that B has a mental disorder.

(2) A person guilty of an offence under this Article, if the touching involved—

- (a) penetration of B's anus or vagina with a part of A's body or anything else,
- (b) penetration of B's mouth with A's penis,
- (c) penetration of A's anus or vagina with a part of B's body, or
- (d) penetration of A's mouth with B's penis,

is liable, on conviction on indictment, to imprisonment for life.

(3) Unless paragraph (2) applies, 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 14 years.

Changes to legislation:

There are currently no known outstanding effects for the The Sexual Offences (Northern Ireland) Order 2008, Section 47.