
Changes to legislation: Criminal Justice and Immigration Act 2008, Paragraph 5 is up to date with all changes known to be in force on or before 14 April 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. (See end of Document for details) [View outstanding changes](#)

SCHEDULES

SCHEDULE 15

SEXUAL OFFENCES: GROOMING AND ADOPTION

Adoption

- 5 (1) Section 64 (sex with an adult relative: penetration) is amended as follows.
- (2) In subsection (1) after “(A)” insert “ (subject to subsection (3A)) ”.
- (3) In subsection (3) after “In subsection (2)—” insert—
- “(za) “parent” includes an adoptive parent;
 - (zb) “child” includes an adopted person within the meaning of Chapter 4 of Part 1 of the Adoption and Children Act 2002;”.
- (4) After that subsection insert—
- “(3A) Where subsection (1) applies in a case where A is related to B as B's child by virtue of subsection (3)(zb), A does not commit an offence under this section unless A is 18 or over.”
- (5) After subsection (5) insert—
- “(6) Nothing in—
- (a) section 47 of the Adoption Act 1976 (which disapplies the status provisions in section 39 of that Act for the purposes of this section in relation to adoptions before 30 December 2005), or
 - (b) section 74 of the Adoption and Children Act 2002 (which disapplies the status provisions in section 67 of that Act for those purposes in relation to adoptions on or after that date),
- is to be read as preventing the application of section 39 of the Adoption Act 1976 or section 67 of the Adoption and Children Act 2002 for the purposes of subsection (3)(za) and (zb) above.”

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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):

- Sch. 7 para. 5A and cross-heading inserted by [2008 c. 25 Sch. 1 para. 90\(3\)](#)