



Sexual Offences (Scotland) Act 2009

2009 asp 9

PART 4

CHILDREN

Young children

24 Communicating indecently with a young child etc.

- (1) If a person (“A”), intentionally and for a purpose mentioned in subsection (3)—
 - (a) sends, by whatever means, a sexual written communication to, or
 - (b) directs, by whatever means, a sexual verbal communication at,a child (“B”) who has not attained the age of 13 years, then A commits an offence, to be known as the offence of communicating indecently with a young child.
- (2) If, in circumstances other than are as mentioned in subsection (1), a person (“A”), intentionally and for a purpose mentioned in subsection (3) causes a child (“B”) who has not attained the age of 13 years to see or hear, by whatever means, a sexual written communication or sexual verbal communication, then A commits an offence, to be known as the offence of causing a young child to see or hear an indecent communication.
- (3) The purposes are—
 - (a) obtaining sexual gratification,
 - (b) humiliating, distressing or alarming B.
- (4) In this section—

“written communication” means a communication in whatever written form, and without prejudice to that generality includes a communication which comprises writings of a person other than A (as for example a passage in a book or magazine), and

“verbal communication” means a communication in whatever verbal form, and without prejudice to that generality includes—

 - (a) a communication which comprises sounds of sexual activity (whether actual or simulated), and
 - (b) a communication by means of sign language.