

*These notes refer to the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 (c.19) which received Royal Assent on 27 April 2022*

# Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022

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## EXPLANATORY NOTES

### SCHEDULES

#### *Schedule 2: Miscellaneous amendments as to sexual offences*

##### **Part 1: Amendment of references to certain forms of child sexual abuse**

Part 1 of Schedule 2 makes amendments to the 2008 Order to remove the terms ‘prostitution’ and ‘pornography’ relating to child victims and to widen the scope of the three offences beyond recording of images so as to capture live streaming and other transmission of the images.

It removes the terms from the various headings and text of Articles 37 to 41, substituting them with “to offer or provide sexual services to a third person in return for payment” and “the recording or streaming or transmission of an indecent image of a child” respectively.

##### **Part 2: Amendments relating to the offence of engaging in sexual communication with a child**

Part 2 amends Article 76(10)(a) of the Sexual Offences (Northern Ireland) Order 2008 which relates to offences committed outside the United Kingdom, to bring Article 22A (sexual communication with a child) within scope of extra territorial jurisdiction arrangements available for certain offences within the 2008 Order.

The reference to Article 22A is omitted from Article 76(10)(a) of the 2008 Order; consequential amendment is required to section 90(3) of the Justice Act (Northern Ireland) 2015. Adjustment is also required to the ordering of the list of sexual offences for notification requirement provision contained for this offence within Schedule 3 to the Sexual Offences Act 2003; in consequence of that section 90(4) of the 2015 Act is also omitted.

##### **Part 3: Amendment relating to the offence of paying for the sexual services of a person**

Part 3 comprises a simple amendment to Article 64A of the 2008 Order to clarify an ambiguity in the elements which constitute the offence under that provision.