
STATUTORY INSTRUMENTS

1994 No. 2795

The Criminal Justice (Northern Ireland) Order 1994

PART III

SEXUAL OFFENCES

Offences to which Article 19 applies

20. Article 19 applies to the following offences—

- (a) any offence under any of the following provisions of the Offences against the Person Act 1861⁽¹⁾—
 - (i) section 52 (indecent assault on a female);
 - (ii) section 61 (buggery);
 - (iii) section 62 (attempt to commit buggery, assault with intent to commit buggery or indecent assault on a male);
- (b) any offence under any of the following provisions of the Criminal Law (Amendment) Act 1885⁽²⁾—
 - (i) section 3 (procuring unlawful carnal knowledge of woman by threats or false pretences or representations or administering drugs);
 - (ii) section 4 (unlawful carnal knowledge or attempted unlawful carnal knowledge of a girl under 14 years of age);
 - (iii) section 5 (unlawful carnal knowledge of a girl under 17 years of age);
- (c) any offence under any of the following provisions of the Punishment of Incest Act 1908⁽³⁾—
 - (i) section 1 (incest, attempted incest by males);
 - (ii) section 2 (incest by females of or over 16);
- (d) any offence under section 22 of the Children and Young Persons Act (Northern Ireland) 1968⁽⁴⁾ (indecent conduct toward a child);
- (e) any offence under Article 9 of the Criminal Justice (Northern Ireland) Order 1980⁽⁵⁾ (inciting girl under 16 to have incestuous sexual intercourse);
- (f) any offence under any of the following provisions of the Mental Health (Northern Ireland) Order 1986⁽⁶⁾—
 - (i) Article 122(1)(a) (unlawful sexual intercourse with a woman suffering from severe mental handicap);

(1) 1861 c. 100
(2) 1885 c. 69
(3) 1908 c. 45
(4) 1968 c 34 (N.I.)
(5) 1980 NI 6
(6) 1986 NI 4

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (ii) Article 122(1)(b) (procuring a woman suffering from severe mental handicap to have unlawful sexual intercourse);
- (iii) Article 123 (unlawful sexual intercourse by hospital, etc., staff with a person receiving treatment for mental disorder);
- (g) without prejudice to section 62 of the Offences against the Person Act 1861(7), section 4 of the Criminal Law (Amendment) Act 1885(8) or section 1 of the Punishment of Incest Act 1908(9), any attempt to commit any of the offences mentioned in sub-paragraphs (a) to (f).

(7) 1861 c. 100
(8) 1885 c. 69
(9) 1908 c. 45