
STATUTORY INSTRUMENTS

1994 No. 2795

The Criminal Justice (Northern Ireland) Order 1994

PART III

SEXUAL OFFENCES

Provisions supplementary to Articles 19 to 23

24.—(1) For the purposes of Articles 19 to 23—

- (a) where it is alleged that an offence to which Article 19 applies has been committed, the fact that any person has consented to an act which, on any prosecution for that offence, would fall to be proved by the prosecution, does not prevent that person from being regarded as a person against whom the alleged offence was committed; and
- (b) where a person is accused of an offence of incest or buggery, the other party to the act in question shall be taken to be a person against whom the offence was committed even though he consented to that act.

(2) For the purposes of Articles 19 to 23, a person is accused of an offence if—

- (a) a complaint is made alleging that he has committed the offence,
- (b) he appears before a court charged with the offence,
- (c) a court before which he is appearing commits him for trial on a new charge alleging the offence, or
- (d) a bill of indictment charging him with the offence is preferred before a court in which he may lawfully be indicted for the offence,

and references in Article 21 to an accusation alleging an offence shall be construed accordingly.

(3) Nothing in Articles 19 to 23 affects any prohibition or restriction imposed by virtue of any other statutory provision upon a publication or upon matter included in a relevant programme.