
STATUTORY INSTRUMENTS

1999 No. 2789

The Criminal Evidence (Northern Ireland) Order 1999

PART I

INTRODUCTORY

Meaning of “sexual offence” and other references to offences

- 3.—(1) In this Order “sexual offence” means—
- (a) rape or burglary with intent to rape;
 - (b) any offence under any of the following provisions of the Offences against the Person Act 1861—
 - (i) section 52 (indecent assault on a female);
 - (ii) section 53 so far as it relates to the abduction of a woman against her will;
 - (iii) section 61 (buggery);
 - (iv) section 62 (attempt to commit buggery, assault with intent to commit buggery or indecent assault on a male);
 - (c) any offence under any of the following provisions of the Criminal Law Amendment Act 1885—
 - (i) section 3 (procuring unlawful carnal knowledge of a woman by threats, false pretences or administering drugs);
 - (ii) section 4 (unlawful carnal knowledge, or attempted unlawful carnal knowledge, of a girl under 14);
 - (iii) section 5 (unlawful carnal knowledge of a girl under 17);
 - (d) any offence under any of the following provisions of the Punishment of Incest Act 1908—
 - (i) section 1 (incest, attempted incest by males);
 - (ii) section 2 (incest by females over 16);
 - (e) any offence under section 22 of the Children and Young Persons Act (Northern Ireland) 1968 (indecent conduct towards child);
 - (f) any offence under Article 9 of the Criminal Justice (Northern Ireland) Order 1980 (inciting girl under 16 to have incestuous sexual intercourse);
 - (g) any offence under Article 123 of the Mental Health (Northern Ireland) Order 1986 (unlawful sexual intercourse by hospital staff, etc. with a person receiving treatment for mental disorder).
- (2) In this Order any reference (including a reference having effect by virtue of this paragraph) to an offence of any description (“the substantive offence”) is to be taken to include a reference to an offence which consists of attempting or conspiring to commit, or of aiding, abetting, counselling, procuring or inciting the commission of, the substantive offence.