



Youth Justice and Criminal Evidence Act 1999

1999 CHAPTER 23

PART II

GIVING OF EVIDENCE OR INFORMATION FOR PURPOSES OF CRIMINAL PROCEEDINGS

CHAPTER VII

GENERAL

62 Meaning of “sexual offence” and other references to offences.

[^{F1}(1) In this Part “sexual offence” means any offence under—

- (a) Part 1 of the Sexual Offences Act 2003 or any relevant superseded offence; or
- (b) section 2 of the Modern Slavery Act 2015 (human trafficking) committed with a view to exploitation that consists of or includes behaviour within section 3(3) of that Act (sexual exploitation).]

[^{F2}(1A) In subsection (1) “relevant superseded offence” means—

- (a) rape or burglary with intent to rape;
- (b) an offence under any of sections 2 to 12 and 14 to 17 of the Sexual Offences Act 1956 (unlawful intercourse, indecent assault, forcible abduction etc.);
- (c) an offence under section 128 of the Mental Health Act 1959 (unlawful intercourse with person receiving treatment for mental disorder by member of hospital staff etc.);
- (d) an offence under section 1 of the Indecency with Children Act 1960 (indecent conduct towards child under 14);
- (e) an offence under section 54 of the Criminal Law Act 1977 (incitement of child under 16 to commit incest).]

Status: Point in time view as at 17/03/2016.

Changes to legislation: Youth Justice and Criminal Evidence Act 1999, Section 62 is up to date with all changes known to be in force on or before 04 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (2) In this Part any reference (including a reference having effect by virtue of this subsection) 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.

Textual Amendments

- F1** S. 62(1) substituted (17.3.2016) by [The Modern Slavery Act 2015 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/244\)](#), regs. 1(1), **12**
- F2** S. 62(1A) inserted (retrospective to 1.5.2004) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), **Sch. 26 paras. 37(3), 38**

Modifications etc. (not altering text)

- C1** S. 62 applied (with modifications) (31.10.2009) by [The Youth Justice and Criminal Evidence Act 1999 \(Application to Service Courts\) Order 2009 \(S.I. 2009/2083\)](#), arts. 1, **11, 12**
- C2** S. 62(2) modified (1.10.2008) by [Serious Crime Act 2007 \(c. 27\)](#), s. 94(1), **Sch. 6 para. 37** (with Sch. 13 para. 5); S.I. 2008/2504, art. 2(a)

Status:

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