



# Sexual Offences Act 2003

## 2003 CHAPTER 42

### PART 1

#### SEXUAL OFFENCES

##### *Rape and other offences against children under 13*

#### **5 Rape of a child under 13**

- (1) A person commits an offence if—
- (a) he intentionally penetrates the vagina, anus or mouth of another person with his penis, and
  - (b) the other person is under 13.
- (2) A person guilty of an offence under this section is liable, on conviction on indictment, to imprisonment for life.

#### **6 Assault of a child under 13 by penetration**

- (1) A person commits an offence if—
- (a) he intentionally penetrates the vagina or anus of another person with a part of his body or anything else,
  - (b) the penetration is sexual, and
  - (c) the other person is under 13.
- (2) A person guilty of an offence under this section is liable, on conviction on indictment, to imprisonment for life.

#### **7 Sexual assault of a child under 13**

- (1) A person commits an offence if—
- (a) he intentionally touches another person,
  - (b) the touching is sexual, and

---

*Status: Point in time view as at 28/06/2022.*

*Changes to legislation: Sexual Offences Act 2003, Cross Heading: Rape and other offences against children under 13 is up to date with all changes known to be in force on or before 30 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)*

---

(c) the other person is under 13.

(2) A person guilty of an offence under this section is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding 14 years.

## **8 Causing or inciting a child under 13 to engage in sexual activity**

(1) A person commits an offence if—

- (a) he intentionally causes or incites another person (B) to engage in an activity,
- (b) the activity is sexual, and
- (c) B is under 13.

(2) A person guilty of an offence under this section, if the activity caused or incited involved—

- (a) penetration of B's anus or vagina,
- (b) penetration of B's mouth with a person's penis,
- (c) penetration of a person's anus or vagina with a part of B's body or by B with anything else, or
- (d) penetration of a person's mouth with B's penis,

is liable, on conviction on indictment, to imprisonment for life.

(3) Unless subsection (2) applies, a person guilty of an offence under this section is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum or both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding 14 years.

**Status:**

Point in time view as at 28/06/2022.

**Changes to legislation:**

Sexual Offences Act 2003, Cross Heading: Rape and other offences against children under 13 is up to date with all changes known to be in force on or before 30 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.