

Keeping People Safe



# SEX

**& the LAW**



## Northern Ireland

# The Law on Sex in Northern Ireland

## Consent to Sex

Consent is where a person 'agrees by choice and has the freedom and capacity to make that choice'. This would not include occasions where a person has been subjected to threats of violence; are asleep; are intoxicated through alcohol or drugs; are exploited or coerced in any way.

## Sexual Assault

It is an offence for a person to touch sexually another person without reasonable belief that they consented. Touching covers all physical contact, whether with a part of the body or anything else or through clothing.

## Rape

A male commits rape if he intentionally penetrates with his penis the vagina, mouth or anus of another person, male or female, including wife or civil partner, without that person's consent. This is the only sexual offence that can only be committed by a male.

However, while a female cannot be charged with the offence of 'Rape', as this is defined a penile penetration, she could be charged with another offence such as 'assault by penetration' or other serious sexual offences.

## Age of Consent

The **Sexual Offences (Northern Ireland) Order 2008** introduced a series of laws to protect children under 16 years of age from abuse and even more specific laws to protect children under 13.

The age of consent to any form of sexual activity in Northern Ireland between a man and a woman, a man and a man, or a woman and woman, is 16. Therefore any sexual activity with any child or young person **under the age of 16**, whether they consent or not, is a criminal offence.

## Indecent or Abusive Images of Children

It is illegal:

- to take, permit to be taken, or to make any indecent photograph, or pseudo-photograph, of a child or young person **under the age of 18** even if that image is of you.
- to distribute, or show, to another such a photograph
- to have in your possession such a photograph
- to publish, or cause to be published, such a photograph.

## Other Offences

It is also an offence, for certain people who hold particular positions of trust or authority, to abuse that position by engaging in any form of sexual activity with a child or young person **under the age of 18**.

For more information on the law on sexual offending go to [www.legislation.gov.uk](http://www.legislation.gov.uk)

## Reporting Sexual Violence and Abuse

If you, or someone you know, has been the victim of sexual violence or abuse, whether recently or in the past, or if you are the parent of a child this has happened to:

- report the matter directly to the police service on 101, the non emergency number, and you will be put in contact with a specially trained police officer who will speak to you confidentially, or
- in an emergency situation dial the police emergency number **999**
- alternatively you may contact '**The Rowan**' on free phone helpline **0800 399 4424**, a specialist regional centre for victims of sexual violence that offer support and a range of medical services. If you want, **The Rowan** can also assist you in reporting the matter to the police service, if you have not already done so. For more information go to [www.therowan.net](http://www.therowan.net)

## Concerned by Your Behaviour or Someone Else's?

If you are concerned by your thoughts or behaviour, or the behaviour of someone else close to you, contact **STOP IT NOW! UK & Ireland** on telephone **0808 1000 900** or by emailing [help@stopitnow.org.uk](mailto:help@stopitnow.org.uk) for confidential advice.

