

# Rape (Defences) Bill

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A  
**B I L L**

TO

Amend the Sexual Offences Act 2003 to prohibit the use of a defence of sleepwalking in proceedings relating to the offence of rape; and for connected purposes.

**B**E IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**1 Amendment of the Sexual Offences Act 2003 in relation to rape**

(1) Section 1 of the Sexual Offences Act 2003 (c. 42) (rape) is amended as follows.

(2) After subsection (3) insert—

“(3A) It shall not be a defence for a defendant accused of an offence under this section to claim he was—

- (a) sleepwalking, or  
(b) suffering from non-insane automatism or other similar condition

when the offence was alleged to have taken place.”

**2 Short title**

This Act may be cited as the Rape (Defences) Act 2008.

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## B I L L

To amend the Sexual Offences Act 2003 to prohibit the use of a defence of sleepwalking in proceedings relating to the offence of rape; and for connected purposes.

*Presented by Harry Cohen  
supported by  
Mrs Linda Riordan, Ms Dari Taylor,  
Siobhain McDonagh, Joan Ryan  
and Chris McCafferty*

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*Ordered, by The House of Commons,  
to be Printed, 15th October 2008.*

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