




10 things you Need to know from the proposed Sexual Intercourse Bill (SIB) compared to the Sexual Offences Bill (SOB)

Sexual Offences Bill (2018)

Sexual Intercourse Bill (2020)

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| 1. | Age of consent: 18 Years |  | No age of consent provided |
| 2. | Prohibition on child marriage |  | Legalisation of child marriage |
| 3. | Definition of rape: “non consensual penetration into another’s anal or genital organ” |  | Definition of rape: “direct and intentional sexual assault” |
| 4. | Sexual exploitation is a criminal offence | | There is no offence of sexual exploitation |
| 5. | Comprehensive list of sources of admissible evidence is provided |  | Admissible evidence is limited to evidence gathered by an “accredited physician who specialises in victim health assessment” |
| 6. | Comprehensive procedural safeguards provided |  | Removal of many procedural guidelines |
| 7. | Responsibilities delineated for key officials in the judicial process |  | Removal of responsibilities for key officials |
| 8. | Protection of privacy rights of survivors: a survivor’s sexual history cannot be introduced as evidence |  | Removal of protections for privacy rights of survivors: a survivor’s sexual history can be introduced as evidence |
| 9. | Comprehensive list of 13 circumstances that negate consent/possibility of consent |  | Consent is negated in 3 circumstances |
| 10. | Sentencing guidelines provided for all offences to ensure consistency and certainty for all parties |  | All sentencing guidelines removed and replaced with reference to the Somali penal code |