

Jersey Law 52/1997

**PROTECTION OF CHILDREN (AMENDMENT) (JERSEY) LAW
1997**

A LAW to amend the Protection of Children (Jersey) Law 1994,
sanctioned by Order of Her Majesty in Council of the

26th day of NOVEMBER 1997

(Registered on the 19th day of December 1997)

STATES OF JERSEY

The 9th day of September 1997

THE STATES, subject to the sanction of Her Most Excellent
Majesty in Council, have adopted the following Law –

ARTICLE 1

In the long title to the Protection of Children (Jersey) Law 1994¹
(hereinafter referred to as “the principal Law”) –

- (a) after the word “taking” there shall be inserted the words
“or making”; and
- (b) after the word “photographs” in both places where they
occur there shall be inserted the words “or pseudo-
photographs”.

ARTICLE 2

In Article 1 of the principal Law –

¹ Volume 1994–1995, page 75.

- (a) in paragraph (1) –
- (i) for the definition of “child” there shall be substituted the following definition –
- “ ‘child’, subject to paragraph (4A), means a person under the age of sixteen years;”;
- (ii) for the full stop at the end of the definition of “film” there shall be substituted a semi-colon; and
- (iii) after the definition of “film” there shall be inserted the following definition –
- “ ‘pseudo-photograph’ means an image, whether made by computer graphics or otherwise howsoever, which appears to be a photograph.”;
- (b) at the end of paragraph (3), there shall be inserted the words “and so as respects pseudo-photographs”;
- (c) after paragraph (4) there shall be inserted the following paragraphs –
- “(4A) If the impression conveyed by a pseudo-photograph is that the person shown is a child, the pseudo-photograph shall be treated for all purposes of this Law as showing a child and so shall a pseudo-photograph where the predominant impression conveyed is that the person shown is a child notwithstanding that some of the physical characteristics shown are those of an adult.
- (4B) References to an indecent pseudo-photograph include a copy of an indecent pseudo-photograph.”;
- (d) in paragraph (5) after the word “photograph” there shall be inserted the words “or pseudo-photograph”.

ARTICLE 3

In Article 2 of the principal Law –

- (a) in the heading after the word “**photographs**” there shall be inserted the words “**or pseudo-photographs**”;
- (b) in paragraph (1) –
 - (i) in sub-paragraph (a) for the words “any indecent photograph” there shall be substituted the words “or makes, any indecent photograph or pseudo-photograph”;
 - (ii) in sub-paragraphs (b), (c), (d) and (e) after the word “photographs” there shall be inserted the words “or pseudo-photographs”;
- (c) in sub-paragraph (b) of paragraph (3) after the word “photograph” there shall be inserted the words “or pseudo-photograph”; and
- (d) in sub-paragraphs (a) and (b) of paragraph (4) after the word “photographs” there shall be inserted the words “or pseudo-photographs”.

ARTICLE 4

In paragraph (3) of Article 3 of the principal Law after the word “Law” there shall be inserted the words “relating to indecent photographs or pseudo-photographs of children”.

ARTICLE 5

In paragraph (1) of Article 5 of the principal Law –

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- (a) after the word “photographs” in both places where they occur there shall be inserted the words “or pseudo-photographs”;
- (b) in sub-paragraph (a) after the word “taken” there shall be inserted the words “or made”; and
- (c) for the words “taken or shown” there shall be substituted the words “taken, made or shown”.

ARTICLE 6

In Article 6 of the principal Law –

- (a) in paragraph (2) –
 - (i) after the word “photographs” there shall be inserted the words “or pseudo-photographs”; and
 - (ii) after the word “taken” there shall be inserted the words “or made”; and
- (b) in paragraph (8) after the word “photographs” in both places where they occur there shall be inserted the words “or pseudo-photographs”.

ARTICLE 7

This Law may be cited as the Protection of Children (Amendment) (Jersey) Law 1997.

C.M. NEWCOMBE

Deputy Greffier of the States.