

[National Laws](#)

Legislation of Interpol member states on sexual offences against children

Dominica - Dominique - Dominica

Roseau

The information on this page is up to date as of spring 2006

I. Ages for legal purposes

The age of simple majority

The legal age of majority is eighteen (18) years.

The age of consent for sexual activity

The legal age of consent for sexual activity is sixteen (16) years.

The age of consent for marriage

The legal age of consent for marriage is eighteen (18) years.

II. Rape

'Rape', Article 49 of the " Offences Against the Person " Act, Laws of Dominica, Chap. 10 ; 31

"Any person who is convicted of the crime of rape is liable to imprisonment for ten years."

III. Other forms of child sex abuse

'Defilement of girls under fourteen (14) years of age', Article 3 of the " Sexual Offences Act "

" (1) Any person who unlawfully and carnally knows any girl under the age of fourteen (14) years is liable to imprisonment for life.

(2) Any person who attempts to have unlawful carnal knowledge of any girl under the age of fourteen (14) years is liable to imprisonment for seven years ; but in case of an offender whose age does not exceed sixteen (16) years, the Court may, instead of sentencing him to any term of imprisonment, order him to be whipped as prescribed by the Juvenile Offenders Punishment Act.

(3) Where, upon the hearing of a charge under this section, the girl in respect of whom the offence is charged to have been committed or any other child of tender years who is tendered as a witness does not, in the opinion of the Court or Magistrate, understand the nature of an oath, the evidence of the girl or other child of tender years may be received, though not given upon oath if, in the opinion of the Court or Magistrate, as the case may be, the girl or other child of tender years is possessed of sufficient intelligence to justify the reception of the evidence and understands the duty of speaking the truth.

(4)-(5) (...) "

'Defilement of girls between fourteen (14) and sixteen (16) years of age', Article 4 of the " Sexual Offences Act "

" (1) Subject to subsections (2) and (3), any person who -

a) unlawfully and carnally knows, or attempts to have unlawful carnal knowledge of any girl of or above the age of fourteen (14) years and under the age of sixteen (16) years ; or

b) unlawfully and carnally knows, or attempts to have unlawful carnal knowledge of any female idiot or imbecile woman or girl under circumstances which do not amount to rape but which prove that the offender knew, at the time of the commission of the offence, that the woman or girl was an idiot or imbecile,

- is liable to imprisonment for seven years.

(2) It shall be a sufficient defence to any charge under subsection (1) a) if it is made to appear to the Court or jury before whom the charge is brought that the person so charged had reasonable cause to believe that the girl was of or above the age of sixteen (16) years.

(3) No prosecution shall commence for an offence under subsection (1) a) more than three months after the commission of the offence. "

'Unlawful detention with intent to have carnal knowledge', Article 7 of the " Sexual Offences Act "

" (1) Any person who detains any woman or girl against her will -

a) in or upon any premises with intent that she may be unlawfully and carnally known by any man, whether any particular man or generally ; or

b) in any brothel,

- is liable to imprisonment for two years.

(2) Where a woman or girl is in or upon any premises for the purpose of having any unlawful carnal connection, or is in any brothel, a person shall be deemed to detain the woman or girl in or upon the premises, or in the brothel, if, with intent to compel or induce her to remain in or upon the premises or in the brothel, the person withholds from the woman or girl any wearing apparel or other property belonging to her or, where wearing apparel has been lent or otherwise supplied to the woman or girl by or by the direction of the person, the person threatens the woman or girl with legal proceedings if she takes away with her the wearing apparel so lent or supplied.

(3) No legal proceedings, whether civil or criminal, shall be taken against any woman or girl for taking away or being found in possession of any wearing apparel as was necessary to enable her to leave the premises or brothel. "

' Punishment of Incest', Article 14 of the " Sexual Offences Act "

" (1) Any male who carnally knows a female who is to his knowledge his grand-daughter, daughter, sister or mother, is liable to imprisonment for seven years ; but if, on indictment for the offence, it is alleged in the indictment and proved that the female is under the age of fourteen (14) years, the same punishment may be imposed as may be imposed under section 3 for carnally knowing a female under fourteen (14) years.

(2) It is immaterial that the carnal knowledge was had with the consent of the female.

(3) If any male attempts to commit the offence as aforesaid, he is liable to imprisonment for two years.

(4) (...) "

'Incest by females of or over sixteen (16)', Article 15 of the " Sexual Offences Act "

" Any female of or above the age of sixteen (16) years who with consent permits her grandfather, father, brother or son, to have carnal knowledge of her (knowing him to be her grandfather, father, brother, or son, as the case may be) is liable to imprisonment for seven years. "

'Indecent Assault', Article 50 of the " Offences Against the Person Act "

" Any person who is convicted of any indecent assault upon any female is liable to imprisonment for seven years. "

'Abduction of a woman against her will for motives of lucre', Article 51 of the " Offences Against the Person Act "

" Where any woman of any age has any interest, whether legal or equitable, present or future, absolute, conditional or contingent, in any real or personal estate, or is a presumptive heiress or co-heiress, or presumptive next-of-kin, to any one having

such interest, any person who, from motives of lucre, takes away or detains the woman against her will with intent to marry or carnally know her, or to cause her to be married or carnally known by any other person, and any person who fraudulently allures, takes away or detains the woman being under the age of eighteen (18) years, out of possession and against the will of her father or mother, or of any other person having the lawful care or charge of her with intent to marry or carnally know her, or to cause her to be married or carnally known by any other person, is liable to imprisonment for two years, and any person who is convicted of any offence against this section shall be incapable of taking any estate or interest, legal or equitable, in any real or personal property of the woman or in which she has any such interest, or which shall come to her as such heiress, co-heiress or next-of-kin as aforesaid ; and if any such marriage as aforesaid has taken place, the property shall, upon the conviction, be settled in such manner as a Judge shall appoint, upon any information at the suit of the Attorney General. "

'Forcible Abduction of any woman with intent to marry her', Article 52 of the " Offences Against the Person Act "

" Any person who by force takes away or detains against her will any woman of any age with the intent to marry or carnally know her, or to cause her to be married or carnally known by any other person, is liable to imprisonment for five years. "

'Abduction of a girl under sixteen (16) years of age', Article 53 of the " Offences Against the Person Act "

" Any person who unlawfully takes, or causes to be taken, any unmarried girl, being under the age of sixteen (16) years, out of the possession and against the will of her father and mother or of any other person having the lawful care or charge of her, is liable to imprisonment for two years. "

IV. Child prostitution

Currently the Commonwealth of Dominica has no specific legislation related to the offence of child prostitution. We can only mention the next article related to the offence of prostitution in general

Article 2 of the " Sexual Offences Act ", 'Procuring defilement by threats or fraud or administering drugs'

" (1) Any person who -

a) by threats or intimidation procures or attempts to procure any woman or girl to have any unlawful carnal connection ; or

b) by false pretences or false representations procures any woman or girl, not being a common prostitute or of known immoral character, to have any unlawful carnal connection ; or

c) applies, administers to, or causes to be taken by any woman or girl any drug, matter or thing, with intent to stupefy or overpower so as thereby or enable any person to have unlawful carnal connection with such woman or girl,

- is liable to imprisonment for two years.

(2) No person shall be convicted of an offence under this section upon the evidence of one witness only unless the witness is corroborated in some material particular by evidence implicating the accused. "

V. Child pornography

Currently the Commonwealth of Dominica has no specific legislation related to the offence of child pornography. No information has been received concerning the offence of pornography in general.