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legal practitioners representing them but such Judge or Magistrate may, at the request of the complainant, permit the presence of any other person.

- (2) The offences referred to in subsection (1) are:
- (a) rape;
  - (b) defilement of a girl under sixteen years;
  - (c) indecent assault;
  - (d) sodomy;
  - (e) incest;
  - (f) any offence involving children;
  - (g) an attempt to commit any of the offences in paragraphs (a) to (f) above.

- (3) The passing of sentence in relation to any offence to which this section applies shall take place in public.

*[Inserted by Act 7/1990]*

**73. Anonymity of complainant.**

(1) After a person is charged with an offence mentioned in section 72(2), no matter which is likely to lead members of the public to identify a person as the complainant or as the accused in relation to that offence shall either be published in a written publication or be broadcast in Saint Christopher and Nevis except,

- (a) where, on the application of the complainant or the accused, the court directs that the effect of the restriction is to impose a substantial and unreasonable restriction on the reporting of proceedings and that it is in the public interest to remove the restriction in respect of the applicant; or
- (b) in the case of an accused, after he or she has been tried and convicted of the offence.

(2) A person who publishes or broadcasts any matter contrary to subsection (1) commits an offence and is liable, on summary conviction, to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding two years.

- (3) The person referred to in subsection (2) is,
- (a) in the case of a publication in a newspaper or periodical, any proprietor, editor or publisher of such newspaper or periodical;
  - (b) in the case of any other publication, the person who publishes it; and
  - (c) in the case of a broadcast, a body corporate which transacts or provides the programme in which the broadcast is made and any person having functions in relation to the programme corresponding to those of an editor of a newspaper.

- (4) In this section and section 72(1),  
“accused” means

- (a) a person named in an information laid alleging that the person has committed the offence;
  - (b) a person who appears before a Court charged with the offence;
- “complainant” includes, in relation to a person accused of an offence under this Act, the person against whom the offence is alleged to have been committed.

*[Inserted by Act 7/1990]*

**74. Incest.**

(1) A person commits the offence of incest who, knowing that another person is by blood relationship, his or her parent, child, brother, sister, grandparent, grandchild, uncle, niece, aunt or nephew, as the case may be, has sexual intercourse with that person.

(2) A person who commits the offence of incest is liable, on conviction, to imprisonment,

- (a) if committed by an adult with a person under sixteen years, for life;
- (b) if committed by an adult with a person sixteen years or more, for ten years;
- (c) if committed between minors fourteen years or more, for two years.

(3) A person is not guilty of an offence under this section if that person committed the offence under restraint, duress or fear.

(4) In this section, any expression importing a relationship between two persons shall be taken to apply notwithstanding that the relationship is not traced through lawful wedlock, and “brother” includes half-brother and “sister” includes half-sister.

*[Inserted by Act 7/1990]*

(5) A person commits an offence, who, knowing that another person is his or her adopted child, step-child, foster-child or ward, has sexual intercourse with that person, and is liable on conviction to the punishment provided for in respect of a conviction for the offence of incest.

*[Inserted by Act 5/1991]*