

Buggery (Sexual Offences Act 1956)

Count * alleges the buggery of C**.

Buggery involved the intentional penetration a **'s anus with the man's penis.

There is no need for the prosecution to prove that he actually ejaculated inside C**'s anus.

The penetration does not have to be deep. Any degree of penetration, however slight, amounts to sexual intercourse.

It is not part of the defendant's case that there was accidental contact or penetration.

He simply says that this did not happen.

So, no issues as to consent arise.

The key question you have to answer in relation to Count * alleging buggery, having regard to all the evidence and the directions which I give you is this

Did D** place his penis in C**'s anus?

If you are sure that the answer is "yes", he is guilty of buggery under Count *.

If the answer may be "no", he is not guilty.