



# Sexual Offences Act 1985

## 1985 CHAPTER 44

An Act to make, as respects England and Wales, provision for penalising in certain circumstances the soliciting of women for sexual purposes by men, and to increase the penalties under the Sexual Offences Act 1956 for certain offences against women.  
[16th July 1985]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### *Soliciting of women by men*

#### **1 Kerb-crawling**

- (1) A man commits an offence if he solicits a woman (or different women) for the purpose of prostitution—
  - (a) from a motor vehicle while it is in a street or public place; or
  - (b) in a street or public place while in the immediate vicinity of a motor vehicle that he has just got out of or off,persistently or, subject to section 5(6) below, in such manner or in such circumstances as to be likely to cause annoyance to the woman (or any of the women) solicited, or nuisance to other persons in the neighbourhood.
- (2) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale (as defined in section 75 of the Criminal Justice Act 1982).
- (3) In this section " motor vehicle " has the same meaning as in the Road Traffic Act 1972,

## **2 Persistent soliciting of women for the purpose of prostitution**

- (1) A man commits an offence if in a street or public place he persistently solicits a woman (or different women) for the purpose of prostitution.
- (2) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale (as defined in section 75 of the Criminal Justice Act 1982).

### *Increase of penalties*

## **3 Penalties for certain sexual offences**

- (1) Schedule 2 to the Sexual Offences Act 1956 (which shows the penalties which may be imposed for offences under that Act and attempts to commit certain of those offences) shall be amended as follows.
- (2) In paragraph 1(b) (attempted rape), in the third column, for " Seven years " there shall be substituted " Life ".
- (3) In paragraph 17 (indecent assault on a woman), in the third column, for " If on a girl under thirteen who is stated to have been so in the indictment, five years; otherwise two years " there shall be substituted " Ten years ".

### *Supplementary*

## **4 Interpretation**

- (1) References in this Act to a man soliciting a woman for the purpose of prostitution are references to his soliciting her for the purpose of obtaining her services as a prostitute.
- (2) The use in any provision of this Act of the word " man " without the addition of the word " boy " shall not prevent the provision applying to any person to whom it would have applied if both words had been used, and similarly with the words " woman " and " girl ".
- (3) Paragraphs (a) and (b) of section 6 of the Interpretation Act 1978 (words importing the masculine gender to include the feminine, and vice versa) do not apply to this Act.
- (4) For the purposes of this Act " street " includes any bridge, road, lane, footway, subway, square, court, alley or passage, whether a thoroughfare or not, which is for the time being open to the public; and the doorways and entrances of premises abutting on a street (as hereinbefore defined), and any ground adjoining and open to a street, shall be treated as forming part of the street.

## **5 Short title, commencement, etc.**

- (1) This Act may be cited as the Sexual Offences Act 1985.
- (2) In section 2(1) of the Indecency with Children Act 1960, for the words from " or of " onwards there shall be substituted " shall be seven years. ".
- (3) The enactments mentioned in the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

- (4) This Act shall come into force at the end of the period of two months beginning with the day on which it is passed.
- (5) Nothing in this Act shall apply in relation to any offence committed or act done before this Act comes into force.
- (6) In relation to anything done in any area at a time when section 3 of the Prosecution of Offences Act 1985 (conduct of criminal proceedings by Director of Public Prosecutions) is not in force there, section 1(1) above shall have effect as if all the words after " persistently " were omitted.
- (7) This Act extends to England and Wales only.

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*Status: This is the original version (as it was originally enacted).*

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## SCHEDULE

Section 5(3).

## REPEALS

Chapter	Short Title	Extent of Repeal
8 & 9 Eliz. 2. c. 33.	Indecency with Children Act 1960.	In section 2(3), the words "and 17(i)" and paragraph (c).
1984 c. 60.	Police and Criminal Evidence Act 1984.	In section 24(2)(c), the words " 14 (indecent assault on a woman)