



Sexual Offences Act 2003

CHAPTER 42

SEXUAL OFFENCES ACT 2003

PART 1

SEXUAL OFFENCES

Rape

- 1 Rape

Assault

- 2 Assault by penetration
- 3 Sexual assault

Causing sexual activity without consent

- 4 Causing a person to engage in sexual activity without consent

Rape and other offences against children under 13

- 5 Rape of a child under 13
- 6 Assault of a child under 13 by penetration
- 7 Sexual assault of a child under 13
- 8 Causing or inciting a child under 13 to engage in sexual activity

Child sex offences

- 9 Sexual activity with a child
- 10 Causing or inciting a child to engage in sexual activity
- 11 Engaging in sexual activity in the presence of a child
- 12 Causing a child to watch a sexual act
- 13 Child sex offences committed by children or young persons

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *Sexual Offences Act 2003*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- 14 Arranging or facilitating commission of a child sex offence
- 15 Meeting a child following sexual grooming etc.

Abuse of position of trust

- 16 Abuse of position of trust: sexual activity with a child
- 17 Abuse of position of trust: causing or inciting a child to engage in sexual activity
- 18 Abuse of position of trust: sexual activity in the presence of a child
- 19 Abuse of position of trust: causing a child to watch a sexual act
- 20 Abuse of position of trust: acts done in Scotland
- 21 Positions of trust
- 22 Positions of trust: interpretation
- 23 Sections 16 to 19: exception for spouses and civil partners
- 24 Sections 16 to 19: sexual relationships which pre-date position of trust

Familial child sex offences

- 25 Sexual activity with a child family member
- 26 Inciting a child family member to engage in sexual activity
- 27 Family relationships
- 28 Sections 25 and 26: exception for spouses and civil partners
- 29 Sections 25 and 26: sexual relationships which pre-date family relationships

Offences against persons with a mental disorder impeding choice

- 30 Sexual activity with a person with a mental disorder impeding choice
- 31 Causing or inciting a person, with a mental disorder impeding choice, to engage in sexual activity
- 32 Engaging in sexual activity in the presence of a person with a mental disorder impeding choice
- 33 Causing a person, with a mental disorder impeding choice, to watch a sexual act

Inducements etc. to persons with a mental disorder

- 34 Inducement, threat or deception to procure sexual activity with a person with a mental disorder
- 35 Causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement, threat or deception
- 36 Engaging in sexual activity in the presence, procured by inducement, threat or deception, of a person with a mental disorder
- 37 Causing a person with a mental disorder to watch a sexual act by inducement, threat or deception

Care workers for persons with a mental disorder

- 38 Care workers: sexual activity with a person with a mental disorder
- 39 Care workers: causing or inciting sexual activity
- 40 Care workers: sexual activity in the presence of a person with a mental disorder
- 41 Care workers: causing a person with a mental disorder to watch a sexual act
- 42 Care workers: interpretation

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sexual Offences Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- 43 Sections 38 to 41: exception for spouses and civil partners
- 44 Sections 38 to 41: sexual relationships which pre-date care relationships

Indecent photographs of children

- 45 Indecent photographs of persons aged 16 or 17
- 46 Criminal proceedings, investigations etc.

Abuse of children through prostitution and pornography

- 47 Paying for sexual services of a child
- 48 Causing or inciting child prostitution or pornography
- 49 Controlling a child prostitute or a child involved in pornography
- 50 Arranging or facilitating child prostitution or pornography
- 51 Sections 48 to 50: interpretation

Prostitution

- 51A Soliciting
- 52 Causing or inciting prostitution for gain
- 53 Controlling prostitution for gain
- 53A Paying for sexual services of a prostitute subjected to force etc.
- 54 Sections 51A to 53A: interpretation

Amendments relating to prostitution

- 55 Penalties for keeping a brothel used for prostitution
- 56 Extension of gender-specific prostitution offences

Trafficking

- 57 Trafficking into the UK for sexual exploitation
- 58 Trafficking within the UK for sexual exploitation
- 59 Trafficking out of the UK for sexual exploitation
- 60 Sections 57 to 59: interpretation and jurisdiction
- 60A Forfeiture of land vehicle, ship or aircraft
- 60B Detention of land vehicle, ship or aircraft
- 60C Sections 60A and 60B: interpretation

Preparatory offences

- 61 Administering a substance with intent
- 62 Committing an offence with intent to commit a sexual offence
- 63 Trespass with intent to commit a sexual offence

Sex with an adult relative

- 64 Sex with an adult relative: penetration
- 65 Sex with an adult relative: consenting to penetration

Other offences

- 66 Exposure
- 67 Voyeurism
- 68 Voyeurism: interpretation
- 69 Intercourse with an animal
- 70 Sexual penetration of a corpse

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sexual Offences Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

71 Sexual activity in a public lavatory

Offences outside the United Kingdom

72 Offences outside the United Kingdom

Supplementary and general

73 Exceptions to aiding, abetting and counselling

74 “Consent”

75 Evidential presumptions about consent

76 Conclusive presumptions about consent

77 Sections 75 and 76: relevant acts

78 “Sexual”

79 Part 1: general interpretation

PART 2

NOTIFICATION AND ORDERS

Notification requirements

80 Persons becoming subject to notification requirements

81 Persons formerly subject to Part 1 of the Sex Offenders Act 1997

82 The notification period

83 Notification requirements: initial notification

84 Notification requirements: changes

85 Notification requirements: periodic notification

86 Notification requirements: travel outside the United Kingdom

87 Method of notification and related matters

88 Section 87: interpretation

88A Review of indefinite notification requirements: applicable persons

88B Review of indefinite notification requirements: date of discharge and further...

88C Review of the indefinite notification requirements: procedure and grounds

88D Review of indefinite notification requirement: transitional arrangements

88E Review of indefinite notification requirements: further review

88F Review of the indefinite notification requirements: application to a sheriff...

88G Review of indefinite notification requirements: appeals (1) The decision of...

88H Review of indefinite notification requirements: power to amend periods The...

88I Discharge from indefinite notification requirements: England, Wales and Northern Ireland...

89 Young offenders: parental directions

90 Parental directions: variations, renewals and discharges

91 Offences relating to notification

92 Certificates for purposes of Part 2

93 Abolished homosexual offences

Information for verification

94 Part 2: supply of information to Secretary of State etc. for verification

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sexual Offences Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

95 Part 2: supply of information by Secretary of State etc.

Information about release or transfer

96 Information about release or transfer

96A Entry and examination of home address

Entry and search of home address

96B Power of entry and search of relevant offender's home address

Notification orders

97 Notification orders: applications and grounds

98 Notification orders: effect

99 Sections 97 and 98: relevant offences

100 Interim notification orders

101 Notification orders and interim notification orders: appeals

102 Appeals in relation to notification orders and interim notification orders:
Scotland

103 Sections 97 to 100: Scotland

Sexual offences prevention orders

104 Sexual offences prevention orders: applications and grounds

105 SOPOs: further provision as respects Scotland

106 Section 104: supplemental

107 SOPOs: effect

108 SOPOs: variations, renewals and discharges

109 Interim SOPOs

110 SOPOs and interim SOPOs: appeals

111 Appeals in relation to SOPOs and interim SOPOs: Scotland

111A SOPO and interim SOPO requirements: Scotland

112 Sections 104 and 106 to 109: Scotland

113 Offence: breach of SOPO or interim SOPO

Foreign travel orders

114 Foreign travel orders: applications and grounds

115 Section 114: interpretation

116 Section 114: qualifying offenders

117 Foreign travel orders: effect

117A Foreign travel orders: surrender of passports

117B Surrender of passports: Scotland

118 Foreign travel orders: variations, renewals and discharges

119 Foreign travel orders: appeals

120 Appeals in relation to foreign travel orders: Scotland

121 Sections 114 to 118: Scotland

122 Offence: breach of foreign travel order

Risk of sexual harm orders

123 Risk of sexual harm orders: applications, grounds and effect

124 Section 123: interpretation

125 RSHOs: variations, renewals and discharges

126 Interim RSHOs

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sexual Offences Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- 127 RSHOs and interim RSHOs: appeals
- 128 Offence: breach of RSHO or interim RSHO
- 129 Effect of conviction etc. of an offence under section 128

Power to amend Schedules 3 and 5

- 130 Power to amend Schedules 3 and 5

General

- 131 Young offenders: application
- 132 Offences with thresholds
- 132A Disapplication of time limit for complaints
- 133 Part 2: general interpretation
- 134 Conditional discharges and probation orders
- 135 Interpretation: mentally disordered offenders
- 136 Part 2: Northern Ireland

PART 2A

CLOSURE ORDERS

Basic definitions

- 136A Meaning of specified prostitution offence etc.

Closure notices

- 136B Power to authorise issue of closure notice
- 136C Contents and service of closure notice

Closure orders

- 136D Power to make a closure order
- 136E Making of closure orders: supplementary provision

Enforcement

- 136F Closure order: enforcement
- 136G Closure of premises: offences

Extension and discharge of closure orders

- 136H Applications for extension of closure order
- 136I Orders extending closure orders
- 136J Discharge of closure order

Appeals against closure orders etc.

- 136K Appeals

Access to other premises

- 136L Access to other premises

Reimbursement of costs, compensation etc.

- 136M Reimbursement of costs
- 136N Exemption from liability for certain damages

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sexual Offences Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

136O Compensation

General

136P Guidance

136Q Issue of closure notices by persons other than police officers

136R Interpretation

PART 3

GENERAL

137 Service courts

138 Orders and regulations

139 Minor and consequential amendments

140 Repeals and revocations

141 Commencement

142 Extent, saving etc.

143 Short title

SCHEDULES

SCHEDULE 1 — Extension of gender-specific prostitution offences

Sexual Offences Act 1956 (c. 69)

1 In section 36 of the Sexual Offences Act 1956 (permitting...

Street Offences Act 1959 (c. 57)

2 In section 1(1) of the Street Offences Act 1959 (loitering...

3 (1) Section 2 of that Act (application to court by...

Sexual Offences Act 1985 (c. 44)

4 (1) The Sexual Offences Act 1985 is amended as follows....

SCHEDULE 2 — Sexual offences to which section 72 applies

England and Wales

1 In relation to England and Wales, the following are sexual...

Northern Ireland

2 (1) In relation to Northern Ireland, the following are sexual...

General

3 A reference in paragraph 1 ... to an offence includes—...

SCHEDULE 3 — Sexual offences for purposes of Part 2

England and Wales

1 An offence under section 1 of the Sexual Offences Act...

2 An offence under section 5 of that Act (intercourse with...

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sexual Offences Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- 3 An offence under section 6 of that Act (intercourse with...
- 4 An offence under section 10 of that Act (incest by...
- 5 An offence under section 12 of that Act (buggery) if—...
- 6 An offence under section 13 of that Act (indecently between...
- 7 An offence under section 14 of that Act (indecent assault...
- 8 An offence under section 15 of that Act (indecent assault...
- 9 An offence under section 16 of that Act (assault with...
- 10 An offence under section 28 of that Act (causing or...
- 11 An offence under section 1 of the Indecency with Children...
- 12 An offence under section 54 of the Criminal Law Act...
- 13 An offence under section 1 of the Protection of Children...
- 14 An offence under section 170 of the Customs and Excise...
- 15 An offence under section 160 of the Criminal Justice Act...
- 16 An offence under section 3 of the Sexual Offences (Amendment)...
- 17 An offence under section 1 or 2 of this Act...
- 18 An offence under section 3 of this Act (sexual assault)...
- 19 An offence under any of sections 4 to 6 of...
- 20 An offence under section 7 of this Act (sexual assault...
- 21 An offence under any of sections 8 to 12 of...
- 22 An offence under section 13 of this Act (child sex...
- 23 An offence under section 14 of this Act (arranging or...
- 24 An offence under section 15 of this Act (meeting a...
- 25 An offence under any of sections 16 to 19 of...
- 26 An offence under section 25 or 26 of this Act...
- 27 An offence under any of sections 30 to 37 of...
- 28 An offence under any of sections 38 to 41 of...
- 29 An offence under section 47 of this Act (paying for...
- 29A An offence under section 48 of this Act (causing or...
- 29B An offence under section 49 of this Act (controlling a...
- 29C An offence under section 50 of this Act (arranging or...
- 30 An offence under section 61 of this Act (administering a...
- 31 An offence under section 62 or 63 of this Act...
- 32 An offence under section 64 or 65 of this Act...
- 33 An offence under section 66 of this Act (exposure) if—...
- 34 An offence under section 67 of this Act (voyeurism) if—...
- 35 An offence under section 69 or 70 of this Act...
- 35A An offence under section 63 of the Criminal Justice and...
- 35B An offence under section 62(1) of the Coroners and Justice...

Scotland

- 36 Rape at common law.
- 37 Clandestine injury to women.
- 38 Abduction of woman or girl with intent to rape.
- 38A Abduction with intent to commit rape under section 1 (rape)...
- 38B Abduction with intent to commit rape under section 18 (rape)...
- 39 Assault with intent to rape or ravish.
- 39A Assault with intent to commit rape under section 1 (rape)...
- 39B Assault with intent to commit rape under section 18 (rape)...
- 40 Indecent assault.
- 41 Lewd, indecent or libidinous behaviour or practices.
- 41A Public indecency if— (a) a person (other than the offender)...
- 42 Shameless indecency, if a person (other than the offender) involved...

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sexual Offences Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

- 43 Sodomy, unless every person involved in the offence was 16...
- 44 An offence under section 170 of the Customs and Excise...
- 44A An offence under section 51A of the Civic Government (Scotland)...
- 45 An offence under section 52 of the Civic Government (Scotland)...
- 46 An offence under section 52A of that Act (possession of...
- 47 An offence under section 106 of the Mental Health (Scotland)...
- 48 An offence under section 107 of that Act (protection of...
- 49 An offence under section 1 of the Criminal Law (Consolidation)...
- 50 An offence under section 2 of that Act (intercourse with...
- 51 An offence under section 3 of that Act (intercourse with...
- 52 An offence under section 5 of that Act (unlawful intercourse...
- 53 An offence under section 6 of that Act (indecent behaviour...
- 54 An offence under section 8 of that Act (abduction of...
- 55 An offence under section 10 of that Act (person having...
- 56 An offence under section 13(5) of that Act (homosexual offences)...
- 57 An offence under section 3 of the Sexual Offences (Amendment)...
- 58 An offence under section 311(1) of the Mental Health (Care...
- 59 An offence under section 313(1) of that Act (persons providing...
- 59A An offence under section 1 of the Protection of Children...
- 59B An offence under section 9 of that Act (paying for...
- 59C An offence under any of sections 10 to 12 of...
- 59D An offence under section 1 of the Sexual Offences (Scotland)...
- 59E An offence under section 2 of that Act (sexual assault...
- 59F An offence under section 3 of that Act (sexual assault)...
- 59G An offence under section 4 of that Act (sexual coercion)...
- 59H An offence under section 5 of that Act (coercing a...
- 59I An offence under section 6 of that Act (coercing a...
- 59J An offence under section 7(1) of that Act (communicating indecently)...
- 59K An offence under section 7(2) of that Act (causing a...
- 59L An offence under section 8 of that Act (sexual exposure)...
- 59M An offence under section 9 of that Act (voyeurism).
- 59N An offence under section 11 of that Act (administering a...
- 59O An offence under section 18 of that Act (rape of...
- 59P An offence under section 19 of that Act (sexual assault...
- 59Q An offence under section 20 of that Act (sexual assault...
- 59R An offence under section 21 of that Act (causing a...
- 59S An offence under section 22 of that Act (causing a...
- 59T An offence under section 23 of that Act (causing a...
- 59U An offence under section 24(1) of that Act (communicating indecently...
- 59V An offence under section 24(2) of that Act (causing a...
- 59W An offence under section 25 of that Act (sexual exposure...
- 59X An offence under section 26 of that Act (voyeurism towards...
- 59Y An offence under section 28 of that Act (having intercourse...
- 59Z An offence under section 29 of that Act (engaging in...
- 59ZA An offence under section 30 of that Act (engaging in...
- 59ZB An offence under section 31 of that Act (causing an...
- 59ZC An offence under section 32 of that Act (causing an...
- 59ZD An offence under section 33 of that Act (causing an...
- 59ZE An offence under section 34(1) of that Act (communicating indecently...
- 59ZF An offence under section 34(2) of that Act (causing an...
- 59ZG An offence under section 35 of that Act (sexual exposure...
- 59ZH An offence under section 36 of that Act (voyeurism towards...
- 59ZI An offence under section 37(1) of that Act (engaging while...

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *Sexual Offences Act 2003*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- 59ZJ An offence under section 37(4) of that Act (engaging while...
- 59ZK An offence under section 42 of that Act (sexual abuse...
- 59ZL An offence under section 46 of that Act (sexual abuse...
- 60 An offence in Scotland other than is mentioned in paragraphs...

Northern Ireland

- 61 Rape.
- 62 An offence under section 52 of the Offences against the...
- 63 An offence under section 53 or 54 of that Act...
- 64 An offence under section 61 of that Act (buggery) if—...
- 65 An offence under section 62 of that Act of assault...
- 66 An offence under section 62 of that Act of indecent...
- 67 An offence under section 2 of the Criminal Law Amendment...
- 68 An offence under section 3 of that Act (procuring defilement...
- 69 An offence under section 4 of that Act of unlawful...
- 70 An offence under section 5 of that Act of unlawful...
- 71 An offence under section 7 of that Act (abduction of...
- 72 An offence under section 11 of that Act (homosexual offences)...
- 73 An offence under section 1 of the Punishment of Incest...
- 74 An offence under section 2 of that Act (incest by...
- 75 An offence under section 21 of the Children and Young...
- 76 An offence under section 22 of that Act (indecent conduct...
- 77 An offence under Article 3 of the Protection of Children...
- 78 An offence under section 170 of the Customs and Excise...
- 79 An offence under Article 9 of the Criminal Justice (Northern...
- 80 An offence under Article 122 of the Mental Health (Northern...
- 81 An offence under Article 123 of that Order (offences against...
- 82 An offence under Article 15 of the Criminal Justice (Evidence,...
- 83 An offence under section 3 of the Sexual Offences (Amendment)...
- 84 An offence under Article 19 of the Criminal Justice (Northern...
- 85 An offence under Article 20 of that Order (assault with...
- 86 An offence under Article 21 of that Order (indecent assault...
- 87 An offence under section 15 of this Act (meeting a...
- 88 An offence under any of sections 16 to 19 of...
- 89 An offence under section 47 of this Act (paying for...
- 89A An offence under section 48 of this Act (causing or...
- 89B An offence under section 49 of this Act (controlling a...
- 89C An offence under section 50 of this Act (arranging or...
- 90 An offence under section 66 of this Act (exposure) if—...
- 91 An offence under section 67 of this Act (voyeurism) if—...
- 92 An offence under section 69 or 70 of this Act...
- 92B An offence under Article 5 or 6 of the Sexual...
- 92C An offence under Article 7 of that Order (sexual assault)...
- 92D An offence under Article 8, 12 or 13 of that...
- 92E An offence under Article 14 of that Order (sexual assault...
- 92F An offence under any of Articles 15 to 19 of...
- 92G An offence under Article 20 of that Order (sexual offences...
- 92H An offence under Article 21 of that Order (arranging or...
- 92I An offence under Article 22 of that Order (meeting a...
- 92J An offence under any of Articles 23 to 26 of...
- 92K An offence under Article 32 or 33 of that Order...
- 92L An offence under Article 37 (paying for sexual services of...

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sexual Offences Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- 92M An offence under Article 38 (causing or inciting child prostitution...
- 92N An offence under Article 39 (controlling a child prostitute or...
- 92O An offence under Article 40 (arranging or facilitating child prostitution...
- 92P An offence under any of Articles 43 to 50 of...
- 92Q An offence under any of Articles 51 to 54 of...
- 92R An offence under Article 65 of that Order (administering a...
- 92S An offence under Article 66 or 67 of that Order...
- 92T An offence under Article 68 or 69 of that Order...
- 92U An offence under Article 70 of that Order (exposure) if—...
- 92V An offence under Article 71 of that Order (voyeurism) if—...
- 92W An offence under Article 73 or 74 of that Order...
- 92X An offence under section 62(1) of the Coroners and Justice...
- 92A An offence under section 63 of the Criminal Justice and...

Service offences

- 93 (1) An offence under— (a) section 70 of the Army...
- 93A (1) An offence under section 42 of the Armed Forces...

General

- 94 A reference in a preceding paragraph to an offence includes—...
- 94A A reference in a preceding paragraph to an offence (“offence...
- 95 A reference in a preceding paragraph to a person’s age...
- 96 In this Schedule “community sentence” has— (a) in relation to...
- 97 For the purposes of paragraphs 14, 44 and 78—
- 98 A determination under paragraph 60 constitutes part of a person’s...

SCHEDULE 4 — Procedure for ending notification requirements for abolished homosexual offences

Scope of Schedule

- 1 This Schedule applies where a relevant offender is subject to...

Application for decision

- 2 (1) The relevant offender may apply to the Secretary of...

Decision by Secretary of State

- 3 (1) In making the decision applied for, the Secretary of...

Effect of decision

- 4 (1) If the Secretary of State decides that it appears...

Right of appeal

- 5 (1) If the Secretary of State decides that it does...

Interpretation

- 6 (1) In this Schedule a reference to an offence includes—...

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sexual Offences Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Transitional provision

7 Until the coming into force of the repeal by this...

SCHEDULE 5 — Other offences for purposes of Part 2

England and Wales

- 1 Murder.
- 2 Manslaughter.
- 3 Kidnapping.
- 4 False imprisonment.
- 4A Outraging public decency.
- 5 An offence under section 4 of the Offences against the...
- 6 An offence under section 16 of that Act (threats to...
- 7 An offence under section 18 of that Act (wounding with...
- 8 An offence under section 20 of that Act (malicious wounding)....
- 9 An offence under section 21 of that Act (attempting to...
- 10 An offence under section 22 of that Act (using chloroform...
- 11 An offence under section 23 of that Act (maliciously administering...
- 12 An offence under section 27 of that Act (abandoning children)....
- 13 An offence under section 28 of that Act (causing bodily...
- 14 An offence under section 29 of that Act (using explosives...
- 15 An offence under section 30 of that Act (placing explosives...
- 16 An offence under section 31 of that Act (setting spring...
- 17 An offence under section 32 of that Act (endangering the...
- 18 An offence under section 35 of that Act (injuring persons...
- 19 An offence under section 37 of that Act (assaulting officer...
- 20 An offence under section 38 of that Act (assault with...
- 21 An offence under section 47 of that Act (assault occasioning...
- 22 An offence under section 2 of the Explosive Substances Act...
- 23 An offence under section 3 of that Act (attempt to...
- 24 An offence under section 1 of the Infant Life (Preservation)...
- 25 An offence under section 1 of the Children and Young...
- 26 An offence under section 1 of the Infanticide Act 1938...
- 27 An offence under section 16 of the Firearms Act 1968...
- 28 An offence under section 16A of that Act (possession of...
- 29 An offence under section 17(1) of that Act (use of...
- 30 An offence under section 17(2) of that Act (possession of...
- 31 An offence under section 18 of that Act (carrying a...
- 31A An offence under section 1 of the Theft Act 1968...
- 32 An offence under section 8 of that Act (robbery or assault...
- 33 An offence under section 9(1)(a) of that Act (burglary with...
- 34 An offence under section 10 of that Act (aggravated burglary)....
- 35 An offence under section 12A of that Act (aggravated vehicle-taking)...
- 36 An offence of arson under section 1 of the Criminal...
- 37 An offence under section 1(2) of that Act (destroying or...
- 38 An offence under section 1 of the Taking of Hostages...
- 39 An offence under section 1 of the Aviation Security Act...
- 40 An offence under section 2 of that Act (destroying, damaging...
- 41 An offence under section 3 of that Act (other acts...
- 42 An offence under section 4 of that Act (offences in...
- 43 An offence under section 127 of the Mental Health Act...
- 43A An offence under section 1 of the Child Abduction Act...

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sexual Offences Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- 43B An offence under section 2 of that Act (offence of...
- 44 An offence under section 1 of the Prohibition of Female...
- 45 An offence under section 1 of the Public Order Act...
- 46 An offence under section 2 of that Act (violent disorder)....
- 47 An offence under section 3 of that Act (affray).
- 48 An offence under section 134 of the Criminal Justice Act...
- 49 An offence under section 1 of the Road Traffic Act...
- 50 An offence under section 3A of that Act (causing death...
- 51 An offence under section 1 of the Aviation and Maritime...
- 52 An offence under section 9 of that Act (hijacking of...
- 53 An offence under section 10 of that Act (seizing or...
- 54 An offence under section 11 of that Act (destroying fixed...
- 55 An offence under section 12 of that Act (other acts...
- 56 An offence under section 13 of that Act (offences involving...
- 56A An offence under section 2 of the Protection from Harassment...
- 57 An offence under section 4 of that Act (putting people...
- 58 An offence under section 29 of the Crime and Disorder...
- 59 An offence falling within section 31(1)(a) or (b) of that...
- 60 An offence under Part II of the Channel Tunnel (Security)...
- 60ZA An offence under section 53 or 54 of the Regulation...
- 60A An offence under section 85(3) or (4) of the Postal...
- 61 An offence under section 51 or 52 of the International...
- 61A An offence under section 127(1) of the Communications Act 2003...
- 62 An offence under section 47 of this Act, where the...
- 63 An offence under any of sections 51 to 53 or...
- 63A An offence under section 5 of the Domestic Violence, Crime...

Scotland

- 64 Murder.
- 65 Culpable homicide.
- 66 Assault.
- 67 Assault and robbery.
- 68 Abduction.
- 69 Plagium.
- 70 Wrongful imprisonment.
- 71 Threatening personal violence.
- 72 Breach of the peace inferring personal violence.
- 73 Wilful fireraising.
- 74 Culpable and reckless fireraising.
- 75 Mobbing and rioting.
- 76 An offence under section 2 of the Explosive Substances Act...
- 77 An offence under section 3 of that Act (attempt to...
- 78 An offence under section 12 of the Children and Young...
- 79 An offence under section 16 of the Firearms Act 1968...
- 80 An offence under section 16A of that Act (possession of...
- 81 An offence under section 17(1) of that Act (use of...
- 82 An offence under section 17(2) of that Act (possession of...
- 83 An offence under section 18 of that Act (carrying a...
- 84 An offence under section 1 of the Taking of Hostages...
- 85 An offence under section 1 of the Aviation Security Act...
- 86 An offence under section 2 of that Act (destroying, damaging...
- 87 An offence under section 3 of that Act (other acts...

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sexual Offences Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- 88 An offence under section 4 of that Act (offences in...
- 89 An offence under section 105 of the Mental Health (Scotland)...
- 90 An offence under section 1 of the Prohibition of Female...
- 91 An offence under section 134 of the Criminal Justice Act...
- 92 An offence under section 1 of the Road Traffic Act...
- 93 An offence under section 3A of that Act (causing death...
- 94 An offence under section 1 of the Aviation and Maritime...
- 95 An offence under section 9 of that Act (hijacking of...
- 96 An offence under section 10 of that Act (seizing or...
- 97 An offence under section 11 of that Act (destroying fixed...
- 98 An offence under section 12 of that Act (other acts...
- 99 An offence under section 13 of that Act (offences involving...
- 100 An offence under Part II of the Channel Tunnel (Security)...
- 101 An offence under section 7 of the Criminal Law (Consolidation)...
- 102 An offence under section 9 of that Act (permitting girl...
- 103 An offence under section 11 of that Act (trading in...
- 104 An offence under section 12 of that Act (allowing child...
- 105 An offence under section 13(9) of that Act (living on...
- 106 An offence under section 50A of that Act (racially-aggravated harassment)...
- 106A An offence under section 53 or 54 of the Regulation...
- 107 An offence under section 51 or 52 of the International...
- 108 An offence under section 1 of the International Criminal Court...
- 109 An offence under section 22 of the Criminal Justice (Scotland)...
- 110 An offence to which section 74 of that Act applies...
- 111 An offence under section 315 of the Mental Health (Care...

Northern Ireland

- 112 Murder.
- 113 Manslaughter.
- 114 Kidnapping.
- 115 Riot.
- 116 Affray.
- 117 False imprisonment.
- 117A Outraging public decency.
- 118 An offence under section 4 of the Offences against the...
- 119 An offence under section 16 of that Act (threats to...
- 120 An offence under section 18 of that Act (wounding with...
- 121 An offence under section 20 of that Act (malicious wounding)...
- 122 An offence under section 21 of that Act (attempting to...
- 123 An offence under section 22 of that Act (using chloroform...
- 124 An offence under section 23 of that Act (maliciously administering...
- 125 An offence under section 27 of that Act (abandoning children)...
- 126 An offence under section 28 of that Act (causing bodily...
- 127 An offence under section 29 of that Act (using explosives...
- 128 An offence under section 30 of that Act (placing explosives...
- 129 An offence under section 31 of that Act (setting spring...
- 130 An offence under section 32 of that Act (endangering the...
- 131 An offence under section 35 of that Act (injuring persons...
- 132 An offence under section 37 of that Act (assaulting officer...
- 133 An offence under section 47 of that Act of assault...
- 134 An offence under section 2 of the Explosive Substances Act...

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sexual Offences Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- 135 An offence under section 3 of that Act (attempt to...
- 136 An offence under section 25 of the Criminal Justice (Northern...
- 137 An offence under section 1 of the Infanticide Act (Northern...
- 138 An offence under section 7(1)(b) of the Criminal Justice
(Miscellaneous...
- 138A An offence under section 9(1)(a) of that Act (riotous, disorderly...
- 139 An offence under section 20 of the Children and Young...
- 139A An offence under section 1 of the Theft Act (Northern...
- 140 An offence under section 8 of that Act (robbery or...
- 141 An offence under section 9(1)(a) of that Act (burglary with...
- 142 An offence under section 10 of that Act (aggravated burglary)....
- 143 An offence of arson under Article 3 of the Criminal...
- 144 An offence under Article 3(2) of that Order (destroying or...
- 145 An offence under Article 58(1) of the Firearms (Northern Ireland)...
- 146 An offence under Article 58(2) of that Order (possession of...
- 147 An offence under Article 59(1) of that Order (use of...
- 148 An offence under Article 59(2) of that Order (possession of...
- 149 An offence under Article 60 of that Order (carrying a...
- 150 An offence under section 1 of the Taking of Hostages...
- 151 An offence under section 1 of the Aviation Security Act...
- 152 An offence under section 2 of that Act (destroying, damaging...
- 153 An offence under section 3 of that Act (other acts...
- 154 An offence under section 4 of that Act (offences in...
- 154A An offence under Article 3 of the Child Abduction (Northern...
- 154B An offence under Article 4 of that Order (offence of...
- 155 An offence under section 1 of the Prohibition of Female...
- 156 An offence under Article 121 of the Mental Health (Northern...
- 157 An offence under section 134 of the Criminal Justice Act...
- 158 An offence under section 1 of the Aviation and Maritime...
- 159 An offence under section 9 of that Act (hijacking of...
- 160 An offence under section 10 of that Act (seizing or...
- 161 An offence under section 11 of that Act (destroying fixed...
- 162 An offence under section 12 of that Act (other acts...
- 163 An offence under section 13 of that Act (offences involving...
- 164 An offence under Article 9 of the Road Traffic (Northern...
- 165 An offence under Article 14 of that Order (causing death...
- 165A An offence under Article 4 of the Protection from Harassment...
- 166 An offence under Article 6 of that Order (putting people...
- 167 An offence under section 66 of the Police (Northern Ireland)...
- 168 An offence under Part II of the Channel Tunnel (Security)...
- 168ZA An offence under section 53 or 54 of the Regulation...
- 168A An offence under section 85(3) or (4) of the Postal...
- 169 An offence under section 51 or 52 of the International...
- 169A An offence under section 127(1) of the Communications Act 2003...
- 170 An offence under section 47 of this Act, where the...
- 171 An offence under any of sections ... 57 to 59...
- 171A An offence under section 5 of the Domestic Violence, Crime...
- 171B An offence under Article 62 (causing or inciting prostitution for...

Service offences

- 172 An offence under— (a) section 70 of the Army Act...
- 172A (1) An offence under section 42 of the Armed Forces...

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *Sexual Offences Act 2003*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

General

- 173 A reference in a preceding paragraph to an offence includes—...
- 173A A reference in a preceding paragraph to an offence (“offence...)
- 174 A reference in a preceding paragraph to a person’s age...

SCHEDULE 6 — Minor and consequential amendments

Vagrancy Act 1824 (c. 83)

- 1 In section 4 of the Vagrancy Act 1824 (rogues and...)
- 2 In section 4 of the Vagrancy Act 1824 as it...

Town Police Clauses Act 1847 (c. 89)

- 3 In section 28 of the Town Police Clauses Act 1847...

Offences against the Persons Act 1861 (c. 100)

- 4 In the Offences against the Person Act 1861, omit sections...

Criminal Law Amendment Act 1885 (c. 69)

- 5 In the Criminal Law Amendment Act 1885, omit—

Vagrancy Act 1898 (c. 39)

- 6 The Vagrancy Act 1898 ceases to have effect.

Children and Young Persons Act 1933 (c. 12)

- 7 In Schedule 1 to the Children and Young Persons Act...

Visiting Forces Act 1952 (c. 67)

- 8 (1) Paragraph 1 of the Schedule to the Visiting Forces...

Army Act 1955 (3 & 4 Eliz. 2 c. 18)

- 9 In section 70(4) of the Army Act 1955 (person not...

Air Force Act 1955 (3 & 4 Eliz. 2.c. 19)

- 10 In section 70(4) of the Air Force Act 1955 (person...

Sexual Offences Act 1956 (c. 37)

- 11 In the Sexual Offences Act 1956, omit—

Naval Discipline Act 1957 (c. 53)

- 12 In section 48(2) of the Naval Discipline Act 1957 (courts-martial...

Mental Health Act 1959 (c. 72)

- 13 In the Mental Health Act 1959, omit sections 127 (amendment...

Indecency with Children Act 1960 (c. 33)

- 14 The Indecency with Children Act 1960 ceases to have effect....

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sexual Offences Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Sexual Offences Act 1967 (c. 60)

15 In the Sexual Offences Act 1967, omit the following—

Firearms Act 1968 (c. 27)

16 In Schedule 1 to the Firearms Act 1968 (offences to...

Theft Act 1968 (c. 60)

17 In section 9 of the Theft Act 1968 (burglary), in...

Children and Young Persons Act (Northern Ireland) 1968 (c. 34 (N.I.))

18 (1) The Children and Young Persons Act (Northern Ireland) 1968...

Rehabilitation of Offenders Act 1974 (c. 53)

19 In section 7 of the Rehabilitation of Offenders Act 1974...

Sexual Offences (Amendment) Act 1976 (c. 82)

20 (1) The Sexual Offences (Amendment) Act 1976 is amended as...

Criminal Law Act 1977 (c. 45)

21 In the Criminal Law Act 1977, omit section 54 (inciting...

Internationally Protected Persons Act 1978 (c. 17)

22 In section 1 of the Internationally Protected Persons Act 1978...

Suppression of Terrorism Act 1978 (c. 26)

23 (1) Schedule 1 to the Suppression of Terrorism Act 1978...

Protection of Children Act 1978 (c. 37)

24 In section 1(1) of the Protection of Children Act 1978...

Rehabilitation of Offenders (Northern Ireland) Order 1978 (S.I. 1978/1908 (N.I. 27))

25 In Article 8 of the Rehabilitation of Offenders (Northern Ireland)...

Magistrates' Courts Act 1980 (c. 43)

26 (1) The Magistrates' Courts Act 1980 is amended as follows....

Criminal Justice Act 1982 (c. 48)

27 In the Criminal Justice Act 1982, in Part 2 of...

Police and Criminal Evidence Act 1984 (c. 60)

28 (1) The Police and Criminal Evidence Act 1984 is amended...

Criminal Justice Act 1988 (c. 33)

29 (1) The Criminal Justice Act 1988 is amended as follows....

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sexual Offences Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Criminal Justice Act 1991 (c. 53)

30 In section 34A of the Criminal Justice Act 1991 (power...

Sexual Offences (Amendment) Act 1992 (c. 34)

31 (1) Section 2 of the Sexual Offences (Amendment) Act 1992...

Criminal Justice and Public Order Act 1994 (c. 33)

32 (1) The Criminal Justice and Public Order Act 1994 is...

Criminal Law (Consolidation) (Scotland) Act 1995 (c. 39)

33 In section 5(6) of the Criminal Law (Consolidation) (Scotland) Act...

Criminal Injuries Compensation Act 1995 (c. 53)

34 In section 11 of the Criminal Injuries Compensation Act 1995...

Sexual Offences (Conspiracy and Incitement) Act 1996 (c. 29)

35 In the Schedule to the Sexual Offences (Conspiracy and Incitement)...

Sexual Offences (Protected Material) Act 1997 (c. 39)

36 In the Schedule to the Sexual Offences (Protected Material) Act...

Sex Offenders Act 1997 (c. 51)

37 The Sex Offenders Act 1997 ceases to have effect.

Crime and Disorder Act 1998 (c. 37)

38 (1) The Crime and Disorder Act 1998 is amended as...

Criminal Justice (Children) (Northern Ireland) Order 1998 (S.I. 1998/1504 (N.I. 9))

39 In paragraph 1 of Schedule 1 to the Criminal Justice...

Criminal Justice (Northern Ireland) Order 1998 (S.I. 1998/2839 (N.I. 20))

40 In the Criminal Justice (Northern Ireland) Order 1998, omit Articles...

Youth Justice and Criminal Evidence Act 1999 (c. 23)

41 (1) The Youth Justice and Criminal Evidence Act 1999 is...

Criminal Evidence (Northern Ireland) Order 1999 (S.I. 1999/2789 (N.I. 8))

42 (1) The Criminal Evidence (Northern Ireland) Order 1999 is amended...

Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)

43 (1) The Powers of Criminal Courts (Sentencing) Act 2000 is...

Criminal Justice and Courts Services Act 2000 (c. 43)

44 (1) The Criminal Justice and Courts Services Act 2000 is...

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sexual Offences Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Sexual Offences (Amendment) Act 2000 (c. 44)

45 (1) The Sexual Offences (Amendment) Act 2000 is amended as...

Proceeds of Crime Act 2002 (c. 29)

46 (1) The Proceeds of Crime Act 2002 is amended as...

Adoption and Children Act 2002 (c. 38)

47 In section 74 of the Adoption and Children Act 2002...

Nationality, Asylum and Immigration Act 2002 (c. 41)

48 In the Nationality, Asylum and Immigration Act 2002, omit sections...

Criminal Justice (Scotland) Act 2003 (asp 7)

49 In section 21(9) of the Criminal Justice (Scotland) Act 2003...

*Protection of Children and Vulnerable Adults
(Northern Ireland) Order 2003(S.I. 2003/417 (N.I. 4))*

50 In paragraph 1 of Schedule 1 to the Protection of...

Access to Justice (Northern Ireland) Order 2003 (S.I. 2003/435 (N.I. 10))

51 In Schedule 2 to the Access to Justice (Northern Ireland)...

Criminal Justice (Northern Ireland) Order 2003 (S.I. 2003/1247 (N.I. 13))

52 In the Criminal Justice (Northern Ireland) Order 2003, omit—

SCHEDULE 7 — Repeals and revocations

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sexual Offences Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations.

Changes and effects yet to be applied to :

- s. 21(12)(b) text amended by S.I. 2011/1045 art. 15(a)
- s. 21(12)(c) text amended by S.I. 2011/1045 art. 15(b)
- s. 21(12)(d) inserted by S.I. 2011/1045 art. 15(c)
- s. 82(1) Table text amended by S.S.I. 2011/25 Sch. para. 2(2)
- s. 107(3)(b) text amended by S.S.I. 2011/45 art. 4(1)(a)
- s. 107(3A)(3B) inserted by S.S.I. 2011/45 art. 4(1)(b)
- s. 111(c)(i) text amended by S.S.I. 2011/25 Sch. para. 2(3)(a)
- s. 111(c)(ii) text amended by S.S.I. 2011/25 Sch. para. 2(3)(b)
- s. 113(3) text amended by S.S.I. 2011/25 Sch. para. 2(4)
- s. 116(2)(b) text amended by 2011 c. 24 (N.I.) Sch. 7 para. 12(1)
- s. 122(1B)(b) extended by S.I. 2011/2298 Sch. para. 3(1)
- s. 122(3) text amended by S.S.I. 2011/25 Sch. para. 2(5)
- s. 124(8) repealed by 2011 c. 24 (N.I.) Sch. 7 para. 12(2) Sch. 8 Pt. 5
- s. 133(1) text amended by S.S.I. 2011/25 Sch. para. 2(6)
- s. 133(1) text amended by S.S.I. 2011/45 art. 4(2)
- s. 134(1) text amended by S.S.I. 2011/25 Sch. para. 2(7)(a)
- s. 134(1)(c) text amended by S.S.I. 2011/25 Sch. para. 2(7)(b)
- s. 136J(5) text amended by 2011 c. 24 (N.I.) s. 55(2)
- s. 136R(15) inserted by 2011 c. 24 (N.I.) s. 55(3)
- s. 138 modified by S.S.I. 2011/45 art. 4(4)
- s. 138(2) text amended by S.S.I. 2011/45 art. 4(3)
- Sch. 3 para. 44A extended by S.I. 2011/2298 Sch. para. 3(2)

Changes and effects yet to be applied to the whole Act, associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 88A-88I inserted by S.S.I. 2011/45 art. 3

Commencement Orders yet to be applied to the Sexual Offences Act 2003:

Commencement Orders bringing legislation that affects this Act into force:

- S.S.I. 2011/178 art. 2 commences (2010 asp 13)