



Street Offences Act 1959

1959 CHAPTER 57

2 Application to court by woman cautioned for loitering or soliciting.

- (1) Where a woman is cautioned by a constable, in respect of her conduct in a street or public place, that if she persists in such conduct it may result in her being charged with an offence under section one of this Act, she may not later than fourteen clear days afterwards apply to a magistrates' court for an order directing that there is to be no entry made in respect of that caution in any record maintained by the police of those so cautioned and that any such entry already made is to be expunged; and the court shall make the order unless satisfied that on the occasion when she was cautioned she was loitering or soliciting in a street or public place for the purpose of prostitution.
- (2) An application under this section shall be by way of complaint against the chief officer of police for the area in which the woman is cautioned or against such officer of police as he may designate for the purpose in relation to that area or any part of it; and, subject to any provision to the contrary in rules made under section fifteen of the Justices of the Peace Act, 1949, on the hearing of any such complaint the procedure shall be the same as if it were a complaint by the police officer against the woman, except that this shall not affect the operation of sections forty-seven to forty-nine of the Magistrates' Courts Act, 1952 (which relate to the non-attendance of the parties to a complaint).
- (3) Unless the woman desires that the proceedings shall be conducted in public, an application under this section shall be heard and determined in camera.
- (4) In this section references to a street shall be construed in accordance with subsection (4) of section one of this Act.