

*These notes refer to the Serious Crime Act 2015 (c.9)
which received Royal Assent on 3rd March 2015*

SERIOUS CRIME ACT 2015

EXPLANATORY NOTES

TERRITORIAL EXTENT

Part 5: Protection of Children and Others

Commentary on Sections

Section 68: Child sexual exploitation

268. *Subsections (1) to (6)* amend the Sexual Offences Act 2003 to remove anachronistic references to “child prostitute”, “child prostitution” and “child pornography”. These terms appear in the titles of sections 48 (causing or inciting child prostitution or pornography), 49 (controlling a child prostitute or a child involved in pornography) and 50 (arranging or facilitating child prostitution or pornography) of the Sexual Offences Act 2003, while the terms “prostitute”, “prostitution” or “pornography” also appear in the body of those sections (and also in section 51, which defines those terms). The amendments to those sections replace these terms with references to the sexual exploitation of children (and so recognising children as victims), but do not alter the scope of the relevant offences.
269. *Subsection (7)* amends section 1 of the Street Offences Act 1959 so that the offence of loitering or soliciting for the purposes of prostitution applies only to persons aged 18 and over. It, in effect, decriminalises under-18s selling sex in the street and in doing so again recognises children as victims in such circumstances rather than consenting participants (buying sex from an under-18 in any circumstances would remain illegal).