



# Anti-social Behaviour, Crime and Policing Act 2014

## 2014 CHAPTER 12

### PART 9

#### PROTECTION FROM SEXUAL HARM AND VIOLENCE

##### *Child sexual exploitation at hotels*

#### **116 Information about guests at hotels believed to be used for child sexual exploitation**

- (1) A police officer of at least the rank of inspector may issue a notice under this section to the owner, operator or manager of a hotel that the officer reasonably believes has been or will be used for the purposes of—
  - (a) child sexual exploitation, or
  - (b) conduct that is preparatory to, or otherwise connected with, child sexual exploitation.
- (2) A notice under this section must be in writing and must—
  - (a) specify the hotel to which it relates;
  - (b) specify the date on which it comes into effect and the date on which it expires;
  - (c) explain the effect of subsections (4) and (5) and sections 117 and 118.
- (3) The date on which the notice expires must not be more than 6 months after the date on which it comes into effect.
- (4) A constable may require a person issued with a notice under this section to provide the constable with information about guests at the hotel.
- (5) The only information that a constable may require under subsection (4) is—
  - (a) guests' names and addresses;
  - (b) other information about guests that—

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*Status: This is the original version (as it was originally enacted).*

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- (i) is specified in regulations made by the Secretary of State, and
- (ii) can be readily obtained from one or more of the guests themselves.

(6) A requirement under subsection (4)—

- (a) must be in writing;
- (b) must specify the period to which the requirement relates;
- (c) must specify the date or dates on or by which the required information is to be provided.

The period specified under paragraph (b) must begin no earlier than the time when the requirement is imposed and must end no later than the expiry of the notice under this section.

(7) In this section—

“child sexual exploitation” means conduct that constitutes an offence listed in subsection (8)(a) or (b), or an offence listed in subsection (8)(c) against a person under 18;

“guest” means a person who, for a charge payable by that person or another, has the use of a guest room at the hotel in question;

“hotel” includes any guest house or other establishment of a similar kind at which accommodation is provided for a charge.

(8) The offences are—

- (a) an offence under any of the following sections of the Sexual Offences Act 2003—
  - sections 5 to 8 (rape and other offences against children under 13);
  - sections 9 to 13 (child sex offences);
  - sections 16 to 19 (abuse of position of trust);
  - sections 25 and 26 (familial child sex offences);
  - sections 47 to 50 (abuse of children through prostitution and pornography);
- (b) an offence under section 1 of the Protection of Children Act 1978 (indecent photographs of children);
- (c) an offence under any of the following sections of the Sexual Offences Act 2003—
  - sections 1 to 4 (rape, assault and causing sexual activity without consent);
  - sections 30 to 41 (persons with a mental disorder impeding choice, inducements etc to persons with a mental disorder, and care workers for persons with a mental disorder);
  - section 59A (trafficking people for sexual exploitation);
  - section 61 (administering a substance with intent);
  - sections 66 and 67 (exposure and voyeurism).

## **117 Appeals against notices under section 116**

- (1) A person issued with a notice under section 116 may appeal against it to a magistrates’ court.
- (2) An appeal must be made within the period of 21 days beginning with the day on which the person is issued with the notice.

- (3) Where there is an appeal against a notice under section 116, then until the appeal is finally determined or withdrawn—
  - (a) no requirement may be imposed under subsection (4) of that section in relation to the premises in question;
  - (b) any such requirement already imposed is of no effect.
- (4) A magistrates' court hearing an appeal against a notice under section 116 must—
  - (a) quash the notice,
  - (b) modify the notice, or
  - (c) dismiss the appeal.

## **118 Offences**

- (1) An offence is committed by a person who fails without reasonable excuse to comply with a requirement imposed on the person under section 116(4).
- (2) An offence is committed by a person who, in response to a requirement imposed on the person under section 116(4), provides incorrect information which the person—
  - (a) did not take reasonable steps to verify or to have verified, or
  - (b) knows to be incorrect.
- (3) A person does not commit an offence under subsection (2)(a) if there were no steps that the person could reasonably have taken to verify the information or to have it verified.
- (4) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 4 on the standard scale.