



# Sexual Offences Act 2003

## 2003 CHAPTER 42

### PART 1 **E+W+N.I.**

#### SEXUAL OFFENCES

#### *[<sup>F1</sup>Sexual exploitation of children]*

#### Textual Amendments

- F1** S. 47 cross-heading substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\), ss. 68\(2\), 88\(1\)](#); S.I. 2015/820, reg. 2(l)

#### 47 **Paying for sexual services of a child** **E+W**

<sup>F2</sup>(1) A person (A) commits an offence if—

- (a) he intentionally obtains for himself the sexual services of another person (B),
  - (b) before obtaining those services, he has made or promised payment for those services to B or a third person, or knows that another person has made or promised such a payment, and
  - (c) either—
    - (i) B is under 18, and A does not reasonably believe that B is 18 or over, or
    - (ii) B is under 13.
- (2) In this section, “payment” means any financial advantage, including the discharge of an obligation to pay or the provision of goods or services (including sexual services) gratuitously or at a discount.
- (3) A person guilty of an offence under this section against a person under 13, where subsection (6) applies, is liable on conviction on indictment to imprisonment for life.

*Status: Point in time view as at 03/05/2015.*

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- (4) Unless subsection (3) applies, a person guilty of an offence under this section against a person under 16 is liable—
- (a) where subsection (6) applies, on conviction on indictment, to imprisonment for a term not exceeding 14 years;
  - (b) in any other case—
    - (i) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
    - (ii) on conviction on indictment, to imprisonment for a term not exceeding 14 years.
- (5) Unless subsection (3) or (4) applies, a person guilty of an offence under this section is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding 7 years.
- (6) This subsection applies where the offence involved—
- (a) penetration of B’s anus or vagina with a part of A’s body or anything else,
  - (b) penetration of B’s mouth with A’s penis,
  - (c) penetration of A’s anus or vagina with a part of B’s body or by B with anything else, or
  - (d) penetration of A’s mouth with B’s penis.
- (7) <sup>F3</sup> .....

#### Textual Amendments

- F2** Ss. 47-51 repealed (N.I.) (2.2.2009) by [The Sexual Offences \(Northern Ireland\) Order 2008 \(S.I. 2008/1769 \(N.I. 2\)\)](#), arts. 1, 78(c), [Sch. 3](#) (with [Sch. 2](#) para. 1); S.R. 2008/510, [art. 2](#)
- F3** S. 47(7) omitted (2.2.2009) by virtue of [The Sexual Offences \(Northern Ireland\) Consequential Amendments\) Order 2008 \(S.I. 2008/1779\)](#), arts. 2(3), [8](#); S.R. 2008/510, [art. 2](#)

## 48 Causing or inciting [<sup>F4</sup>sexual exploitation of a child] **E+W**

- [<sup>F5</sup>(1) A person (A) commits an offence if—
- (a) he intentionally causes or incites another person (B) [<sup>F6</sup>to be sexually exploited] in any part of the world, and
  - (b) either—
    - (i) B is under 18, and A does not reasonably believe that B is 18 or over,  
or
    - (ii) B is under 13.
- (2) A person guilty of an offence under this section is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding 14 years.]

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#### Textual Amendments

- F4** Words in s. 48 heading substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 68(3)(a)**, 88(1); [S.I. 2015/820](#), reg. 2(l)
- F5** Ss. 47-51 repealed (N.I.) (2.2.2009) by [The Sexual Offences \(Northern Ireland\) Order 2008 \(S.I. 2008/1769 \(N.I. 2\)\)](#), arts. 1, 78(c), **Sch. 3** (with Sch. 2 para. 1); S.R. 2008/510, **art. 2**
- F6** Words in s. 48(1)(a) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 68(3)(b)**, 88(1); [S.I. 2015/820](#), reg. 2(l)

### 49 Controlling a child [<sup>F7</sup>in relation to sexual exploitation] **E+W**

[<sup>F8</sup>(1) A person (A) commits an offence if—

- (a) he intentionally controls any of the activities of another person (B) relating to B's [<sup>F9</sup>sexual exploitation] in any part of the world, and
- (b) either—
  - (i) B is under 18, and A does not reasonably believe that B is 18 or over,  
or
  - (ii) B is under 13.

(2) A person guilty of an offence under this section is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding 14 years.]

#### Textual Amendments

- F7** Words in s. 49 heading substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 68(4)(a)**, 88(1); [S.I. 2015/820](#), reg. 2(l)
- F8** Ss. 47-51 repealed (N.I.) (2.2.2009) by [The Sexual Offences \(Northern Ireland\) Order 2008 \(S.I. 2008/1769 \(N.I. 2\)\)](#), arts. 1, 78(c), **Sch. 3** (with Sch. 2 para. 1); S.R. 2008/510, **art. 2**
- F9** Words in s. 49(1)(a) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 68(4)(b)**, 88(1); [S.I. 2015/820](#), reg. 2(l)

### 50 Arranging or facilitating [<sup>F10</sup>sexual exploitation of a child] **E+W**

[<sup>F11</sup>(1) A person (A) commits an offence if—

- (a) he intentionally arranges or facilitates the [<sup>F12</sup>sexual exploitation] in any part of the world of another person (B), and
- (b) either—
  - (i) B is under 18, and A does not reasonably believe that B is 18 or over,  
or
  - (ii) B is under 13.

(2) A person guilty of an offence under this section is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;

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- (b) on conviction on indictment, to imprisonment for a term not exceeding 14 years.]

#### Textual Amendments

- F10** Words in s. 50 heading substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 68(5)(a)**, 88(1); [S.I. 2015/820](#), [reg. 2\(l\)](#)
- F11** Ss. 47-51 repealed (N.I.) (2.2.2009) by [The Sexual Offences \(Northern Ireland\) Order 2008 \(S.I. 2008/1769 \(N.I. 2\)\)](#), [arts. 1, 78\(c\)](#), **Sch. 3** (with [Sch. 2 para. 1](#)); [S.R. 2008/510](#), **art. 2**
- F12** Words in s. 50(1)(a) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 68(5)(b)**, 88(1); [S.I. 2015/820](#), [reg. 2\(l\)](#)

## 51 Sections 48 to 50: interpretation **E+W**

<sup>F13</sup>[<sup>F14</sup>(1).....]

[<sup>F15</sup>(2) For the purposes of sections 48 to 50, a person (B) is sexually exploited if—

- (a) on at least one occasion and whether or not compelled to do so, B offers or provides sexual services to another person in return for payment or a promise of payment to B or a third person, or
- (b) an indecent image of B is recorded;

and “sexual exploitation” is to be interpreted accordingly.]

- (3) In subsection (2), “payment” means any financial advantage, including the discharge of an obligation to pay or the provision of goods or services (including sexual services) gratuitously or at a discount.]

#### Textual Amendments

- F13** [S. 51\(1\)](#) omitted (3.5.2015) by virtue of [Serious Crime Act 2015 \(c. 9\)](#), **ss. 68(6)(a)**, 88(1); [S.I. 2015/820](#), [reg. 2\(l\)](#)
- F14** Ss. 47-51 repealed (N.I.) (2.2.2009) by [The Sexual Offences \(Northern Ireland\) Order 2008 \(S.I. 2008/1769 \(N.I. 2\)\)](#), [arts. 1, 78\(c\)](#), **Sch. 3** (with [Sch. 2 para. 1](#)); [S.R. 2008/510](#), **art. 2**
- F15** [S. 51\(2\)](#) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 68(6)(b)**, 88(1); [S.I. 2015/820](#), [reg. 2\(l\)](#)

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