



Sexual Offences Act 1956

1956 CHAPTER 69 4 and 5 Eliz 2

PART I

OFFENCES, AND THE PROSECUTION AND PUNISHMENT OF OFFENCES

Intercourse by force, intimidation, etc.

^{F1} 1 Rape of woman or man.

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Textual Amendments

F1 Ss. 1-7 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

^{F2} 2 Procurement of woman by threats.

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Textual Amendments

F1 Ss. 1-7 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

^{F3} 3 Procurement of woman by false pretences.

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Status: Point in time view as at 01/05/2004.

Changes to legislation: There are currently no known outstanding effects for the Sexual Offences Act 1956, Part I. (See end of Document for details)

Textual Amendments

F1 Ss. 1-7 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); S.I. 2004/874, art. 2

F14 Administering drugs to obtain or facilitate intercourse.

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Textual Amendments

F1 Ss. 1-7 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); S.I. 2004/874, art. 2

Intercourse with girls under sixteen

F15 Intercourse with girl under thirteen.

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Textual Amendments

F1 Ss. 1-7 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); S.I. 2004/874, art. 2

F16 Intercourse with girl between thirteen and sixteen.

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Textual Amendments

F1 Ss. 1-7 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); S.I. 2004/874, art. 2

Intercourse with defectives

F17 Intercourse with defective.

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Textual Amendments

F1 Ss. 1-7 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); S.I. 2004/874, art. 2

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8 ^{F2}

Textual Amendments

F2 S. 8 repealed by [Mental Health Act 1959 \(c. 72\)](#), [Sch. 8 Pt. I](#)

F³9 Procurement of defective.

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Textual Amendments

F3 Ss. 9-17 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

Incest

F³10 Incest by a man.

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Textual Amendments

F3 Ss. 9-17 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

F³11 Incest by a woman.

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Textual Amendments

F3 Ss. 9-17 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

Unnatural offences

F³12 Buggery.

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Textual Amendments

F3 Ss. 9-17 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

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Modifications etc. (not altering text)

C1 s. 12 amended by [Sexual Offences Act 1967 \(c. 60\)](#), **ss. 1, 2, 7**

F3 13 Indecency between men.

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Textual Amendments

F3 Ss. 9-17 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), **Sch. 7**; [S.I. 2004/874](#), art. 2

Modifications etc. (not altering text)

C2 S. 13 amended as to mode of trial by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), **Sch. 1 para. 23(b)**
C3 s. 13 amended by [Sexual Offences Act 1967 \(c. 60\)](#), **ss. 1, 2, 4 (3), 7, 9 (2)**

Assaults

F3 14 Indecent assault on a woman.

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Textual Amendments

F3 Ss. 9-17 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), **Sch. 7**; [S.I. 2004/874](#), art. 2

F3 15 Indecent assault on a man.

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Textual Amendments

F3 Ss. 9-17 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), **Sch. 7**; [S.I. 2004/874](#), art. 2

F3 16 Assault with intent to commit buggery.

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Textual Amendments

F3 Ss. 9-17 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), **Sch. 7**; [S.I. 2004/874](#), art. 2

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Abduction

F³17 Abduction of woman by force or for the sake of her property.

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Textual Amendments

F3 Ss. 9-17 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

18 **F⁴**

Textual Amendments

F4 S. 18 repealed by [Family Law Reform Act 1969 \(c. 46\)](#), [s. 11](#)

F⁵19 Abduction of unmarried girl under eighteen from parent or guardian.

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Textual Amendments

F5 Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

F⁵20 Abduction of unmarried girl under sixteen from parent or guardian.

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Textual Amendments

F5 Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

F⁵21 Abduction of defective from parent or guardian.

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Textual Amendments

F5 Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

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Prostitution, procurement etc.

F522 Causing prostitution of women.

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Textual Amendments

F5 Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

F523 Procurement of girl under twenty-one.

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Textual Amendments

F5 Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

F524 Detention of woman in brothel or other premises.

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Textual Amendments

F5 Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

F525 Permitting girl under thirteen to use premises for intercourse.

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Textual Amendments

F5 Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

F526 Permitting girl between thirteen and sixteen to use premises for intercourse.

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Textual Amendments

F5 Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

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F⁵27 Permitting defective to use premises for intercourse.

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Textual Amendments

- F5** Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

F⁵28 Causing or encouraging prostitution of, intercourse with, or indecent assault on, girl under sixteen.

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Textual Amendments

- F5** Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

F⁵29 Causing or encouraging prostitution of defective.

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Textual Amendments

- F5** Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

F⁵30 Man living on earnings of prostitution.

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Textual Amendments

- F5** Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

F⁵31 Woman exercising control over prostitute.

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Textual Amendments

- F5** Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

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Solicitation

F⁵32 Solicitation by men.

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Textual Amendments

F5 Ss. 19-32 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

Suppression of brothels

33 Keeping a brothel.

It is an offence for a person to keep a brothel, or to manage, or act or assist in the management of, a brothel.

Modifications etc. (not altering text)

C4 s. 33 extended by [Sexual Offences Act 1967 \(c. 60\)](#), s. 6

[F⁶33A Keeping a brothel used for prostitution

- (1) It is an offence for a person to keep, or to manage, or act or assist in the management of, a brothel to which people resort for practices involving prostitution (whether or not also for other practices).
- (2) In this section “prostitution” has the meaning given by section 51(2) of the Sexual Offences Act 2003.]

Textual Amendments

F6 S. 33A inserted (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), [ss. 55\(2\)](#), 141; [S.I. 2004/874](#), art. 2

34 Landlord letting premises for use as brothel.

It is an offence for the lessor or landlord of any premises or his agent to let the whole or part of the premises with the knowledge that it is to be used, in whole or in part, as a brothel, or, where the whole or part of the premises is used as a brothel, to be wilfully a party to that use continuing.

Modifications etc. (not altering text)

C5 s. 34 extended by [Sexual Offences Act 1967 \(c. 60\)](#), s. 6

Status: Point in time view as at 01/05/2004.

Changes to legislation: There are currently no known outstanding effects for the Sexual Offences Act 1956, Part I. (See end of Document for details)

35 Tenant permitting premises to be used as brothel.

- (1) It is an offence for the tenant or occupier, or person in charge, of any premises knowingly to permit the whole or part of the premises to be used as a brothel.
- (2) Where the tenant or occupier of any premises is convicted (whether under this section or, for an offence committed before the commencement of this Act, under section thirteen of the ^{M1}Criminal Law Amendment Act 1885) of knowingly permitting the whole or part of the premises to be used as a brothel, the First Schedule to this Act shall apply to enlarge the rights of the lessor or landlord with respect to the assignment or determination of the lease or other contract under which the premises are held by the person convicted.
- (3) Where the tenant or occupier of any premises is so convicted, or was so convicted under the said section thirteen before the commencement of this Act, and either—
 - (a) the lessor or landlord, after having the conviction brought to his notice, fails or failed to exercise his statutory rights in relation to the lease or contract under which the premises are or were held by the person convicted; or
 - (b) The lessor or landlord, after exercising his statutory rights so as to determine that lease or contract, grants or granted a new lease or enters or entered into a new contract of tenancy of the premises to, with or for the benefit of the same person, without having all reasonable provisions to prevent the recurrence of the offence inserted in the new lease or contract;

then, if subsequently an offence under this section is committed in respect of the premises during the subsistence of the lease or contract referred to in paragraph (a) of this subsection or (where paragraph (b) applies) during the subsistence of the new lease or contract, the lessor or landlord shall be deemed to be a party to that offence unless he shows that he took all reasonable steps to prevent the recurrence of the offence.

References in this subsection to the statutory rights of a lessor or landlord refer to his rights under the First Schedule to this Act or under subsection (1) of section five of the Criminal Law Amendment Act 1912 (the provision replaced for England and Wales by that Schedule).

Modifications etc. (not altering text)

C6 s. 35 extended by [Sexual Offences Act 1967 \(c. 60\), s. 6](#)

Marginal Citations

M1 1885 c. 69.

36 Tenant permitting premises to be used for prostitution.

It is an offence for the tenant or occupier of any premises knowingly to permit the whole or part of the premises to be used for the purposes of habitual prostitution. [F7(whether any prostitute involved is male or female)]

Textual Amendments

F7 Words in s. 36 inserted (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\), s. 141, Sch. 1 para. 1; S.I. 2004/874, art. 2](#)

Status: Point in time view as at 01/05/2004.

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Powers and procedure for dealing with offenders

37 Prosecution and punishment of offences.

- (1) The Second Schedule to this Act shall have effect, subject to and in accordance with the following provisions of this section, with respect to the prosecution and punishment of the offences listed in the first column of the Schedule, being the offences under this Act and attempts to commit certain of those offences.
- (2) The second column in the Schedule shows, for any offence, if it may be prosecuted on indictment or summarily, or either, . . . ^{F8} and what special restrictions (if any) there are on the commencement of a prosecution.
- (3) The third column in the Schedule shows, for any offence, the punishments which may be imposed on conviction on indictment or on summary conviction, a reference to a period giving the maximum term of imprisonment and a reference to a sum of money the maximum fine.
- (4) The fourth column in the Schedule contains provisions which are either supplementary to those in the second or third column or enable a person charged on indictment with the offence specified in the first column to be found guilty of another offence if the jury are not satisfied that he is guilty of the offence charged or of an attempt to commit it, but are satisfied that he is guilty of the other offence.
- (5) A provision in the fourth column of the Schedule enabling the jury to find the accused guilty of an offence specified in that provision authorises them, if not satisfied that he is guilty of the offence so specified, to find him guilty of any other offence of which they could find him guilty if he had been indicted for the offence so specified.
- (6) Where in the Schedule there is used a phrase descriptive of an offence or group of offences followed by a reference to a section by its number only, the reference is to a section of this Act, and the phrase shall be taken as referring to any offence under the section mentioned.
- (7) Nothing in this section or in the Second Schedule to this Act shall exclude the application to any of the offences referred to in the first column of the Schedule—
 - (a) [^{F9}of [^{F10}section 24 of the Magistrates' Courts Act 1980] (which relates] to the summary trial of young offenders for indictable offences); or
 - (b) of [^{F11}subsection (5) of section 121 of the Magistrates' Courts Act 1980] (which limits the punishment which may be imposed by a magistrates' court sitting in an occasional courthouse); or
 - (c) of any enactment or rule of law restricting a court's power to imprison; or
 - (d) of any enactment or rule of law authorising an offender to be dealt with in a way not authorised by the enactments specially relating to his offence; or
 - (e) of any enactment or rule of law authorising a jury to find a person guilty of an offence other than that with which he is charged.

Textual Amendments

F8 Words repealed by [Courts Act 1971 \(c. 23\)](#), [Sch. 11 Pt. IV](#)

F9 Words substituted by [Children and Young Persons Act 1969 \(c. 54\)](#), [Sch. 5 para. 27](#)

F10 Words substituted by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), [Sch. 7 para. 17\(a\)](#)

F11 Words substituted by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), [Sch. 7 para. 17\(b\)](#)

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F12 38

Textual Amendments

F12 S. 38 repealed (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(4)(7), Sch. 12 para. 15, [Sch.15](#) (with Sch. 14 paras. 1(1) and 27(4)); S.I. 1991/828, [art. 3\(2\)](#)

39 **F13**

Textual Amendments

F13 Ss. 12(2)(3), 15(4)(5), 16(2)(3), 39, repealed by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s. 119(2), [Sch. 7 Pt. V](#)

Powers of arrest and search

40 **F14**

Textual Amendments

F14 S. 40 repealed by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s. 119(2), [Sch. 7 Pt. I](#)

F15 41 **Power of arrest in cases of trading in prostitution, or of soliciting by men.**

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Textual Amendments

F15 Ss. 41-47 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); S.I. 2004/874, [art. 2](#)

F15 42 **Power of search in case of man living on earnings of prostitution.**

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Textual Amendments

F15 Ss. 41-47 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); S.I. 2004/874, [art. 2](#)

F15 43 **Power to search for and remove woman detained for immoral purposes.**

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Textual Amendments

F15 Ss. 41-47 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

Interpretation

F15 44 Meaning of “sexual intercourse”.

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Textual Amendments

F15 Ss. 41-47 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

F15 45 Meaning of “defective”.

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Textual Amendments

F15 Ss. 41-47 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

F15 46 Use of words “man”, “boy”, “woman” and “girl”.

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Textual Amendments

F15 Ss. 41-47 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

Modifications etc. (not altering text)

C7 s. 46 amended by [Sexual Offences \(Amendment\) Act 1976 \(c. 82\)](#), [s. 7 \(2\)](#)

F15 [F16 46A Meaning of parental responsibility.

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Textual Amendments

F15 Ss. 41-47 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

F16 S. 46A inserted (14.10.1991 by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(4), Sch. 12 para.17 (with [Sch. 14 para. 1\(1\)](#)); [S.I. 1991/828](#), [art. 3\(2\)](#))

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F15 47 Proof of exceptions.

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Textual Amendments

F15 Ss. 41-47 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 11(a), [Sch. 7](#); [S.I. 2004/874](#), art. 2

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Changes to legislation:

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