



Sexual Offences Act 1956

1956 CHAPTER 69

PART I

OFFENCES, AND THE PROSECUTION AND PUNISHMENT OF OFFENCES

Powers of arrest and search

40 Power of arrest in case of procuration or prostitution of women

A constable may arrest a person without a warrant, if the constable suspects him of having committed, or of attempting to commit, an offence under section twenty-two or twenty-three of this Act, and has reasonable cause so to suspect.

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

Anyone may arrest without a warrant a person found committing an offence under section thirty, thirty-one or thirty-two of this Act.

42 Power of search in case of man living on earnings of prostitution

Where it is made to appear by information on oath before a justice of the peace that there is reasonable cause to suspect that any house or part of a house is used by a woman for purposes of prostitution, and that a man residing in or frequenting the house is living wholly or in part on her earnings, the justice may issue a warrant authorising a constable to enter and search the house and to arrest the man.

43 Power to search for and remove woman detained for immoral purposes

- (1) Where it is made to appear by information on oath laid before a justice of the peace by a woman's parent, relative or guardian, or by any other person who in the opinion of the justice is acting in the woman's interests, that there is reasonable cause to suspect—

Status: This is the original version (as it was originally enacted).

- (a) that the woman is detained in any place within the justice's jurisdiction in order that she may have unlawful sexual intercourse with men or with a particular man; and
- (b) that either she is so detained against her will, or she is under the age of sixteen or is a defective, or she is under the age of eighteen and is so detained against the will of her parent or guardian ;

then the justice may issue a warrant authorising a named constable to search for her and to take her to and detain her in a place of safety until she can be brought before a justice of the peace.

- (2) A justice before whom a woman is brought in pursuance of the foregoing subsection may cause her to be delivered up to her parent or guardian, or otherwise dealt with as circumstances may permit and require.
- (3) A constable authorised by a warrant under this section to search for a woman may enter (if need be, by force) any premises specified in the warrant, and remove the woman from the premises.
- (4) A constable executing a warrant issued under this section shall be accompanied by the person applying for the warrant, if that person so desires, unless the justice issuing it otherwise directs.
- (5) In this section "guardian" means any person having the lawful care or charge of the woman.
- (6) The powers conferred by this section shall be in addition to and not in derogation of those conferred by section forty of the Children and Young Persons Act, 1933.