



Sexual Offences Act 2003

2003 CHAPTER 42

PART 2

NOTIFICATION AND ORDERS

^{F1}Sexual harm prevention orders (England and Wales)

[^{F1}103F Interim SHPOs

- (1) This section applies where an application under section 103A(4) (“the main application”) has not been determined.
- (2) An application for an order under this section (“an interim sexual harm prevention order”)—
 - (a) may be made by the complaint by which the main application is made, or
 - (b) if the main application has been made, may be made by the person who has made that application, by complaint to the court to which that application has been made.

[If a list has been published under section 172 of the Police, Crime, Sentencing and ^{F2}(2A) Courts Act 2022 (list of countries where children are at high risk of sexual abuse or sexual exploitation) and has not been withdrawn, a person who has made, or is considering making, an application under section 103A(4) must have regard to the list in considering—

- (a) whether to apply for an interim sexual harm prevention order for the purpose of protecting children generally, or any particular children, from sexual harm from the defendant outside the United Kingdom, and
 - (b) in particular, whether to apply for a prohibition on foreign travel to be included in any such order for that purpose.]
- (3) The court may, if it considers it just to do so, make an interim sexual harm prevention order^{F3}—
 - (a) prohibiting the defendant from doing anything described in the order;
 - (b) requiring the defendant to do anything described in the order.]

Changes to legislation: Sexual Offences Act 2003, Section 103F is up to date with all changes known to be in force on or before 04 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- [If a list has been published under section 172 of the Police, Crime, Sentencing and
^{F4}(3A) Courts Act 2022 and has not been withdrawn, the court must have regard to the list
in considering—
- (a) whether to make an interim sexual harm prevention order for the purpose of protecting children generally, or any particular children, from sexual harm from the defendant outside the United Kingdom, and
 - (b) in particular, whether to include in any such order a prohibition on foreign travel for that purpose.]
- (4) Such an order—
- (a) has effect only for a fixed period, specified in the order;
 - (b) ceases to have effect, if it has not already done so, on the determination of the main application.
- (5) The applicant or the defendant may by complaint apply to the court that made the interim sexual harm prevention order for the order to be varied, renewed or discharged.]
- [^{F5}(6) Subsections (2A) and (3A) apply in relation to an application for the variation or renewal of an interim sexual harm prevention order as they apply in relation to an application for such an order.]
- [^{F6}(7) If the Director General of the National Crime Agency, the chief constable of the British Transport Police Force or the chief constable of the Ministry of Defence Police makes an application under this section, that person must as soon as practicable notify the chief officer of police for a relevant police area of that application.
- (8) In subsection (7), “relevant police area” has the same meaning as in section 103A (sexual harm prevention orders: applications and grounds) (see section 103A(9)).]

Textual Amendments

- F1** Ss. 103A-103K and cross-heading inserted (8.3.2015) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), **Sch. 5 para. 2** (with ss. 21, 33, 42, 58, 75, 93, 114(1)(3)-(6)); S.I. 2015/373, art. 2(e)
- F2** S. 103F(2A) inserted (29.11.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 173(6)(a)**, 208(1); S.I. 2022/1227, reg. 3(f)
- F3** S. 103F(3)(a)(b) substituted for words (29.11.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 175(12)**, 208(1); S.I. 2022/1227, reg. 3(h)
- F4** S. 103F(3A) inserted (29.11.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 173(6)(b)**, 208(1); S.I. 2022/1227, reg. 3(f)
- F5** S. 103F(6) inserted (29.11.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 173(6)(c)**, 208(1); S.I. 2022/1227, reg. 3(f)
- F6** S. 103F(7)(8) inserted (29.11.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 171(7)**, 208(1); S.I. 2022/1227, reg. 3(d)

Modifications etc. (not altering text)

- C1** Pt. 2 applied (with modifications) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), **ss. 352(2)(b)(3)**, 416(1) (with ss. 2, 398(1), 406, Sch. 27); S.I. 2020/1236, reg. 2

Changes to legislation:

Sexual Offences Act 2003, Section 103F is up to date with all changes known to be in force on or before 04 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- s. 103F(4) words substituted by [2022 c. 32 s. 178\(9\)\(b\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 60B(5)(i) substituted for s. 60B(5)(i)(ii) by [2015 c. 9 \(N.I.\) Sch. 1 para. 123\(1\)Sch. 9 Pt. 1](#) (This amendment not applied to [legislation.gov.uk](#). S. 60B already repealed (N.I.) (14.1.2015) by [2015 c. 2 \(N.I.\)](#), s. 28(2), Sch. 5; and omitted (E.W.) (31.7.2015) by virtue of [2015 c. 30](#), Sch. 5 para. 5(2); S.I. 2015/1476, reg. 2(j))
- s. 103C(4B) inserted by [2022 c. 32 s. 178\(7\)\(b\)](#)
- s. 103E(5C)(5D) inserted by [2022 c. 32 s. 178\(8\)](#)
- s. 103F(3B) inserted by [2022 c. 32 s. 178\(9\)\(a\)](#)
- s. 103FA103FB inserted by [2022 c. 32 s. 178\(10\)](#)
- s. 108(9) inserted by [2011 c. 18 s. 17\(2\)](#)
- s. 122A(8A) inserted by [2022 c. 32 s. 178\(11\)\(a\)](#)
- s. 122A(9B) inserted by [2022 c. 32 s. 178\(11\)\(b\)](#)
- s. 122D(4C)(4D) inserted by [2022 c. 32 s. 178\(12\)](#)
- s. 122E(3B) inserted by [2022 c. 32 s. 178\(13\)\(a\)](#)
- s. 122EA122EB inserted by [2022 c. 32 s. 178\(14\)](#)
- s. 136ZA(3) inserted by [2022 c. 32 s. 178\(15\)](#)