

## **Serious Crime Act 2015**

### **Fact sheet: Child sexual exploitation**

#### **Removal of references to child prostitution and pornography in legislation**

1. In 2012 the Office of the Children's Commissioner for England recommended that 'a review of all legislation and guidance which makes reference to children as "prostitutes" or involved in prostitution should be initiated by the Government with the view to amending the wording to acknowledge children as sexually exploited, and where appropriate victimised through commercial sexual exploitation'. Concerns about the continued use of this terminology were reiterated to a cross party inquiry into child sexual exploitation chaired by Sarah Champion MP in April 2014, including its impact on attitudes towards victims and reinforcing misconceptions. A report, *Real Voices*, by Ann Coffey MP, published in October 2014, similarly recommended removing the term child prostitution from legislation.

2. The Government supports the principle behind the removal of statutory references to child prostitution and section 67 of the Serious Crime Act makes the necessary amendments to the Sexual Offence Act 2003 ("the 2003 Act") and other primary legislation to this end.

3. The terms child prostitution and child pornography are referred to in the titles of sections 48 (causing or inciting child prostitution or pornography), 49 (controlling a child prostitute or a child involved in pornography) and 50 (arranging or facilitating child prostitution or pornography) of the 2003 Act, and in the body of those sections (and also in section 51, which contains definitions). Section 67 of the Serious Crime Act amends those sections of the 2003 Act so as to replace these terms with references to the sexual exploitation of children (and so recognising children as victims), but do not alter the scope of the relevant offences. The changes to the terminology used are intended to reflect a modern understanding of the position of children involved in such activities. They do not however change the behaviour to which the offences apply, which remains the recording of an indecent image of a person or the offer or provision of sexual services to another person in return for payment or a promise of payment.

#### **Amendment to section 1 of the Street Offences Act 1959**

4. Section 67 of the Serious Crime Act also amends section 1 of the Street Offences Act 1959 so that the offence of loitering or soliciting for the purposes of prostitution only applies to adults. It, in effect, decriminalises under-18s selling sex in the street and in doing so again recognise children as victims in such circumstances rather than consenting participants (buying sex from an under-18 in any circumstances would remain illegal).

**Home Office  
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