

# **CRIMINAL JUSTICE AND COURT SERVICES ACT 2000**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part III: Dealing with Offenders**

##### ***Chapter I: Renaming certain community orders, new community orders, breach of community order, miscellaneous.***

##### ***Section 46: Exclusion orders***

100. *Section 46* amends the Powers of Criminal Courts (Sentencing) Act 2000 to make provision for ‘exclusion orders’. An exclusion order is similar in many respects to a ‘curfew order’. However, whereas a curfew order requires an offender to remain at a specified place, an exclusion order prohibits an offender from entering a specified place or area for a specified period of not more than two years (three months for a juvenile). Different areas or places can be specified for different periods. An exclusion order must take account of the offender’s religious beliefs, times of employment or education, and of any other community orders to which the offender is subject.
101. When making the exclusion order, the effect and possible consequences of the order, together with the court’s power to review the order, must be explained to the offender in ordinary language.
102. Breach, revocation, and amendment of the exclusion order are provided for in the same way as for curfew orders. The Secretary of State is empowered to make rules for the regulation of the monitoring regime of offenders subject to exclusion orders, and of the functions of the persons responsible for monitoring them. The Secretary of State may also make an order to add to the list of activities with which the requirements of an order must not conflict.