

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

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## **EXPLANATORY NOTES**

### **TERRITORIAL EXTENT**

181. Most of the provisions in the Act will extend to England and Wales only. The exceptions are as follows.
182. First, the provisions relating to the protection of children in Sections 26-38 and Schedule 4. Those disqualified in England and Wales from working with children, on the basis of these measures, will also be disqualified in Northern Ireland, but not Scotland. Northern Ireland are examining the need to introduce an equivalent disqualification system and Scotland are examining the need to legislate to ensure the England and Wales disqualifications apply in Scotland and that they introduce an equivalent system of disqualification. In addition, courts-martial have UK jurisdiction and this is reflected in the provisions relating to them. The Protection of Children Act 1978 and Section 160 of the Criminal Justice Act 1988 apply to England and Wales with relevant Sections applying by order to Northern Ireland. The Scottish Executive are reviewing their own legislation. Finally the change in the age of the child for the offence of indecency with children applies to Northern Ireland only.
183. Secondly, the provisions concerning the disclosure by the Secretary of State of driver licensing records extend to both Northern Ireland and Scotland in Section 71.
184. Thirdly, certain provisions relating to the abolition of detention in a Young Offender Institution and custody for life. Section 61 (so far as it relates to sentences passed by a court-martial or a Standing Civilian Court) and the provisions in Schedule 7 to the Act relating to armed forces legislation extend throughout the United Kingdom.
185. In addition, the provisions relating to tariff setting – Section 60 and related amendments to the Crime (Sentences) Act 1997 in Schedule 7 – extend throughout the United Kingdom so far as they relate to sentences passed by a court-martial.
186. The devolved National Assembly for Wales has been informed about the proposals concerning CAF/CASS and consulted where appropriate, including in areas which are not within its formal responsibilities.
187. The provisions relating to sexual and violent offenders in Section 66 and Schedule 5 extend to England, Wales, Northern Ireland and Scotland. Sections 67-69 apply to England and Wales only.