



# Criminal Justice and Courts Services Act 2000

## 2000 CHAPTER 43

### PART III

#### DEALING WITH OFFENDERS

### CHAPTER I

#### COMMUNITY SENTENCES

#### *Miscellaneous*

#### **51 Community sentences: exclusion requirements**

In Schedule 2 to the Powers of Criminal Courts (Sentencing) Act 2000 (additional requirements which may be included in community rehabilitation orders), after paragraph 7 there is inserted—

#### *“Exclusion requirements*

- 8 (1) Subject to the provisions of this paragraph, a community rehabilitation order may include a requirement prohibiting the offender from entering a place specified in the requirement for a period so specified of not more than two years.
- (2) A requirement under sub-paragraph (1) above—
  - (a) may provide for the prohibition to operate only during the periods specified in the order;
  - (b) may specify different places for different periods or days.

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*Status: This is the original version (as it was originally enacted).*

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- (3) A requirement under sub-paragraph (1) above shall, as far as practicable, be such as to avoid—
  - (a) any conflict with the offender’s religious beliefs or with the requirements of any other community order to which he may be subject; and
  - (b) any interference with the times, if any, at which he normally works or attends school or any other educational establishment.
- (4) An order which includes a requirement under sub-paragraph (1) above shall include provision for making a person responsible for monitoring the offender’s whereabouts during the periods when the prohibition operates; and a person who is made so responsible shall be of a description specified in an order made by the Secretary of State.
- (5) A court shall not include in a community rehabilitation order such a requirement as is mentioned in sub-paragraph (1) above unless the court has been notified by the Secretary of State that arrangements for monitoring the offender’s whereabouts are available in the area in which the place proposed to be specified in the order is situated and the notice has not been withdrawn.
- (6) A court shall not include in a community rehabilitation order such a requirement as is mentioned in sub-paragraph (1) above if the community sentence includes an exclusion order.
- (7) The Secretary of State may make rules for regulating—
  - (a) the monitoring of the whereabouts of an offender who is subject to a requirement under sub-paragraph (1) above; and
  - (b) without prejudice to the generality of paragraph (a) above, the functions of any person responsible for monitoring the offender’s whereabouts during the periods when the prohibition operates.
- (8) The Secretary of State may by order direct that sub-paragraph (3) above shall have effect with such additional restrictions as may be specified in the order.
- (9) In this paragraph, “place” includes an area.”