

*These notes refer to the Sexual Offences Act 2003 (c.42)  
which received Royal Assent on 20 November 2003*

## **SEXUAL OFFENCES ACT 2003**

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### **EXPLANATORY NOTES**

#### **COMMENTARY ON SECTIONS**

#### **Part 2: Notification and Orders**

#### ***Section 90: Parental directions: variations, renewals and discharges***

180. **Section 90** provides that a court may vary, renew or discharge a parental direction. This may be required where, for example, there is a direction that the father notifies on behalf of the young offender and the father subsequently becomes divorced from the mother and the offender goes to live with the mother. Or an order may need to be discharged where, for example, the parent can no longer control the young offender and is unable to ensure that he attends with the parent to notify. In these circumstances the court may consider that the liability for his failure to attend should revert to the young offender himself. *Subsections (2)(e) and (3)(a) and (b)* draw an explicit distinction between parental directions imposed by criminal courts and civil courts in Scotland in terms of the procedures and circumstances where such directions can be varied, renewed and discharged in Scotland.