

CRIMINAL JUSTICE AND IMMIGRATION ACT 2008

EXPLANATORY NOTES

THE ACT

Commentary on Sections

Part 7: Violent offender orders

Section 114: Supply of information to the Secretary of State etc.

639. Sections 114 and 115 provide a power for the police to verify that an offender has notified the correct details in compliance with sections 108 to 111, and that he or she is not omitting any details (such as another name or address he or she uses). This will be done by comparing the details provided at notification against information the offenders will have provided to certain bodies performing Government functions.
640. Under *subsection (2)* a chief officer of police can share such information, for the purposes of the prevention, detection, investigation or prosecution of offences under this Part, with the Secretary of State or a person providing services to the Secretary of State in connection with a relevant function. *Subsection (7)* defines “relevant function” such that this section includes those bodies which perform social security, child support, employment and training functions on behalf of the Secretary of State for Work and Pensions, those who perform functions in relation to passports on behalf of the Home Secretary, and those who perform functions under Part 3 of the Road Traffic Act 1988 on behalf of the Secretary of State for Transport (i.e. the Driver and Vehicle Licensing Agency).
641. By virtue of *subsection (1)*, the details the police may provide to these bodies are an offender’s date of birth, national insurance number, any names he or she has notified, and his or her home address and any other addresses notified. This information may have been supplied by an offender at his initial notification, when notifying a change, or at his periodic notification.
642. Under *subsection (3)* this information may only be shared for the purpose of checking that the information supplied to the police by the offender is accurate and for the purpose of compiling a report of the comparison. It could not, for example, be used by DWP to pursue someone for a child support payment.
643. *Subsection (5)* provides that any transfer of data must comply with the Data Protection Act 1998.