

CRIMINAL JUSTICE AND IMMIGRATION ACT 2008

EXPLANATORY NOTES

THE ACT

Commentary on Sections

Part 7: Violent offender orders

Section 100: Applications for violent offender orders

- 601. This section sets out who may apply for a VOO to be made, and in what circumstances.
- 602. *Subsection (1)* provides that a chief officer of police may apply for a VOO to be made in respect of a person who lives in his police area, or who he believes is in or is intending to come to that area, providing that certain conditions are met.
- 603. *Subsection (2)* sets out these conditions as being that the person is a qualifying offender (as defined in section 99), and has since the “appropriate date” (as defined in *subsection (5)*) demonstrated behaviour giving reasonable cause to believe that a VOO is necessary.
- 604. *Subsection (3)* provides that an application for a VOO may be made to any magistrates’ court whose commission area includes any part of the applicant’s police area or any place where it is alleged that the person acted in such a way as to demonstrate the behaviour referred to in subsection (2).
- 605. *Subsection (4)* contains a reserve order-making power (subject to the negative resolution procedure) to enable other persons or bodies to apply for a VOO.