



Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005

2005 asp 9

Risk of sexual harm orders

7 Offence: breach of RSHO or interim RSHO

- (1) A person, who without reasonable excuse, does anything which the person is prohibited from doing by—
 - (a) a risk of sexual harm order; or
 - (b) an interim risk of sexual harm order,commits an offence.
- (2) Where an order made under section 123 or 126 of the 2003 Act (which make provision for England and Wales and Northern Ireland corresponding to that made by sections 2 and 5 above) prohibits a person from doing a thing throughout the relevant place, the person commits an offence if the person, without reasonable excuse, does the thing in Scotland.
- (3) For the purpose of subsection (2) above, the “relevant place” is—
 - (a) where the order was made in England and Wales, England and Wales;
 - (b) where the order was made in Northern Ireland, Northern Ireland.
- (4) A person guilty of an offence under this section is liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum or both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 5 years or a fine or both.