



Sexual Offences Act 2003

2003 CHAPTER 42

PART 2

NOTIFICATION AND ORDERS

[^{F1}Sexual risk orders (England and Wales)]

^{F1}**Sexual risk orders: requirements included in order etc.**

^{F2}122BA

- (1) A sexual risk order that imposes a requirement to do something on a defendant must specify a person who is to be responsible for supervising compliance with the requirement.

The person may be an individual or an organisation.

- (2) Before including such a requirement in a sexual risk order, the court must receive evidence about its suitability and enforceability from—

- (a) the individual to be specified under subsection (1), if an individual is to be specified;
- (b) an individual representing the organisation to be specified under subsection (1), if an organisation is to be specified.

- (3) Subsections (1) and (2) do not apply in relation to electronic monitoring requirements (see instead section 122EA(5) and (6)).

- (4) It is the duty of a person specified under subsection (1)—

- (a) to make any necessary arrangements in connection with the requirements for which the person has responsibility (“the relevant requirements”);
- (b) to promote the defendant’s compliance with the relevant requirements;
- (c) if the person considers that—
 - (i) the defendant has complied with all the relevant requirements, or
 - (ii) the defendant has failed to comply with a relevant requirement,to inform the appropriate chief officer of police.

Changes to legislation: *Sexual Offences Act 2003, Section 122BA is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (5) In subsection (4)(c) the “appropriate chief officer of police means—
- (a) the chief officer of police for the police area in which it appears to the person specified under subsection (1) that the defendant resides, or
 - (b) if it appears to that person that the defendant resides in more than one police area, whichever of the chief officers of police of those areas the person thinks it is most appropriate to inform.
- (6) A defendant subject to a requirement imposed by a sexual risk order must—
- (a) keep in touch with the person specified under subsection (1) in relation to that requirement, in accordance with any instructions given by that person from time to time, and
 - (b) notify that person of any change of the defendant’s home address.

These obligations have effect as requirements of the order.]]

Textual Amendments

- F1** Ss. 122A-122K and cross-heading inserted (8.3.2015) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), **Sch. 5 para. 4** (with ss. 21, 33, 42, 58, 75, 93, 114(1)(3)-(6)); S.I. 2015/373, art. 2(e)
- F2** S. 122BA inserted (29.11.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 176(3)**, 208(1); S.I. 2022/1227, reg. 3(i)

Changes to legislation:

Sexual Offences Act 2003, Section 122BA is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 60B(5)(i) substituted for s. 60B(5)(i)(ii) by [2015 c. 9 \(N.I.\) Sch. 1 para. 123\(1\)Sch. 9 Pt. 1](#) (This amendment not applied to [legislation.gov.uk](#). S. 60B already repealed (N.I.) (14.1.2015) by [2015 c. 2 \(N.I.\)](#), s. 28(2), Sch. 5; and omitted (E.W.) (31.7.2015) by virtue of [2015 c. 30](#), Sch. 5 para. 5(2); S.I. 2015/1476, reg. 2(j))
- s. 103C(4B) inserted by [2022 c. 32 s. 178\(7\)\(b\)](#)
- s. 103E(5C)(5D) inserted by [2022 c. 32 s. 178\(8\)](#)
- s. 103F(3B) inserted by [2022 c. 32 s. 178\(9\)\(a\)](#)
- s. 103FA103FB inserted by [2022 c. 32 s. 178\(10\)](#)
- s. 108(9) inserted by [2011 c. 18 s. 17\(2\)](#)
- s. 122A(8A) inserted by [2022 c. 32 s. 178\(11\)\(a\)](#)
- s. 122A(9B) inserted by [2022 c. 32 s. 178\(11\)\(b\)](#)
- s. 122D(4C)(4D) inserted by [2022 c. 32 s. 178\(12\)](#)
- s. 122E(3B) inserted by [2022 c. 32 s. 178\(13\)\(a\)](#)
- s. 122EA122EB inserted by [2022 c. 32 s. 178\(14\)](#)
- s. 136ZA(3) inserted by [2022 c. 32 s. 178\(15\)](#)