



Police, Crime, Sentencing and Courts Act 2022

2022 CHAPTER 32

PART 10

MANAGEMENT OF OFFENDERS

CHAPTER 3

MANAGEMENT OF SEX OFFENDERS

Sexual harm prevention orders and sexual risk orders

179 Positive requirements and electronic monitoring requirements: service courts

In section 137(3) of the Sexual Offences Act 2003 (service courts: sexual harm prevention orders)—

- (a) in paragraph (a)—
 - (i) after “103A(3)” insert “and (4)”, and
 - (ii) for the words from “and 103J” to “Sentencing Code” substitute “, 103FA(3)(a), (4) and (6) and 103J of this Act, and sections 348A(3)(a), (4) and (6) and 355 to 357 of the Sentencing Code”,
- (b) in paragraph (b), in the words before sub-paragraph (i)—
 - (i) for “103A(1) and (2)” substitute “103A(1), (2) and (3A), and
 - (ii) for the words from “and 103G” to “Sentencing Code” substitute “, 103FA(1), (2), (3)(b) and (5) to (9), 103FB and 103G to 103I of this Act, and sections 343 to 348, 348A(1), (2), (3)(b) and (5) to (9), 348B to 354 and 358 of the Sentencing Code”,
- (c) in paragraph (b)(i), after “paragraphs” insert “(ba), (bb)”,
- (d) after paragraph (b) insert—

Status: This is the original version (as it was originally enacted).

- “(ba) if section 103CA applies to the defendant at a time when the defendant is a person subject to service law or a civilian subject to service discipline, the reference in section 103CA(4)(c) (requirements included in order: report on compliance) to the appropriate chief officer of police is to be read as a reference to a Provost Marshal;
- (bb) if section 347A applies to the defendant at a time when the defendant is a person subject to service law or a civilian subject to service discipline, the reference in section 347A(4)(c) of the Sentencing Code (requirements included in order: report on compliance) to the appropriate chief office of police is to be read as a reference to a Provost Marshal;”
- (e) in paragraph (c), for “Provost Martial”, in both places it occurs, substitute “Provost Marshal”, and
- (f) in paragraph (c), after sub-paragraph (i) insert—
 - “(ia) the reference in section 103E(2A) to a person mentioned in subsection (2)(b) to (d) is to be read as a reference to a Provost Marshal;
 - (ib) the reference in section 350(3A) of the Sentencing Code to a person mentioned in subsection (2)(b) or (c) is to be read as a reference to a Provost Marshal;”.