



Police, Crime, Sentencing and Courts Act 2022

2022 CHAPTER 32

PART 10

MANAGEMENT OF OFFENDERS

CHAPTER 3

MANAGEMENT OF SEX OFFENDERS

Orders made in different parts of the United Kingdom

180 Enforcement of requirements of orders made in Scotland or Northern Ireland

- (1) The Sexual Offences Act 2003 is amended as follows.
- (2) In section 103I (offence: breach of SHPO or interim SHPO etc), after subsection (1) insert—
- “(1A) A person who, without reasonable excuse, fails to do something that the person is required to do by a sexual offences prevention order or an interim sexual offences prevention order commits an offence.
- (1B) A person who, without reasonable excuse—
- (a) does anything that the person is prohibited from doing by a relevant Scottish order, or
 - (b) fails to do something that the person is required to do by a relevant Scottish order,
- commits an offence.
- (1C) In subsection (1B) “relevant Scottish order” means—

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- (a) a sexual harm prevention order made under section 11 or 12 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (asp 22), or
 - (b) an interim sexual harm prevention order made under section 21 of that Act.”
- (3) In section 113 (offence: breach of SOPO or interim SOPO etc), after subsection (1ZA) insert—
 - “(1ZB) A person commits an offence if, without reasonable excuse, the person—
 - (a) contravenes a prohibition imposed by a relevant Scottish order other than a prohibition on foreign travel, or
 - (b) fails to comply with a requirement imposed by a relevant Scottish order.
 - (1ZC) In subsection (1ZB)—
 - “prohibition on foreign travel” has the meaning given by section 17(2) of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (asp 22);
 - “relevant Scottish order” means—
 - (a) a sexual harm prevention order made under section 11 or 12 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016, or
 - (b) an interim sexual harm prevention order made under section 21 of that Act.”
- (4) In section 122(1) (offence: breach of foreign travel order)—
 - (a) omit the “or” at the end of paragraph (a), and
 - (b) at the end of paragraph (b) insert “, or
 - (c) he contravenes a prohibition on foreign travel imposed by a sexual harm prevention order made under section 11 or 12 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (asp 22).”
- (5) In section 122H (offence: breach of sexual risk order or interim sexual risk order etc)—
 - (a) in subsection (1) omit paragraphs (e) and (f), and
 - (b) after subsection (1) insert—
 - “(1A) A person who, without reasonable excuse, does anything that the person is required to do by a risk of sexual harm order that has been renewed or varied as mentioned in section 136ZJ(7) commits an offence.
 - (1B) A person who, without reasonable excuse—
 - (a) does anything that the person is prohibited from doing by a relevant Scottish order, or
 - (b) fails to do something that the person is required to do by a relevant Scottish order,
 commits an offence.
 - (1C) In subsection (1B) “relevant Scottish order” means—
 - (a) a sexual risk order made under section 27 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (asp 22), or

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- (b) an interim sexual risk order made under section 31 of that Act.”
- (6) In section 128 (offence: breach of risk of sexual harm order or interim risk of sexual harm order etc)—
 - (a) in subsection (1) omit paragraphs (e) and (f), and
 - (b) after subsection (1A) (inserted by section 177) insert—
 - “(1B) A person who, without reasonable excuse—
 - (a) does anything that the person is prohibited from doing by a relevant Scottish order, or
 - (b) fails to do something that the person is required to do by a relevant Scottish order,
 commits an offence.
 - (1C) In subsection (1B) “relevant Scottish order” means—
 - (a) a sexual risk order made under section 27 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 ([asp 22](#)), or
 - (b) an interim sexual risk order made under section 31 of that Act.”
- (7) In section 136ZA (application of orders throughout the United Kingdom) in subsection (1)—
 - (a) after paragraph (i) insert—
 - “(ia) a sexual harm prevention order made under section 11 or 12 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 ([asp 22](#));
 - (ib) an interim sexual harm prevention order made under section 21 of that Act;
 - (ic) a sexual risk order made under section 27 of that Act;
 - (id) an interim sexual risk order made under section 31 of that Act.”, and
 - (b) omit paragraphs (j) and (k).

Commencement Information

- I1** S. 180 not in force at Royal Assent, see [s. 208\(1\)](#)
- I2** [S. 180\(1\)\(2\)\(5\)-\(7\)](#) in force at 31.3.2023 by [S.I. 2023/387](#), [reg. 3\(c\)](#) (with [reg. 4\(1\)](#))
- I3** [S. 180\(3\)\(4\)](#) in force at 31.3.2023 for N.I. by [S.I. 2023/387](#), [reg. 3\(c\)](#)

Changes to legislation:

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