



Criminal Justice and Immigration Act 2008

2008 CHAPTER 4

PART 7

VIOLENT OFFENDER ORDERS

Supplementary

113 Offences

- (1) If a person fails, without reasonable excuse, to comply with any prohibition, restriction or condition contained in—
 - (a) a violent offender order, or
 - (b) an interim violent offender order,the person commits an offence.
- (2) If a person fails, without reasonable excuse, to comply with—
 - (a) section 108(1), 109(1) or (6)(b), 110(1) or 112(4), or
 - (b) any requirement imposed by regulations made under section 111(1),the person commits an offence.
- (3) If a person notifies to the police, in purported compliance with—
 - (a) section 108(1), 109(1) or 110(1), or
 - (b) any requirement imposed by regulations made under section 111(1),any information which the person knows to be false, the person commits an offence.
- (4) As regards an offence under subsection (2), so far as it relates to non-compliance with—
 - (a) section 108(1), 109(1) or 110(1), or
 - (b) any requirement imposed by regulations made under section 111(1),

Changes to legislation: Criminal Justice and Immigration Act 2008, Section 113 is up to date with all changes known to be in force on or before 14 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

a person commits such an offence on the first day on which the person first fails, without reasonable excuse, to comply with the provision mentioned in paragraph (a) or (as the case may be) the requirement mentioned in paragraph (b), and continues to commit it throughout any period during which the failure continues.

- (5) But a person must not be prosecuted under subsection (2) more than once in respect of the same failure.
- (6) A person guilty of an offence under this section is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding the relevant period 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.
- (7) In subsection (6)(a) “the relevant period” means—
- (a) in relation to ^{F1}... Scotland, 12 months;
 - (b) in relation to Northern Ireland, 6 months;
 - [^{F2}(c) in relation to England and Wales, the general limit in a magistrates’ court.]
- (8) Proceedings for an offence under this section may be commenced in any court having jurisdiction in any place where the person charged with the offence resides or is found.

Textual Amendments

- F1** Words in s. 113(7)(a) omitted (7.2.2023 at 12.00 p.m.) by virtue of [The Judicial Review and Courts Act 2022 \(Magistrates’ Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), **16(2)**
- F2** S. 113(7)(c) inserted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates’ Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), **16(3)**

Commencement Information

- I1** S. 113 in force at 3.8.2009 by [S.I. 2009/1842](#), **art. 2(p)**

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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):

- Sch. 7 para. 5A and cross-heading inserted by [2008 c. 25 Sch. 1 para. 90\(3\)](#)