



Jersey

SEX OFFENDERS (AMENDMENT) (JERSEY) LAW 2012

Arrangement

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SEX OFFENDERS (AMENDMENT) (JERSEY) LAW 2012

A LAW to amend the Sex Offenders (Jersey) Law 2010

Adopted by the States

9th June 2011

Sanctioned by Order of Her Majesty in Council

30th May 2012

Registered by the Royal Court

15th June 2012

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law –

1 Interpretation

In this Law, the “principal Law” means the Sex Offenders (Jersey) Law 2010¹.

2 Article 2 amended

For Article 2(1)(c) of the principal Law the following sub-paragraph shall be substituted –

“(c) except as provided by the Sexual Offences (Jersey) Law 2007² and paragraph (3), the *crime of sodomie*”.

3 Article 5 amended

For Article 5(4), (5) and (6) of the principal Law the following paragraphs shall be substituted –

“(4) Unless the court is satisfied that there is a reason why a shorter period would be appropriate, the period specified under paragraph (1), (2) or (3) must be a period of at least 5 years, being a period that the court is satisfied takes into account the risk of sexual harm to the public, or to any particular person or persons,

that the person subject to the notification requirements of this Law poses by virtue of the likelihood of re-offending.

- (5) The court may, on application, make an order in respect of a person (not being a person to whom Article 3(2) applies, but being a person who is subject to the notification requirements of this Law), at any time after the expiration of the period specified in respect of the person under paragraph (1), (2), (3) or (7), being an order to the effect that the person should no longer be subject to those requirements.
- (5A) An application under paragraph (5) may be made by the person concerned or by the Attorney General.
- (6) The court must not make the order applied for under paragraph (5) unless it is satisfied that the risk of sexual harm to the public, or to any particular person or persons, that the person subject to the notification requirements of this Law poses by virtue of the likelihood of re-offending does not justify the person's being subject to those requirements."

4 Article 7 amended

For Article 7(9) of the principal Law the following paragraph shall be substituted –

- "(9) This Article does not affect a power to supply information, being a power that exists apart from this Article."

5 Article 8 amended

In Article 8 of the principal Law –

- (a) for paragraph (3) the following paragraph shall be substituted –

- "(3) A notification under this paragraph must disclose such information as the Order prescribes, and such information may include the following –

- (a) the place, or places, to which the person travelled while outside Jersey;
- (b) any other information prescribed by the Order that the person holds about the person's movements while outside Jersey or about the person's return to Jersey.";

- (b) for paragraph (5) the following paragraph shall be substituted –

- "(5) A person who –

- (a) fails, without reasonable excuse, to give notification in accordance with an Order under paragraph (1) when required to do so by the Order; or
- (b) in purported compliance with an Order under paragraph (1), provides information that the person knows to be false or misleading,

is guilty of an offence and is liable to imprisonment for a term of 5 years and to a fine.”.

6 Article 9 amended

For Article 9(7) of the principal Law the following paragraph shall be substituted –

“(7) A person who intentionally obstructs or hinders a police officer in the execution of a warrant under this Article is guilty of an offence and is liable to imprisonment for a term of one year and to a fine of level 4 on the standard scale.”.

7 Article 10 amended

For Article 10(10) of the principal Law the following paragraph shall be substituted –

“(10) Unless the court is satisfied that there is a reason why a shorter period would be appropriate, the first period mentioned in paragraph (9) in respect of an order made under paragraph (4) must be a period of at least 5 years.”.

8 Article 27 amended

For Article 27(5) of the principal Law the following paragraph shall be substituted –

“(5) This Article does not affect a power to supply information, being a power that exists apart from this Article.”.

9 Article 28 amended

In Article 28(1) of the principal Law, in the definition of “interested parties”, for the word “outwith” the word “outside” shall be substituted.

10 Citation and commencement

This Law may be cited as the Sex Offenders (Amendment) (Jersey) Law 2012 and shall come into force 7 days after it is registered.

A.H. HARRIS

Deputy Greffier of the States

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- ¹ *chapter 23.815*
² *chapter 08.860*