

BREACH OF FOREIGN TRAVEL ORDER

Sexual Offences Act 2003

122. – (1) A person commits an offence if, without reasonable excuse, he does anything which he is prohibited from doing by a foreign travel order.

Maximum Sentence:

Sexual Offences Act 2003, s.122(2)

Indictment: 5 years imprisonment

Summary: 6 months imprisonment and/or a fine not exceeding the statutory maximum (£5,000)

Assessment of Offence

(Starting points and ranges based on 1st time offender convicted following contest)

| <u>Nature of Offence</u> | <u>Starting Point</u> | <u>Sentencing Range</u> |
|---------------------------------|------------------------------|--|
| Breach of a technical nature | Fine | Fine to Community Order |
| Breach of a fundamental nature | 2 months Custody | Community Order to 6 months Custody |

Examples of Possible Aggravating Factors of Offence

1. Proven history of violence or threats by the offender
2. Offender has history of disobedience to court orders
3. Breach committed immediately or shortly after order made

Examples of Possible Mitigating Factor of Offence

N/A

Relevant Cases:

NI Cases:

N/A

English Cases

N/A

Notes:

1. Where a person is convicted of an offence under this section, it is not open to the court by or before which he is convicted to make, in respect of the offence, an order for conditional discharge - s.122(3)