



Lord Hylton
House of Lords
London
SW1A 0PW

MoJ ref: ADR85305

15 February 2021

Dear Lord Hylton,

DOMESTIC ABUSE BILL: EXTRATERRITORIAL JURISDICTION

Thank you for your letter of 5 February following debate at Committee stage of the Domestic Abuse Bill on 3 February. I am sorry that you received confusing messages from the whip about speaking during the debate, but I hope that I can answer your query with this letter.

As you may have seen from the Hansard record of the debate on 8 February, Baroness Bertin's amendments, which concerned the narrow issue of marital rape, were withdrawn on the understanding that the Government is prepared to consider them further ahead of Report stage.

I can confirm that, under section 72 of the Sexual Offences Act 2003, the courts of England and Wales already have jurisdiction over sexual offences committed by UK nationals and residents outside the UK where the victim of the offence is aged under 18; and there are corresponding provisions in the Sexual Offences (Northern Ireland) Order 2008 and the Sexual Offences (Scotland) Act 2009. The Domestic Abuse Bill extends the jurisdiction of the UK courts to certain sexual offences committed by both UK nationals and residents outside the UK when the victim of the offence is aged 18 or over.

Thank you also for drawing my attention to Baroness Barran's letter to you of 4 February about the work that the Government is doing, with international partners, to tackle online child sexual exploitation and abuse. I hope my letter will reassure you that sexual offences committed outside the UK, including during the making of pornographic films involving children, may be prosecuted in the UK.

I am placing a copy of this letter in the House Library, as you have requested.

Yours sincerely,

**LORD (DAVID) WOLFSON
OF TREDEGAR, QC**