

*These notes refer to the Criminal Justice and Court Services Act 2000 (c.43) which received Royal Assent on 30 November 2000*

# **CRIMINAL JUSTICE AND COURT SERVICES ACT 2000**

---

## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part II: Protection of Children**

##### ***Section 41: Indecent photographs of children: increase of maximum penalties***

98. The effect of this Section will be to increase the maximum penalties relating to indecent photographs of children. The maximum sentence, for the offences of taking, making, distributing, showing, publishing or possessing with a view to distribution, indecent photographs of children under sixteen, under Section 6 of the Protection of Children Act 1978 is increased from three years imprisonment and an unlimited fine, to ten years imprisonment and an unlimited fine. The maximum sentence for the simple possession of child pornography under Section 160 of the Criminal Justice Act 1988 is increased from six months imprisonment and a level 5 fine to five years imprisonment and an unlimited fine. The Section will also amend the equivalent Northern Ireland legislation.