
STATUTORY INSTRUMENTS

2000 No. 2127

**CRIMINAL LAW, ENGLAND AND WALES
LEGAL AID AND ADVICE,
ENGLAND AND WALES**

**The Football (Disorder) (Legal
Advice and Assistance) Order 2000**

<i>Made</i>	- - - -	<i>3rd August 2000</i>
<i>Laid before Parliament</i>		<i>7th August 2000</i>
<i>Coming into force</i>	- -	<i>28th August 2000</i>

The Secretary of State in exercise of the powers conferred upon him by section 3 of the Football (Disorder) Act 2000(1), and all other powers enabling him in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Football (Disorder) (Legal Advice and Assistance) Order 2000 and shall come into force on 28th August 2000.

Interpretation

2.—(1) In this Order—

- (a) a reference to a section by number alone means the section so numbered in the Football Spectators Act 1989(2);
- (b) “the 1988 Act” means the Legal Aid Act 1988(3);

(1) 2000 c. 25.
(2) 1989 c. 37. Sections 14B, 14D, 14G and 14H were inserted by paragraph 2, and sections 21B and 21D by paragraph 4, of Schedule 1 to the Football (Disorder) Act 2000.
(3) 1988 c. 34. Sections 1 to 32, 34 to 43, 45 and 46 of, and Schedules 1 to 3, 5 (in part) and 6 to 8 to, the Legal Aid Act 1988 are repealed by the Access to Justice Act 1999 (c. 22), Schedule 15 Part I. The repeal of section 3 (in part), 4 (in part), 5 to 18, 31, 32, 34 to 40, 42, 45 and 46 and Schedules 1 and 2, 5 (in part) and 6 to 8 was brought into force by the Access to Justice Act 1999 (Commencement No. 3, Transitional Provisions and Savings) Order 2000 (S.I. 2000/774), subject to the transitional provisions and savings contained in that Order. The 1988 Act has effect in respect of certain proceedings under the Football Spectators Act 1989 (as amended by the Football (Disorder) Act 2000) by virtue of paragraph 8 of Schedule 2 to the Football (Disorder) Act 2000.

- (c) “ABWOR” means assistance by way of representation, which has the same meaning as in the 1988 Act;
- (d) “section 14B respondent” means a respondent in proceedings in a magistrates' court under section 14B (banning orders made on a complaint);
- (e) “section 14D appellant” means an appellant in an appeal to the Crown Court under section 14D (banning orders made on a complaint: appeals);
- (f) “section 14G applicant” means a person applying under section 14G(2) (additional requirements of orders) for variation of a banning order made under section 14B;
- (g) “section 14H applicant” means a person applying under section 14H (termination of orders) to terminate a banning order made under section 14B;
- (h) “section 21B recipient” means a person to whom a notice is given under section 21B(2) (summary measures: reference to a court); and
- (i) “section 21D appellant” means an appellant in an appeal to the Crown Court under section 21D(2) (summary measures: compensation).

Modification of Legal Aid Act 1988 and related regulations

3. The 1988 Act, the Legal Advice and Assistance (Scope) Regulations 1989⁽⁴⁾ and the Legal Advice and Assistance Regulations 1989⁽⁵⁾ shall be modified as set out in the following articles.

4. Section 32 of the 1988 Act shall be read as if it did not apply to ABWOR given to a section 21B recipient.

5.—(1) The modifications to the Legal Advice and Assistance (Scope) Regulations 1989 referred to in article 3 are set out in the following paragraphs of this article.

(2) The definition of “criminal proceedings” in regulation 3(3)⁽⁶⁾ shall be read as also including proceedings under sections 14B, 14D, 14G, 14H, 21B and 21D.

(3) Part III shall be read as if it also included a regulation providing that Part III of the 1988 Act applied to ABWOR given to a section 14B respondent, a section 14D appellant, a section 14G applicant, a section 14H applicant, a section 21B recipient or a section 21D appellant.

6.—(1) The modifications to the Legal Advice and Assistance Regulations 1989 referred to in article 3 are set out in the following paragraphs of this article.

(2) Regulation 7(1)⁽⁷⁾ shall be read as if it also referred to ABWOR given to a section 14B respondent or a section 21B recipient.

(3) ABWOR given to a section 21B recipient shall be available only under arrangements made as if under regulation 7(1), and regulation 22 shall accordingly not be applied to such ABWOR.

(4) Regulation 22(3) and the exception to regulation 22(5)⁽⁸⁾ shall be read as if they also referred to ABWOR given to a section 14B respondent, a section 14D appellant, a section 14G applicant, a section 14H applicant or a section 21D appellant.

(5) Regulation 22(6A)⁽⁹⁾ shall be read as if it also referred to ABWOR given to a section 14B respondent.

(4) S.I. 1989/550; relevant amendments are noted below.

(5) S.I. 1989/340; relevant amendments are noted below.

(6) The present regulation 3 was substituted by S.I. 1999/3377.

(7) Amended by S.I. 1998/2727.

(8) Regulation 22(3) was amended by S.I. 1997/751 and 1998/2727; regulation 22(5) was amended by S.I. 1998/2727.

(9) Inserted by S.I. 1997/751; amended by S.I. 1998/2727.

Home Office
3rd August 2000

Steve Bassam
Parliamentary Under-Secretary of State

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which is consequential upon the Football (Disorder) Act 2000, modifies the effect of the Legal Aid Act 1988, the Legal Advice and Assistance (Scope) Regulations 1989 (S.I. 1989/550) and the Legal Advice and Assistance Regulations 1989 (S.I. 1989/340) in respect of proceedings, under the following sections of the Football Spectators Act 1989 (as amended by the Football (Disorder) Act 2000)—

- (a) section 14B (banning orders made on a complaint);
- (b) section 14D (banning orders made on a complaint: appeals);
- (c) section 14G(2) (additional requirements of orders);
- (d) section 14H (termination of orders);
- (e) section 21B (summary measures); and
- (f) section 21D(2) (summary measures: compensation).