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STATUTORY INSTRUMENTS

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**2002 No. 844**

**CRIMINAL LAW, ENGLAND AND WALES**

**The Bail (Electronic Monitoring of Requirements) (Responsible Officer) Order 2002**

*Made* - - - - 26th March 2002  
*Coming into force* - - 22nd April 2002

The Secretary of State, in exercise of the powers conferred upon him by section 3AA(6) of the Bail Act 1976(1), hereby makes the following Order:

1. This Order may be cited as the Bail (Electronic Monitoring of Requirements) (Responsible Officer) Order 2002 and shall come into force on 22nd April 2002.

2. In this Order—

“curfew requirement” means a requirement imposed on a child or young person as a condition of bail that he remain, for periods specified in the requirement, at a place so specified;

“electronic monitoring requirement” means a requirement imposed on a child or a young person under section 3(6ZAA) of the Bail Act 1976(2) for the purpose of securing the electronic monitoring of his compliance with any other requirement imposed on him as a condition of bail;

“police area” means a police area established under section 1 of the Police Act 1996(3);

“responsible officer” means the person responsible under section 3AA(6) of the Bail Act 1976 for the monitoring, where an electronic monitoring requirement is imposed.

3. Where an electronic monitoring requirement is imposed for the purpose of securing compliance with a requirement which relates to a place or area in a police area specified in Schedule 1 to this Order, the responsible officer shall be an employee of Premier Monitoring Services Limited of Berkshire Court, Western Road, Bracknell, Berkshire, RG12 1RE.

4. Where an electronic monitoring requirement is imposed for the purpose of securing compliance with a requirement which relates to a place or area in a police area specified in Schedule 2 to this Order, the responsible officer shall be an employee of Securicor Custodial Services Limited of Sutton Park, 15 Carshalton Road, Sutton, Surrey, SM1 4LD.

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(1) 1976 c. 63; section 3AA is inserted by section 131(2) of the Criminal Justice and Police Act 2001 (c. 16).

(2) Section 3(6ZAA) is inserted by section 131(1) of the Criminal Justice and Police Act 2001.

(3) 1996 c. 16; section 1(3) is partially repealed by the Greater London Authority Act 1999 (c. 29), sections 325 and 423, Schedule 27, paragraph 69 and Schedule 34, Part VIII.

5. Where an electronic monitoring requirement is imposed for the purpose of securing compliance with a requirement which relates to a place or area in a police area specified in Schedule 3 to this Order, the responsible officer shall be an employee of Reliance Secure Task Management Limited of Boundary House, Cricketfield Road, Uxbridge, Middlesex, UB8 1QG.

6.—(1) This article applies where:

- (a) an electronic monitoring requirement is imposed for the purpose of securing compliance with more than one requirement;
- (b) the requirements relate to different places or areas;
- (c) the places or areas are in different police areas; and
- (d) the police areas are specified in different Schedules to this Order.

(2) If one of the requirements is a curfew requirement, then articles 3 to 5 have effect as if the electronic monitoring requirement was imposed solely for the purpose of securing compliance with the curfew requirement.

(3) In any other case, the court shall choose whichever of the police areas referred to in paragraph 1(c) as it thinks fit and the responsible officer shall be of the description which would be specified in articles 3 to 5 if the electronic monitoring requirement was imposed for the purpose of securing compliance with requirements which related solely to places or areas within that police area.

Home Office  
26th March 2002

*Keith Bradley*  
Minister of State

## SCHEDULE 1

Article 3

### POLICE AREAS IN WHICH THE RESPONSIBLE OFFICER SHALL BE AN EMPLOYEE OF PREMIER MONITORING SERVICES LIMITED

Bedfordshire  
Cambridgeshire  
City of London police area  
Derbyshire  
Dyfed Powys  
Essex  
Gwent  
Hertfordshire  
Leicestershire  
Lincolnshire  
Metropolitan police district  
Norfolk  
Northamptonshire  
North Wales  
Nottinghamshire  
South Wales  
Staffordshire  
Suffolk  
Warwickshire  
West Mercia  
West Midlands

## SCHEDULE 2

Article 4

### POLICE AREAS IN WHICH THE RESPONSIBLE OFFICER SHALL BE AN EMPLOYEE OF SECURICOR CUSTODIAL SERVICES LIMITED

Cheshire  
Cleveland  
Cumbria  
Durham  
Greater Manchester  
Humberside  
Lancashire  
Merseyside  
Northumbria  
North Yorkshire

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

South Yorkshire  
West Yorkshire

SCHEDULE 3

Article 5

POLICE AREAS IN WHICH THE RESPONSIBLE OFFICER SHALL BE AN  
EMPLOYEE OF RELIANCE SECURE TASK MANAGEMENT LIMITED

Avon and Somerset  
Devon and Cornwall  
Dorset  
Gloucestershire  
Hampshire  
Kent  
Surrey  
Sussex  
Thames Valley  
Wiltshire

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**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order specifies the descriptions of persons who are to be made responsible for the electronic monitoring of a child or young person's compliance with a requirement imposed on the child or young person as a condition of bail.

Article 6 deals with the situation where an electronic monitoring requirement is imposed in respect of more than one bail condition (e.g. a curfew requirement and an exclusion requirement) which relate to different police areas and the application of articles 3 to 5 would lead to there being more than one description of responsible officer. Article 6(2) provides that the curfew requirement takes precedence in determining the responsible officer. Article 6(3) provides that if there is no curfew requirement, then the court must choose one of the police areas to which the requirements relate and the responsible officer must be a person of a description who would ordinarily be responsible for electronic monitoring in that police area.