

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(a), 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(b) 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(c);

“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.

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;

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

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

(c) 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.

- (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
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

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.

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