

2014 No. 669

CRIMINAL LAW, ENGLAND AND WALES

The Criminal Justice (Electronic Monitoring) (Responsible Person) (No. 2) Order 2014

Made - - - - *13th March 2014*

Coming into force - - *at 7.00 a.m. on 23rd March 2014*

The Secretary of State makes the following Order in exercise of the powers conferred by section 3AC(2) of the Bail Act 1976(a), sections 215(3), 253(5) and 330(3)(a) of the Criminal Justice Act 2003(b) and paragraph 26(5) of Schedule 1 to the Criminal Justice and Immigration Act 2008(c).

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Criminal Justice (Electronic Monitoring) (Responsible Person) (No. 2) Order 2014 and comes into force at 07.00 a.m. on 23rd March 2014.

(2) In this Order, “the 2003 Act” means the Criminal Justice Act 2003.

Person responsible for electronic monitoring of persons on bail

2. The description of person responsible for the electronic monitoring of a person on bail for the purposes of section 3AC(2) of the Bail Act 1976 (electronic monitoring: general provisions) is one employed by Capita Business Services Limited, 71 Victoria Street, Westminster, London SW1H 0XA (Company Number 02299747).

Person responsible for electronic monitoring of persons subject to community orders and suspended sentence orders

3. The description of person responsible for the electronic monitoring of a person subject to a community order or suspended sentence order for the purposes of section 215(3) of the 2003 Act (electronic monitoring requirement) is one employed by Capita Business Services Limited, 71 Victoria Street, Westminster, London SW1H 0XA (Company Number 02299747).

Person responsible for monitoring of persons subject to curfew conditions

4. The description of person responsible for the monitoring of a person subject to a curfew condition for the purposes of section 253(5) of the 2003 Act (curfew condition to be included in licence under section 246, 255B or 255C) is—

(a) 1976 c.63; section 3AC was inserted by paragraph 4 of Schedule 11 to the Criminal Justice and Immigration Act 2008 (c.4). There are amendments to section 3AC but none are relevant.
(b) 2003 c.44.
(c) 2008 c.4.

- (a) in relation to a curfew condition imposed on a person residing in England and Wales, one employed by Capita Business Services Limited, 71 Victoria Street, Westminster, London SW1H 0XA (Company Number 02299747);
- (b) in relation to a curfew condition imposed on a person residing in Scotland(a), one employed by G4S Monitoring Technologies Limited, Southside, 105 Victoria Street, London SW1E 6QT (Company Number 2626613).

Person responsible for electronic monitoring of persons subject to youth rehabilitation orders

5. The description of person responsible for the electronic monitoring of a person subject to a youth rehabilitation order for the purposes of paragraph 26(5) of Schedule 1 to the Criminal Justice and Immigration Act 2008 (electronic monitoring requirement) is one employed by Capita Business Services Limited, 71 Victoria Street, Westminster, London SW1H 0XA (Company Number 02299747).

Revocations

6. The Orders set out in the Schedule are revoked.

Signed by authority of the Secretary of State

Jeremy Wright
Parliamentary Under Secretary of State
Ministry of Justice

13th March 2014

SCHEDULE

Article 6

<i>(1)</i> <i>Orders revoked</i>	<i>(2)</i> <i>References</i>
The Criminal Justice (Sentencing) (Programme and Electronic Monitoring Requirements) Order 2005	S.I. 2005/963 (b)
The Bail (Electronic Monitoring of Requirements) (Responsible Officer) Order 2008	S.I. 2008/2713 (c)
The Criminal Justice (Sentencing) (Curfew Condition) Order 2008	S.I. 2008/2768 (d)
The Youth Rehabilitation Order (Electronic Monitoring Requirement) Order 2009	S.I. 2009/2950 (e)
The Criminal Justice (Electronic Monitoring) (Responsible Person) Order 2014	S.I. 2014/163

- (a) This provision specifies, for the purposes of the law of England and Wales, the person responsible for monitoring a person residing in Scotland who has been transferred to Scotland under Schedule 1 to the Crime (Sentences) Act 1997 (c. 43) and who is subject to supervision. Under paragraph 1(b) of Schedule 1 to that Act, the Secretary of State may transfer a prisoner serving a sentence in England and Wales to Scotland. Under paragraph 4(1) of Schedule 1, the Secretary of State may transfer responsibility for the supervision of a prisoner released in England and Wales to an appropriate person in Scotland. Under paragraph 6 of Schedule 1, such transfers may be subject to the condition that the prisoner is to be treated as though they are still subject to the law of England and Wales (a 'restricted transfer'). Where a restricted transfer is made, relevant provisions of the Criminal Justice Act 2003 apply to the prisoner with the effect that, while the prisoner is subject to supervision, there must be a person responsible for monitoring the prisoner's whereabouts and that person must be of a description specified in an order of the Secretary of State (paragraph 8(2) and (4) of Schedule 1 to the Crime (Sentences) Act 1997).
- (b) Amended by S.I. 2014/163.
- (c) Amended by S.I. 2014/163.
- (d) Amended by S.I. 2014/163.
- (e) Amended by S.I. 2014/163.

EXPLANATORY NOTE

(This note is not part of the Regulations)

This Order names employees of Capita Business Services Limited as the persons responsible, in certain circumstances, for the electronic monitoring of persons on bail (article 2) and persons subject to a community order or suspended sentence order (article 3), curfew condition (article 4) or a youth rehabilitation order (article 5). The changes come into force on 23 March 2014 at 7am and reflect contractual changes which take effect at the same time on that day.

Article 6 revokes previous Orders which made provision for the persons responsible for electronic monitoring in certain circumstances.

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