
STATUTORY INSTRUMENTS

2014 No. 1777 (C. 77)

CRIMINAL LAW, ENGLAND AND WALES

**The Legal Aid, Sentencing and Punishment of
Offenders Act 2012 (Alcohol Abstinence and
Monitoring Requirements) Piloting Order 2014**

Made - - - -

7th July 2014

The Secretary of State makes the following Order in exercise of the powers conferred by section 77(1), (4) and (8) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(1).

Citation and interpretation

1.—(1) This Order may be cited as the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Alcohol Abstinence and Monitoring Requirements) Piloting Order 2014.

(2) In this Order—

- (a) “the Act” means the Legal Aid, Sentencing and Punishment of Offenders Act 2012; and
- (b) “alcohol abstinence and monitoring requirement” has the same meaning as in Part 12 of the Criminal Justice Act 2003(2).

Coming into force of section 76 of the Act

2. Subject to articles 3 and 4(1), section 76 of the Act (alcohol abstinence and monitoring requirement) comes into force on 31st July 2014 for all purposes other than application by the Armed Forces Act 2006(3).

Area in relation to which section 76 of the Act is in force

3. Section 76 of the Act comes into force only in relation to the South London local justice area(4).

(1) 2012 c.10.

(2) 2003 c.44. Section 212A was inserted by section 76 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

(3) 2006 c.52.

(4) England and Wales are divided into areas known as local justice areas as required by section 8 of the Courts Act 2003 (c.39). These were established by the Local Justice Areas Order 2005 (S.I. 2005/554) (“the 2005 Order”). This was altered by the Local Justice Areas Order 2011 (S.I. 2011/1168) which created the new local justice area of South London from 1st January 2012 (see Table 1 of article 3). Whilst the 2005 order has been subsequently amended, the amendments are not relevant for the purposes of this Order.

Status: This is the original version (as it was originally made).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

Period for which section 76 of the Act is in force

4.—(1) Subject to paragraph (2), section 76 of the Act, in so far as it is brought into force by article 2, ceases to have effect at the end of the period of 12 months beginning with 31st July 2014.

(2) Paragraph (1) does not affect the continued application after that date of an alcohol abstinence and monitoring requirement imposed by a court during the period mentioned in that paragraph.

Signed by the authority of the Secretary of State

7th July 2014

Jeremy Wright
Parliamentary Under Secretary of State
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force section 76 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), for a period of 12 months commencing on 31st July 2014, but only in relation to the South London local justice area. Among other things, section 76 inserts section 212A of the Criminal Justice Act 2003 (c. 44), which gives a court a power to impose an alcohol abstinence and monitoring requirement as part of a community order or suspended sentence order. Article 4(2) provides that any requirement imposed before section 76 ceases to be in force may continue to have effect after that time.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sector is foreseen.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I.No.</i> |
|--|-----------------------------|---------------------------|
| Section 85 (3), (5)-(13) and (15)-(17) | 28th May 2014 | 2014/1291 |
| Section 86 | 28th May 2014 | 2014/1291 |
| Section 87 | 28th May 2014 | 2014/1291 |
| Part 1 (in so far as not already in force, except section 19(4)) | 1st April 2013 | 2013/453 |
| Section 38(2) | 4th March 2013 | 2013/453 |
| Section 44 (for the purpose of making orders, regulations or rules of court) | 19th January 2013 | 2013/77 |
| Section 44 (in so far as not already in force) | 1st April 2013 | 2013/77 |
| Section 45(1) and (8) | 1st October 2012 | 2012/2412 |
| Section 45 (in so far as not already in force for the purpose of making orders, regulations or rules of court) | 19th January 2013 | 2013/77 |
| Section 45 (in so far as not already in force) | 1st April 2013 | 2013/77 |
| Section 46 (for the purpose of making orders, regulations or rules of court) | 19th January 2013 | 2013/77 |
| Section 46 (in so far as not already in force) | 1st April 2013 | 2013/77 |
| Section 47 | 1st April 2013 | 2013/77 |
| Section 48 | 19th January 2013 | 2013/77 |

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

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I.No.</i> |
|---|-----------------------------|----------------|
| Section 49 | 1st April 2013 | 2013/773 |
| Section 50 | 1st April 2013 | 2013/773 |
| Section 51 | 1st April 2013 | 2013/773 |
| Section 52 | 1st April 2013 | 2013/773 |
| Section 53 | 1st April 2013 | 2013/773 |
| Section 54 | 1st April 2013 | 2013/773 |
| Section 55 | 1st October 2012 | 2012/2412 |
| Section 56 | 1st April 2013 | 2013/453 |
| Section 57 | 1st April 2013 | 2013/453 |
| Section 58 | 4th March 2013 | 2013/453 |
| Section 59 | 1st April 2013 | 2013/453 |
| Section 60 | 4th March 2013 | 2013/453 |
| Section 61 | 1st October 2012 | 2012/2412 |
| Section 62 | 1st October 2012 | 2012/2412 |
| Chapter 1 of Part 3 (except sections 67(2)(a) and (5)(a), 76, 77, 78(3) and 85 to 88) | 3rd December 2012 | 2012/2906 |
| Section 88 | 8th April 2013 | 2013/453 |
| Chapter 2 of Part 3 | 3rd December 2012 | 2012/2906 |
| Chapter 3 of Part 3 | 3rd December 2012 | 2012/2906 |
| Chapter 4 of Part 3 (except section 119) | 3rd December 2012 | 2012/2906 |
| Chapter 5 of Part 3 | 3rd December 2012 | 2012/2906 |
| Chapter 6 of Part 3 (except section 129) | 3rd December 2012 | 2012/2906 |
| Section 132 | 8th April 2013 | 2013/453 |
| Section 133 | 8th April 2013 | 2013/453 |
| Section 134 | 8th April 2013 | 2013/453 |
| Section 135 | 8th April 2013 | 2013/453 |
| Section 136 | 8th April 2013 | 2013/453 |
| Section 137 | 8th April 2013 | 2013/453 |
| Section 138 | 8th April 2013 | 2013/453 |
| Section 139 | 10th March 2014 | 2014/423 |
| Section 140 | 1st October 2012 | 2012/2412 |
| Section 141(7) to (9) and (12) | 1st October 2012 | 2012/2412 |
| Section 141 (so far as not previously in force) | 10th March 2014 | 2014/423 |
| Section 142 | 3rd December 2012 | 2012/2770 |

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I.No.</i> |
|----------------------------------|-----------------------------|---------------------------|
| Section 143 | 3rd December 2012 | 2012/2770 |
| Section 144 | 1st September 2012 | 2012/1956 |
| Section 145 | 3rd December 2012 | 2012/2770 |
| Section 146 | 3rd December 2012 | 2012/2770 |
| Section 147 | 3rd December 2012 | 2012/2770 |
| Section 148 | 14th May 2013 | 2013/1127 |
| Schedule 1 | 1st April 2013 | 2013/453 |
| Schedule 2 | 1st April 2013 | 2013/453 |
| Schedule 3 | 1st April 2013 | 2013/453 |
| Schedule 4 | 4th March 2013 | 2013/453 |
| Schedule 5 | 1st April 2013 | 2013/453 |
| Schedule 6 | 1st April 2013 | 2013/453 |
| Schedule 7 | 1st October 2012 | 2012/2412 |
| Schedule 8 | 1st October 2012 | 2012/2412 |
| Schedule 9 | 3rd December 2012 | 2012/2906 |
| Schedule 10 | 3rd December 2012 | 2012/2906 |
| Schedule 11 | 3rd December 2012 | 2012/2906 |
| Schedule 12 | 3rd December 2012 | 2012/2906 |
| Schedule 13 | 3rd December 2012 | 2012/2906 |
| Schedule 14 | 3rd December 2012 | 2012/2906 |
| Schedule 15 | 3rd December 2012 | 2012/2906 |
| Schedule 16 | 3rd December 2012 | 2012/2906 |
| Schedule 17 | 3rd December 2012 | 2012/2906 |
| Schedule 18 | 3rd December 2012 | 2012/2906 |
| Schedule 19 | 3rd December 2012 | 2012/2906 |
| Schedule 20 | 3rd December 2012 | 2012/2906 |
| Schedule 21 | 3rd December 2012 | 2012/2906 |
| Schedule 22 | 3rd December 2012 | 2012/2906 |
| Schedule 23 | 8th April 2013 | 2013/453 |
| Schedule 24 | 8th April 2013 | 2013/453 |
| Schedule 25 (except paragraph 4) | 10th March 2014 | 2014/423 |
| Schedule 26 | 3rd December 2012 | 2012/2770 |
| Schedule 27 | 3rd December 2012 | 2012/2770 |

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