
STATUTORY INSTRUMENTS

2010 No. 60

The Criminal Procedure Rules 2010

PART 48

COMMUNITY PENALTIES

Contents of this Part

Curfew order or requirement with electronic monitoring requirement rule 48.1

Curfew order or requirement with electronic monitoring requirement

48.1.—(1) This rule applies where the Crown Court makes—

- (a) a curfew order with an electronic monitoring requirement under section 35 of the Crime (Sentences) Act 1997(1) or under sections 37 and 36B of the Powers of Criminal Courts (Sentencing) Act 2000(2); or
- (b) a community rehabilitation order with curfew and electronic monitoring requirements under section 41 of and paragraph 7 of Schedule 2 to the 2000 Act.

(2) The court officer shall serve notice of the order on the person in respect of whom it is made by way of pages 1 and 2 of the form set out in the Practice Direction.

(3) The court officer shall serve notice of the order on the person responsible for electronically monitoring compliance with it by way of the form set out in the Practice Direction.

(4) Where any community order additional to the curfew order has been made in respect of the offender, the court officer shall serve a copy of the notice required by paragraph (3) on the local probation board or Youth Offending Team responsible for the offender.

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- (1) 1997 c. 43; section 35 was amended by paragraph 50 of Schedule 7 and paragraph 132 of Schedule 8 to the Crime and Disorder Act 1998 (c. 37), paragraph 184 of Schedule 9 to the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6) and paragraphs 1 and 32 of Schedule 11 to the Proceeds of Crime Act 2002 (c. 29). It is further amended by paragraphs 135 and 139 of Part II of Schedule 7 of the Criminal Justice and Court Services Act 2000 (c. 43) and Part 7 of Schedule 37 of the Criminal Justice Act 2003 (c. 44), with effect from dates to be appointed.
- (2) 2000 c. 6; section 36B was inserted by section 52 of the Criminal Justice and Courts Services Act 2000 (c. 43) and is repealed by sections 6(1) and 149 of, and Part 1 of Schedule 28 to, the Criminal Justice and Immigration Act 2008 (c. 4), with effect from a date to be appointed. Section 36B was amended by paragraphs 90 and 96 of Schedule 32 to, and Part 7 of Schedule 37 to, the Criminal Justice Act 2003 (c. 44) and article 2 of, and paragraph 66 of the Schedule to, S.I. 2005/886. Section 37 was amended by paragraphs 160 and 162 of Schedule 7 to the Criminal Justice and Court Services Act 2000 (c. 43), paragraph 2 of Schedule 2 and Schedule 3 to the Anti-social Behaviour Act 2003 (c. 38) and paragraphs 90 and 97 of Schedule 32 and Part 7 of Schedule 37 to the Criminal Justice Act 2003 (c. 44).