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STATUTORY INSTRUMENTS

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**2018 No. 212**

**CRIMINAL LAW, ENGLAND AND WALES**

**The Electronic Monitoring (Responsible Persons) Order 2018**

<i>Made</i>	- - - -	<i>20th February 2018</i>
<i>Laid before Parliament</i>		<i>22nd February 2018</i>
<i>Coming into force</i>		
<i>for all purposes except for</i>		
<i>article 4(b)</i>		<i>15th March 2018</i>
<i>for article 4(b)</i>		<i>1st April 2018</i>

The Secretary of State, in exercise of the powers conferred by section 62(2B), 76(3) and 77 of the Criminal Justice and Court Services Act 2000<sup>M1</sup>, makes the following Order.

**Marginal Citations**

**M1** 2000 c. 43. Section 62(2B) was inserted by section 7(2) of the [Criminal Justice and Courts Act 2015](#) (c. 2).

**Citation and Commencement**

1. This Order may be cited as the Electronic Monitoring (Responsible Persons) Order 2018.
2. This Order comes into force on 15th March 2018 except for the purposes of article 4(b) which comes into force on 1st April 2018.

**Responsible persons for the purposes of section 62(2B) of the Criminal Justice and Court Services Act 2000**

3. For the purposes of section 62(2B) of the Criminal Justice and Court Services Act 2000, the description of the persons who may be made responsible for the monitoring of individuals subject to electronic monitoring—

- (a) whilst on licence is one who is employed by—
  - (i) Capita Business Services Limited, 71 Victoria Street, Westminster, London SW1H 0XA (Company Number 02299747);

- [<sup>F1</sup>(ii) Alcohol Monitoring Systems Limited, Lancashire Gate, 21 Tiviot Dale, Stockport, Cheshire, SK1 1TD (Company Number 07993509);
- (iii) Buddi Limited, Talbot House, 17 Church Street, Rickmansworth, Hertfordshire, WD3 1DE (Company Number 05308826).]
- [<sup>F2</sup>(iv) Attenti EM UK Ltd, 4th Floor 45, Monmouth Street, London, WC2H 9DG (Company Number 10867315).]
- (b) whilst subject to a restricted transfer to Scotland under Schedule 1 to the Crime (Sentences) Act 1997 <sup>M2</sup>, who is released on Home Detention Curfew under section 246 of the Criminal Justice Act 2003 <sup>M3</sup>, is one employed by G4S Monitoring Technologies Limited, Southside, 105 Victoria Street, London SW1E 6QT (Company Number 02626613).

- F1** Art. 3(a)(ii)(iii) substituted for art. 3(a)(ii) (10.1.2019) by [The Electronic Monitoring \(Responsible Persons\) \(Amendment\) Order 2018 \(S.I. 2018/1277\)](#), arts. 1, **2(2)**
- F2** Art. 3(a)(iv) inserted (10.4.2020) by [The Electronic Monitoring \(Responsible Persons\) \(Coronavirus\) \(Amendment\) Order 2020 \(S.I. 2020/418\)](#), arts. 1, **2(2)**

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**Marginal Citations**

- M2** 1997 c. 43.
- M3** 2003 c. 44.

**Revocations**

4. The following are revoked—
- (a) article 4 of the Criminal Justice (Electronic Monitoring) (Responsible Person) (No. 2) Order 2014 <sup>M4</sup>;
- (b) the Criminal Justice (Electronic Monitoring) (Responsible Person) Order 2016 <sup>M5</sup>.

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**Commencement Information**

- II** [Art. 4](#) (except for the purposes of art. 4(b)) in force 15.3.2018 and art. 4(b) in force 1.4.2018, see [art. 1\(2\)](#)

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**Marginal Citations**

- M4** [S.I. 2014/669](#).
- M5** [S.I. 2016/954](#).

Ministry of Justice

*Rory Stewart*  
Minister of State

## EXPLANATORY NOTE

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

Section 62(2B) of the Criminal Justice and Services Act 2000 (c. 43) provides that a person may not be made responsible for the monitoring of individuals under section 62 of that Act (Release on licence etc.: electronic monitoring conditions), unless they are of a description specified in an order by the Secretary of State.

Article 3(a) sets out the description of persons who may be made responsible for the monitoring of individuals subject to an electronic monitoring condition on licence in England and Wales.

Article 3(b) sets out the persons who may be made responsible for the monitoring of individuals who are subject to Home Detention Curfew and have transferred to Scotland on the basis that they are to be treated as though they are still subject to the law of England and Wales (restricted transfer).

Article 3(a)(ii) sets out a new responsible person for the purposes of Section 62(2B) and the rest of Article 3 re-enacts the provisions of article 4 of the Criminal Justice (Electronic Monitoring) (responsible Person) (No. 2) Order 2014, which has now been revoked by article 4(a).

The responsibility of the person in the instrument listed in article 4(b) ends on 31 March 2018 and it has therefore not been consolidated into this order.

**Changes to legislation:**

There are currently no known outstanding effects for the The Electronic Monitoring (Responsible Persons) Order 2018.