2002 No. 845

CHILDREN AND YOUNG PERSONS

The Local Authority Remands (Electronic Monitoring of Conditions) (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 23AA(6) of the Children and Young Persons Act 1969(a), hereby makes the following Order:

1. This Order may be cited as the Local Authority Remands (Electronic Monitoring of Conditions) (Responsible Officer) Order 2002 and shall come into force on 22nd April 2002.

2. In this Order—

"curfew condition" means a condition imposed on a child or young person under section 23(7) of the Children and Young Persons Act 1969(b) by a court remanding him to local authority accommodation that he remain, for periods specified in the condition, at a place so specified;

"electronic monitoring condition" means a condition imposed on a child or a young person under section 23(7) of the Children and Young Persons Act 1969 for the purpose of securing the electronic monitoring of his compliance with any other condition imposed on him by a court remanding him to local authority accommodation;

"police area" means a police area established under section 1 of the Police Act 1996(c);

"responsible officer" means the person responsible under section 23AA(6) of the Children and Young Persons Act 1969 for the monitoring, where an electronic monitoring condition is imposed.

3. Where an electronic monitoring condition is imposed for the purpose of securing compliance with a condition 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 condition is imposed for the purpose of securing compliance with a condition 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 condition is imposed for the purpose of securing compliance with a condition 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.

(a) 1969 c. 54; section 23AA is inserted by section 132(2) of the Criminal Justice and Police Act 2001 (c. 16).
(b) Section 23(7) is amended by section 132(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.

6.—(1) This article applies where:

(a) an electronic monitoring condition is imposed for the purpose of securing compliance with more than one condition;

(b) the conditions 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 conditions is a curfew condition, then articles 3 to 5 have effect as if the electronic monitoring condition was imposed solely for the purpose of securing compliance with the curfew condition.

(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 condition was imposed for the purpose of securing compliance with conditions 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 condition imposed on the child or young person by a court remanding him to local authority accommodation.

Article 6 deals with the situation where an electronic monitoring condition is imposed to secure compliance with more than one condition (e.g. a curfew condition and an exclusion condition) 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 condition takes precedence in determining the responsible officer. Article 6(3) provides that if there is no curfew condition, then the court must choose one of the police areas to which the conditions relate and the responsible officer must be a person of a description who would ordinarily be responsible for electronic monitoring in that police area.

STATUTORY INSTRUMENTS

2002 No. 845

CHILDREN AND YOUNG PERSONS

The Local Authority Remands (Electronic Monitoring of Conditions) (Responsible Officer) Order 2002

ISBN 0-11-039642-1

9 780110 396422

£2.00

© Crown copyright 2002

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of
Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
E0556 4/2002 120556 19585