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**1999 No. 3040 (L.26)**

**SUPREME COURT OF ENGLAND AND WALES**

**The Crown Court (Forms Amendment) Rules 1999**

*Made - - - - - 9th November 1999*

*Laid before Parliament 10th November 1999*

*Coming into force - - 1st December 1999*

We the Crown Court Rule Committee, in exercise of the powers conferred on us by sections 84(1) and 86 of the Supreme Court Act 1981(a), hereby make the following Rules:

1. These Rules may be cited as the Crown Court (Forms Amendment) Rules 1999 and shall come into force on 1st December 1999.

2.—(1) The Crown Court Rules 1982(b) shall be amended in accordance with the following provisions of this rule.

(2) After rule 36(c) there shall be inserted:

**“Curfew order with electronic monitoring**

37.—(1) This rule applies where a Crown Court makes a curfew order subject to electronic monitoring in respect of a person under sections 12 and 13 of the Criminal Justice Act 1991(d).

(2) The appropriate officer of the Crown Court shall serve notice of the order on the person in respect of whom it is made by way of the form prescribed in Schedule 11 to these Rules or a form to the like effect.

(3) The appropriate officer of the Crown Court shall serve notice of the order on the officer responsible for electronically monitoring compliance with it by way of the form prescribed in Schedule 12 to these Rules or a form to the like effect.

(4) Where any community order additional to the curfew order has been made in respect of the offender, the appropriate officer of the Crown Court shall serve a copy of the notice required by paragraph (3) above on the probation service responsible for the offender.”.

(3) After Schedule 10(e), there shall be inserted the Schedules set out in the Schedule to these Rules.

Dated 9th November 1999

*Irvine of Lairg, C.*

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(a) 1981 c.54.

(b) S.I. 1982/1109.

(c) Rule 36 was added by S.I. 1994/3153, rule 3.

(d) 1991 c.53; section 12 was amended by the Criminal Justice and Public Order Act 1994, section 168(1) and Schedule 9, paragraph 41.

(e) Schedule 10 was inserted by S.I. 1994/1480, Schedule.

SCHEDULE

Rule 2(3)

“SCHEDULE 11

Rule 37(2)

Notice to person subject to curfew order with electronic monitoring requirement under sections 12 and 13 of the Criminal Justice Act 1991

Court name & address  
Reference No/PSD

To: Mr/Mrs/Ms (name of defendant) born  
Address of defendant  
Post code age  
Telephone No inc code

Orders

You must keep a curfew for (period) from (start date) to (end date). You will be electronically monitored so that the court can be sure that you are keeping to your curfew. This means that you must stay at (place) at the times and on the days listed below:

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
From							
To							
From							
To							
Total No of hours							

If ordered to stay at another place as well you must stay at (place 2) at the times and on the days listed below:

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
From							
To							
From							
To							
Total No of hours							

The Court has said that you can leave your place of curfew during your curfew period for the reasons listed below and at the times listed below:

Reason	Day & Time
1	
2	
3	

The offences for which this order has been made are listed on the second page.

**Warning**

If you do not stay at the place you should be at during your curfew you may be brought back to Court.

this means that the Court may then:

- punish you for that failure **as well as** making you finish this order; or
- pass a different sentence for the original offences.

Justices Clerk

Date

I am bound to comply with the curfew order and confirm that the court has explained to me the conditions of the order and what will happen if I do not comply with the order. I understand monitoring officers will visit me after sentencing during curfew periods.

I confirm my address(es) and telephone number as stated above and confirm that I understand the curfew hours given.

Full Name

signed

Date:

**Offences for which Order made**

- 1
- 2
- 3
- 4
- 5

SCHEDULE 12

Rule 37(3)

Notice to officer responsible for electronic monitoring of curfew order made under sections 12 and 13 of the Criminal Justice Act 1991

To be faxed to the Monitoring Contractor and, where appropriate, the supervising probation service on the day the Order is made.

Please make sure that the correct contractor for your area is faxed, attach a copy of the original Order and make sure that all information required is completed; otherwise the form will be returned by the contractor. Where another community sentence has been imposed, ensure that the same documentation is also faxed to the supervising probation service.

CURFEW ORDER MADE UNDER SECTIONS 12 AND 13 OF THE CRIMINAL JUSTICE ACT 1991

NOTIFICATION TO CONTRACTOR

For London & Eastern region: Premier Monitoring Services Fax No 08700 700321
For Midlands & Wales region: Premier Monitoring Services Fax No 08700 700321
For Southern region: GSSC of Europe Ltd Fax No 01793 438342
For Northern region: Securicor Custodial Services Ltd Fax No 0161 876 5331

From: Court Name \_\_\_\_\_ Court code \_\_\_\_\_
Crown/Magistrates/Youth Court Reference No \_\_\_\_\_

Full address of court:

First Notification /Revised Notification /Variation Please circle correct one

The above Order has been made today and Mr/Mrs/Ms \_\_\_\_\_ (full name) has been made the subject of a curfew order, for the dates and times stated below at:

First Curfew Address

Street \_\_\_\_\_
District \_\_\_\_\_
Town \_\_\_\_\_
Post code \_\_\_\_\_
Tel No inc STD code \_\_\_\_\_

Table with 8 columns (Mon-Sun) and 5 rows (From, To, From, To, Total No of hours)

and at:

Second Curfew Address (if appropriate)

Street \_\_\_\_\_
District \_\_\_\_\_
Town \_\_\_\_\_
Postcode \_\_\_\_\_

Tel No inc STD code \_\_\_\_\_

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
From							
To							
From							
To							
Total No of hours							

for the following offences:

- 1
- 2
- 3
- 4
- 5

Curfew start date \_\_\_\_\_ start time: \_\_\_\_\_

Curfew finish date \_\_\_\_\_ time: 23:59

Is it a combined Order? Yes/ No *Please circle correct one*

If yes please state other community sentence(s) imposed:

State name, office and fax no of the supervising probation officer:

\_\_\_\_\_

Was an interpreter required in court? Yes/ No *Please circle correct one*

If yes which language: \_\_\_\_\_

Was a PSR prepared before sentencing? Yes/ No *Please circle correct one*

Was a curfew assessment prepared before sentencing? Yes/ No *Please circle correct one*

Is there a telephone line already at the address(es)? Yes/ No *Please circle correct one*

Sentencer(s) & title:

Name: \_\_\_\_\_  
 Judge/Justice of the Peace/Stipendiary Magistrate

Signed:

Date:

Prepared By:

Date:

Name

Signature

Faxed By:

Date:

Time:

Name

Signature

”.

**EXPLANATORY NOTE**

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

These Rules prescribe new forms for use in cases where persons are sentenced by way of sections 12 and 13 of the Criminal Justice Act 1991 to a curfew order with an electronic monitoring requirement. The forms are to be served on the person subject to the order and those responsible for electronically monitoring compliance with it respectively.

£2.00

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