
STATUTORY INSTRUMENTS

2005 No. 384

The Criminal Procedure Rules 2005

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.

[Note. Formerly rules 37 and 37A of the Crown Court Rules 1982(3).]

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- (1) 1997 c. 43; section 35 was amended by paragraph 184 of Schedule 9 to the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6), paragraphs 1 and 32(1) and (2) of Schedule 11 to the Proceeds of Crime Act 2002 (c. 29), paragraph 132(1) of Schedule 8 and paragraphs 50(1) and (6) of Schedule 7 to the Crime and Disorder Act 2002 (c. 37), and is further amended by paragraphs 135 and 139(a) of Part II of Schedule 7 to 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 amended by paragraphs 90, 96(1) and (2) of Part 1 of Schedule 32 to the Criminal Justice Act 2003 (c. 44) (amendments in force for some purposes only), and is further amended by paragraphs 90, 96(1), (3)(a) and (4) of Part 1 of Schedule 32 and Part 7 of Schedule 37 to the Criminal Justice Act 2003 (c. 44) with effect from a date to be appointed; section 37 was amended by paragraphs 160 and 162 of Part II of Schedule 7 to the Criminal Justice and Court Services Act 2000 (c. 43) and by paragraphs 2(1), (2) and (3) of Schedule 2 and Schedule 3 to the Anti-social Behaviour Act 2003 (c. 38), and is further amended by paragraphs 90, 96(1), (3)(a) and (4) of Part 1 of Schedule 32 and Part 7 of Schedule 37 to the Criminal Justice Act 2003 (c. 44) with effect from a date to be appointed.
- (3) S.I. 1982/1109; amending instruments relevant to this Part are S.I. 1999/3040 and 2003/1664.