STATUTORY INSTRUMENTS

2009 No. 2087

The Criminal Procedure (Amendment) Rules 2009

Amendments to the Criminal Procedure Rules 2005

13. In Part 19 (Bail in magistrates' courts and the Crown Court)—

(a) in rule 19.2(6) (Application to a magistrates' court to reconsider grant of police bail), for "rule 4.2(1)", substitute "rule 4.11"; and

(b) after rule 19.25, insert—

"Grant of bail subject to electronic monitoring requirements

19.26.—(1) This rule applies where the court imposes electronic monitoring requirements (where available) as a condition of bail.

(2) The court officer must—

(a) inform the person responsible for the monitoring ("the monitor") of—

(i) the defendant's name, and telephone number (if available),

(ii) the offence or offences with which the defendant is charged,

(iii) details of the place at which the defendant's presence must be monitored,

(iv) the period or periods during which the defendant's presence at that place must be monitored, and

(v) if fixed, the date on which the defendant must surrender to custody;

(b) inform the defendant and, where the defendant is under 16, an appropriate adult, of the monitor's name, and the means by which the monitor may be contacted; and

(c) notify the monitor of any subsequent—

(i) variation or termination of the electronic monitoring requirements, or

(ii) fixing or variation of the date on which the defendant must surrender to custody.

*[Note. Under section 3(6ZAA) of the Bail Act 1976**(1)**, the conditions of bail that the court may impose include requirements for the electronic monitoring of a defendant's compliance with other bail conditions, for example a curfew. Sections 3AA**(2)** and 3AB**(3)** of the Act set out conditions for imposing such requirements. Under section 3AC**(4)** of the*

(**1**) 1976 c. 63; section 3(6ZAA) was inserted by section 131 of the Criminal Justice and Police Act 2001 (c. 16) and amended by section 51 of, and paragraphs 1 and 2 of Schedule 11 to, the Criminal Justice and Immigration Act 1998 (c. 4).

(**2**) 1976 c. 63; section 3AA was inserted by section 131 of the Criminal Justice and Police Act 2001 (c. 16) and amended by sections 51 and 149 of, and paragraphs 1 and 3 of Schedule 11 to, and Part 4 of Schedule 28 to, the Criminal Justice and Immigration Act 2008 (c. 4).

(**3**) 1976 c. 63; section 3AB was inserted by section 51 of, and paragraphs 1 and 4 of Schedule 11 to, the Criminal Justice and Immigration Act 2008 (c. 4).

(**4**) 1976 c. 63; section 3AC was inserted by section 51 of, and paragraphs 1 and 4 of Schedule 11 to, the Criminal Justice and Immigration Act 2008 (c. 4).

*Act, where the court imposes electronic monitoring requirements they must provide for the
appointment of a monitor.]*

Grant of bail subject to accommodation or support requirements

19.27.—(1)   This rule applies where the court imposes as a condition of bail a
requirement (where available) that the defendant must—

   (a) reside in accommodation provided for that purpose by, or on behalf of, a public
        authority;

   (b) receive bail support provided by, or on behalf of, a public authority.

(2) The court officer must—

   (a) inform the person responsible for the provision of any such accommodation or
        support ("the service provider") of—

        (i)   the defendant's name, and telephone number (if available),

        (ii) the offence or offences with which the defendant is charged,

        (iii) details of the requirement,

        (iv) any other bail condition, and

        (v)   if fixed, the date on which the defendant must surrender to custody;

   (b) inform the defendant and, where the defendant is under 16, an appropriate adult,
        of—

        (i)   the service provider's name, and the means by which the service provider
              may be contacted, and

        (ii) the address of any accommodation in which the defendant must reside; and

   (c) notify the service provider of any subsequent—

        (i)   variation or termination of the requirement,

        (ii) variation or termination of any other bail condition, and

        (iii) fixing or variation of the date on which the defendant must surrender to
              custody.".