

2017 No. 234

CRIMINAL LAW, ENGLAND AND WALES

The Criminal Justice Act 2003 (Alcohol Abstinence and Monitoring Requirement) (Prescription of Arrangement for Monitoring) (Amendment) Order 2017

<i>Made</i> - - - -	<i>1st March 2017</i>
<i>Laid before Parliament</i>	<i>2nd March 2017</i>
<i>Coming into force</i> - -	<i>31st March 2017</i>

The Secretary of State, makes the following Order in exercise of the powers conferred by section 212A(6) and (7) of the Criminal Justice Act 2003(a).

Citation and commencement

1. This Order may be cited as the Criminal Justice Act 2003 (Alcohol Abstinence and Monitoring Requirement) (Prescription of Arrangement for Monitoring) (Amendment) Order 2017 and comes into force on 31st March 2017.

Amendment to the Criminal Justice Act 2003 (Alcohol Abstinence and Monitoring Requirement) (Prescription of Arrangement for Monitoring) Order 2016

2. At the end of article 2(1) (prescription for the purpose of section 212A(6) of the Criminal Justice Act 2003) of the Criminal Justice Act 2003 (Alcohol Abstinence and Monitoring Requirement) (Prescription of Arrangement for Monitoring) Order 2016(b), insert “(as amended by the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Alcohol Abstinence and Monitoring Requirements) Piloting (Amendment) Order 2017)”(c).

1st March 2017

Sam Gyimah
Parliamentary Under Secretary of State
Ministry of Justice

(a) 2003 c. 44. Section 212A is inserted into the Criminal Justice Act 2003 by section 76 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10). Section 76 of the 2012 Act is in force in nine local justice areas as specified in S.I. 2016/286.
(b) S.I. 2016/327.
(c) S.I. 2017/225, C. 19.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Criminal Justice Act 2003 (Alcohol Abstinence and Monitoring Requirement) (Prescription of Arrangement for Monitoring) Order 2016 (S.I. 2016/327) (the “2016 Order”). Section 76 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10) (the “2012 Act”) inserts section 212A in the Criminal Justice Act 2003 (c. 44) and has been in force, for the purposes of a pilot, since 31st July 2014. The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Alcohol Abstinence and Monitoring Requirements) Piloting Order 2016 (S.I. 2016/286) extended the pilot to nine local justice areas across London from 1st April 2016 until the end of 31st March 2017. The pilot is now extended for a further period of 12 months by the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Alcohol Abstinence and Monitoring Requirements) Piloting (Amendment) Order 2017 (S.I. 2017/255, C. 19). This Order keeps in place, until the end of 31st March 2018, the specification that monitoring of compliance with the obligations of an alcohol abstinence and monitoring requirement that has been imposed as part of the pilot scheme will be through a transdermal electronic tag.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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£4.25

UK2017030134 03/2017 19585

<http://www.legislation.gov.uk/id/uksi/2017/234>

ISBN 978-0-11-115517-2



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