

2024 No. 340

CRIMINAL LAW, ENGLAND AND WALES

**The Electronic Monitoring (Responsible Persons) (Miscellaneous)
Regulations 2024**

Made - - - - *5th March 2024*

Coming into force in accordance with regulation 2

The Secretary of State makes these Regulations in exercise of the powers conferred by section 3AC(2) of the Bail Act 1976(a), section 96(2) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(b), paragraphs 42(2) and 46(2) of Schedule 6 and paragraph 31(2) of Schedule 9 to the Sentencing Code(c), and section 37(7) of the Domestic Abuse Act 2021(d).

Citation and extent

1.—(1) These Regulations may be cited as the Electronic Monitoring (Responsible Persons) (Miscellaneous) Regulations 2024.

(2) These Regulations extend to England and Wales.

Commencement

2.—(1) Subject to paragraphs (2) and (3), these Regulations come into force on 30th April 2024.

(2) Regulation 8 comes into force immediately after the coming into force of section 37(7) of the Domestic Abuse Act 2021.

(3) Regulation 9(2) comes into force on 31st January 2025.

Persons responsible for electronic monitoring of persons on bail

3. For the purposes of section 3AC(2) of the Bail Act 1976, the description of a person who may be made responsible for electronic monitoring is one who is employed by—

(a) Buddi Limited, Talbot House, 17 Church Street, Rickmansworth, Hertfordshire WD3 1DE (Company Number 05308826);

(a) 1976 c. 63. Section 3AC was inserted by paragraph 4 of Schedule 11 to the Criminal Justice and Immigration Act 2008 (c. 4). There are amendments to section 3AC but none are relevant.

(b) 2012 c. 10.

(c) 2020 c. 17. Paragraph 42(2) was amended by paragraph 12(5) of Schedule 17(2) to the Police, Crime, Sentencing and Courts Act 2022 (c. 32) and is fully in force for youth rehabilitation orders and partially in force in relation to a pilot of youth rehabilitation orders with intensive supervision and surveillance (S.I. 2023/705). Paragraph 46(2) was inserted by paragraph 12(13) of Schedule 17(2) of that Act and is fully in force for the purposes of the pilot.

(d) 2021 c. 17.

- (b) Serco Limited, Serco House, 16 Bartley Wood Business Park, Bartley Way, Hook, Hampshire, RG27 9UY (Company Number 00242246).

Person responsible for electronic monitoring of persons on remand to local authority accommodation

4. For the purposes of section 96(2) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012, the description of a person who may be made responsible for electronic monitoring is one who is employed by Serco Limited, Serco House, 16 Bartley Wood Business Park, Bartley Way, Hook, Hampshire, RG27 9UY (Company Number 00242246).

Person responsible for electronic monitoring of persons subject to a youth rehabilitation order

5. For the purposes of paragraph 42(2) of Schedule 6 to the Sentencing Code, the description of a person who may be made responsible for electronic monitoring is one who is employed by Serco Limited, Serco House, 16 Bartley Wood Business Park, Bartley Way, Hook, Hampshire, RG27 9UY (Company Number 00242246).

Person responsible for electronic monitoring of persons subject to a youth rehabilitation order with an electronic whereabouts monitoring requirement

6. For the purposes of paragraph 46(2) of Schedule 6 to the Sentencing Code, the description of a person who may be made responsible for electronic monitoring is one who is employed by Serco Limited, Serco House, 16 Bartley Wood Business Park, Bartley Way, Hook, Hampshire, RG27 9UY (Company Number 00242246).

Persons responsible for electronic monitoring of persons subject to community orders and suspended sentence orders

7. For the purposes of paragraph 31(2) of Schedule 9 to the Sentencing Code, the description of a person who may be made responsible for electronic monitoring is one who is employed by—

- (a) Buddi Limited, Talbot House, 17 Church Street, Rickmansworth, Hertfordshire WD3 1DE (Company Number 05308826);
- (b) Serco Limited, Serco House, 16 Bartley Wood Business Park, Bartley Way, Hook, Hampshire, RG27 9UY (Company Number 00242246).

Person responsible for electronic monitoring of persons subject to a domestic abuse protection order

8. For the purposes of section 37(7) of the Domestic Abuse Act 2021, the description of a person who may be made responsible for electronic monitoring is one who is employed by Serco Limited, Serco House, 16 Bartley Wood Business Park, Bartley Way, Hook, Hampshire, RG27 9UY (Company Number 00242246).

Revocations

- 9.—(1) The following Orders are revoked—
- (a) The Criminal Justice (Electronic Monitoring) (Responsible Person) (No. 2) Order 2016 (S.I. 2016/961);
 - (b) The Criminal Justice (Electronic Monitoring) (Responsible Person) Order 2017 (S.I. 2017/235).
- (2) The following Orders and Regulations are revoked—

- (a) The Criminal Justice (Electronic Monitoring) (Responsible Person) (No. 2) Order 2014 (S.I. 2014/669);
- (b) The Remand to Local Authority Accommodation (Electronic Monitoring) (Responsible Person) Order 2016 (S.I. 2016/1080);
- (c) The Youth Rehabilitation Order (Electronic Monitoring Whereabouts Requirement) (Responsible Persons) Regulations 2023 (S.I. 2023/717).

5th March 2024

Gareth Bacon
Minister of State
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Regulations)

Some criminal justice orders may contain an electronic monitoring requirement, either to monitor whereabouts of the individual, or to monitor compliance with other conditions or requirements of the relevant order. A person may not be made responsible for the monitoring of individuals unless they are of a description specified by the Secretary of State.

These Regulations specify that a person of a description who may be named as a responsible person for electronic monitoring is one employed by the companies named in the Regulations. The Regulations cover a number of types of order under several different pieces of criminal justice legislation. These include responsible persons for electronic monitoring of persons on bail, on remand to local authority accommodation, subject to youth rehabilitation orders, subject to community orders and suspended sentence orders, and subject to domestic abuse protection orders. There have been a number of instruments specifying descriptions of persons for each of these purposes. These Regulations revoke and consolidate those instruments. The Regulations also reflect the addition of Serco Limited as a responsible person for the orders described in regulations 3 to 8.

The instruments set out in regulation 9(1) name employees or police officers of Hertfordshire police area and Buddi Limited as responsible persons under a number of types of order. These instruments are revoked on the same day that these Regulations come into force. The instruments set out in regulation 9(2) name an employee of Capita Business Services Ltd as a person who may be named as a responsible person under a number of types of order. These instruments will be revoked on 31st January 2025.

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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