



Offender Management Act 2007

CHAPTER 21

OFFENDER MANAGEMENT ACT 2007

PART 1

NEW ARRANGEMENTS FOR THE PROVISION OF PROBATION SERVICES

Probation purposes

- 1 Meaning of “the probation purposes”

Functions of the Secretary of State

- 2 Responsibility for ensuring the provision of probation services
- 3 Power to make arrangements for the provision of probation services
- 4 Restriction on certain arrangements under section 3
- 5 Power to establish probation trusts
- 6 Power to make grants for probation purposes etc
- 7 National standards for the management of offenders
- 8 Annual plans

Miscellaneous

- 9 Officers of providers of probation services
- 10 National framework for qualifications of officers
- 10A Duty to consult on unpaid work requirements
- 11 Abolition of local probation boards and transfers of property etc and staff
- 12 The inspectorate
- 13 Approved premises
- 13A Approved premises: substance testing
- 14 Disclosure for offender management purposes
- 15 Power to repeal section 4

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PART 2

PRISONS

Contracted out prisons and secure training centres

- 16 Power of search in contracted out prisons and secure training centres
- 17 Power of detention in contracted out prisons and secure training centres
- 18 Powers of authorised persons to perform custodial duties and search prisoners
- 19 Powers of director of a contracted out prison
- 20 Amendment of section 87 of the Criminal Justice Act 1991

Offences relating to prison security

- 21 Assisting a prisoner to escape
- 22 Conveyance of prohibited articles into or out of prison
- 23 Other offences relating to prison security
- 24 Offences under sections 40B to 40D of the Prison Act 1952: extension of Crown immunity

Other amendments of the Prison Act 1952

- 25 Removal of requirement to appoint a medical officer etc
- 26 Independent monitoring boards
- 27 Amendment of section 8A of the Prison Act 1952

PART 3

OTHER PROVISIONS ABOUT THE MANAGEMENT OF OFFENDERS

Polygraph conditions for certain offenders released on licence

- 28 Application of polygraph condition
- 29 Effect of polygraph condition
- 30 Use in criminal proceedings of evidence from polygraph sessions

Accreditation of programmes

- 31 Accreditation of programmes for purposes of programme requirements

Young offenders

- 32 Functions of Youth Justice Board
- 33 Detention and training orders: early release
- 34 Accommodation in which period of detention and training to be served
- 35 Escort arrangements

PART 4

SUPPLEMENTAL

- 36 Orders and regulations
- 37 Financial provisions
- 38 Power to make consequential and transitional provision etc
- 39 Minor and consequential amendments, transitionals, and repeals
- 40 Extent
- 41 Commencement

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42 Short title

SCHEDULES

SCHEDULE 1 — Probation trusts: further provisions

Name and status

- 1 (1) A probation trust is a body corporate.
- 2 A probation trust is not to be regarded as the...

Membership and terms of appointment

- 3 (1) A probation trust shall consist of—
- 4 (1) An appointed member holds and vacates office (and may...

Remuneration etc of members

- 5 (1) The Secretary of State shall— (a) pay appointed members...

Chief executive and other employees

- 6 (1) A probation trust shall have a chief executive appointed...
- 7 (1) A probation trust may appoint such employees (in addition...
- 8 The determination of terms of employment under paragraph 6(2) or...

Proceedings and delegation

- 9 A probation trust may regulate its own procedure (including quorum)...
- 10 The validity of any proceedings of a probation trust is...
- 11 (1) A probation trust may authorise an appointed member, a...

General powers

- 12 (1) A probation trust has power to do anything (including...

Accounts and records

- 13 (1) A probation trust must— (a) keep proper accounts and...

Duty to comply with directions

- 14 (1) A probation trust must comply with any general or...

SCHEDULE 2 — Transfers of property etc and staff in connection with probation services arrangements

Transfer schemes: preliminary

- 1 (1) A property transfer scheme or a staff transfer scheme...

Property transfer schemes

- 2 (1) The Secretary of State may make a scheme (“the...
- 3 (1) This paragraph applies where a property transfer scheme is...
- 4 (1) Anything done by or in relation to the transferor...

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Staff transfer schemes

- 5 (1) The Secretary of State may make a scheme (“the...
 6 (1) This paragraph applies to an employee of a probation...
 7 (1) This paragraph applies where an employee of a probation...
 8 (1) This paragraph applies to an individual who is to...
 9 (1) Nothing in this Schedule prejudices any right of an...
 10 (1) Where an employee's contract of employment with—

SCHEDULE 3 — Minor and consequential amendments

Part 1 — NEW ARRANGEMENTS FOR THE PROVISION OF PROBATION SERVICES

Race Relations Act 1976 (c. 74)

1

Interpretation Act 1978 (c. 30)

- 2 In Schedule 1 to the Interpretation Act 1978 (words and...

Crime and Disorder Act 1998 (c. 37)

- 3 (1) The Crime and Disorder Act 1998 is amended as...

Children Act 2004 (c. 31)

- 4 (1) The Children Act 2004 is amended as follows.

Local Government and Public Involvement in Health Act 2007

- 5 (1) Section 104 of the Local Government and Public Involvement...

Part 2 — PRISONS

Prison Act 1952 (c. 52)

- 6 In section 19 of the Prison Act 1952 (right of...

Race Relations Act 1976 (c. 74)

- 7 In Part 2 of Schedule 1A to the Race Relations...

Employment Rights Act 1996 (c. 18)

- 8 In section 50 of the Employment Rights Act 1996 (right...

Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)

- 9 In section 99 of the Powers of Criminal Courts (Sentencing)...

Freedom of Information Act 2000 (c. 36)

- 10 In Part 6 of Schedule 1 to the Freedom of...

Part 3 — DTOS: ACCOMMODATION

Prison Act 1952 (c. 52)

- 11 (1) Section 49 of the Prison Act 1952 (persons unlawfully...

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Army Act 1955 (3 & 4 Eliz. 2 c. 18)

12 (1) The Army Act 1955 is amended as follows.

Air Force Act 1955 (3 & 4 Eliz. 2 c. 19)

13 (1) The Air Force Act 1955 is amended as follows....

Naval Discipline Act 1957 (c. 53)

14 (1) The Naval Discipline Act 1957 is amended as follows....

Crime (Sentences) Act 1997 (c. 43)

15 (1) Schedule 1 to the Crime (Sentences) Act 1997 (transfer...

Crime and Disorder Act 1998 (c. 37)

16 (1) Section 41(5) of the Crime and Disorder Act 1998...

Armed Forces Act 2006 (c. 52)

17 (1) The Armed Forces Act 2006 is amended as follows....

Part 4 — ESCORT ARRANGEMENTS

Imprisonment (Temporary Provisions) Act 1980 (c. 57)

18 (1) Section 6 of the Imprisonment (Temporary Provisions) Act 1980...

Criminal Justice and Public Order Act 1994 (c. 33)

19 The Criminal Justice and Public Order Act 1994 is amended...

20 In section 9 (powers and duties of custody officers employed...

21 In section 12 (escort arrangements and officers)—

22 In the sidenote to section 13 (protection of custody officers...

23 (1) In section 14(1) (wrongful disclosure of information relating to...

24 In section 15 (interpretation of sections 7 to 14), after...

25 In paragraph 2(1)(b) of Schedule 1, for “offenders” there is...

26 In paragraph 3 of Schedule 1— (a) in paragraphs (a)...

SCHEDULE 4 — Transitional and transitory provisions and savings

Part 1 — PROVISIONS RELATING TO PART 1

Compensation for certain former chief officers of local probation boards

1 The Secretary of State may pay such compensation as he...

Continuity of employment where chief officer is appointed chief executive of a probation trust

2 (1) If a person who holds office as chief officer...

General saving for existing functions of the Secretary of State

3 Nothing in the provisions of Part 1 conferring functions on...

Interpretation

4 Expressions used in this Part of this Schedule have the...

Part 2 — PROVISIONS RELATING TO PART 2

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Penalty for offences under sections 40C & 40D of the Prison Act 1952

- 5 In the application of section 40C and 40D of the...
Part 3 — PROVISIONS RELATING TO PART 3

Imprisonment of offenders aged 18 or over but under 21

- 6 (1) Sub-paragraph (2) applies if section 35(4)(a) comes into force...

Remand centres

- 7 If section 59 of the Criminal Justice and Court Services...

SCHEDULE 5 — Repeals

Part 1 — PROBATION SERVICES

Part 2 — PRISONS

Part 3 — MISCELLANEOUS

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Changes and effects yet to be applied to :

- s. 1(1)(b) word substituted by 2022 c. 32 Sch. 11 para. 32(2)(a)(ii)
- s. 1(1)(b) words substituted by 2022 c. 32 Sch. 11 para. 32(2)(a)(i)
- s. 1(1)(e) words substituted by 2022 c. 32 Sch. 11 para. 32(2)(b)
- s. 1(4) words omitted by 2022 c. 32 Sch. 11 para. 32(3)
- s. 1(5) words substituted by 2022 c. 32 Sch. 11 para. 32(4)
- s. 3(7)(a) words substituted by 2015 c. 2 Sch. 3 para. 14

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 14(2)(da) inserted by 2015 c. 2 Sch. 3 para. 15