



Offender Rehabilitation Act 2014

2014 CHAPTER 11

Drugs and offenders released during custodial sentence

12 Drug appointments

- (1) In Chapter 2 of Part 3 of the Criminal Justice and Court Services Act 2000 (dealing with offenders), after section 64 insert—

“64A Release on licence etc: drug appointments

- (1) This section applies where—
- the Secretary of State releases a person serving a sentence of imprisonment (“the offender”) who is aged 18 or over,
 - the release is subject to conditions (whether conditions of a licence or any other conditions, however expressed),
 - an officer of a provider of probation services has recommended to the Secretary of State that a condition authorised by this section be imposed on the offender, and
 - the Secretary of State is satisfied of the matters in subsection (2).
- (2) Those matters are—
- that the misuse by the offender of a controlled drug caused or contributed to an offence of which the offender has been convicted or is likely to cause or contribute to the commission of further offences by the offender,
 - that the offender is dependent on, or has a propensity to misuse, a controlled drug,
 - that the dependency or propensity requires, and may be susceptible to, treatment, and
 - that arrangements have been made, or can be made, for the offender to have treatment.
- (3) The conditions mentioned in subsection (1)(b) may include a condition which requires the offender, in accordance with instructions given by an officer

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Changes to legislation: There are currently no known outstanding effects for the Offender Rehabilitation Act 2014, Section 12. (See end of Document for details)

of a provider of probation services, to attend appointments with a view to addressing the offender's dependency on, or propensity to misuse, a controlled drug.

- (4) The condition must specify—
- (a) the person with whom the offender is to meet or under whose direction the appointments are to take place, and
 - (b) where the appointments are to take place.
- (5) The person specified under subsection (4)(a) must be a person who has the necessary qualifications or experience.
- (6) The only instructions that an officer of a provider of probation services may give for the purposes of the requirement are instructions as to—
- (a) the duration of each appointment, and
 - (b) when each appointment is to take place.
- (7) For the purposes of this section, references to a requirement to attend an appointment do not include a requirement to submit to treatment.
- (8) In this section—
- “controlled drug” has the same meaning as in the Misuse of Drugs Act 1971;
- “sentence of imprisonment” does not include a detention and training order or an order under section 211 of the Armed Forces Act 2006 but does include—
- (a) a sentence of detention in a young offender institution,
 - (b) a sentence of detention under section 90 of the Powers of Criminal Courts (Sentencing) Act 2000 (detention at Her Majesty's pleasure),
 - (c) a sentence of detention under section 91 of that Act (detention of offenders under 18 convicted of certain serious offences),
 - (d) a sentence of custody for life under section 93 or 94 of that Act,
 - (e) a sentence of detention under section 226, 226B or 228 of the Criminal Justice Act 2003 (including one passed as a result of section 221, 221A or 222 of the Armed Forces Act 2006),
 - (f) a sentence of detention under section 209 of the Armed Forces Act 2006 (detention of offenders under 18 convicted of certain serious offences), and
 - (g) a sentence of detention under section 218 of that Act (detention at Her Majesty's pleasure).”
- (2) In section 250 of the Criminal Justice Act 2003 (licence conditions), in subsection (4)(b)(i), for “or 64” substitute “, 64 or 64A ”.

Commencement Information

II S. 12 in force at 1.2.2015 by S.I. 2015/40, art. 2(k)

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