EXPLANATORY NOTES

OFFENDER MANAGEMENT ACT 2007

TAI		OD	TAM	DIA	TAT
	ΠK	OD	UC:	HU	

SUMMARY AND BACKGROUND

TERRITORIAL EXTENT

THE ACT

PART 1 – NEW ARRANGEMENTS FOR THE PROVISION OF PROBATION SERVICES

PART 2 – PRISONS

PART 3 – OTHER PROVISIONS ABOUT THE MANAGEMENT OF OFFENDERS

COMMENTARY ON SECTIONS

PART 1: PROBATION SERVICES

- Section 1: Meaning of "the probation purposes"
- Section 2: Responsibility for ensuring the provision of probation services
- Section 3: Power to make arrangements for the provision of probation services
- Section 4: Restrictions on certain arrangements under section 3
- Section 5: Power to establish probation trusts
- Section 6: Power to make grants for probation purposes
- Section 7: National standards for the management of offenders
- Section 8: Annual plans
- Section 9: Officers of providers of probation services
- Section 10: National framework for qualifications of officers
- Section 11: Abolition of local probation boards and transfers of property etc and staff
- Section 12: The inspectorate

These notes refer to the Offender Management Act 2007 (c.21)

- Section 13: Approved premises
- Section 14: Disclosure for offender management purposes
- Section 15: Powers to repeal section 4

PART 2: PRISONS

- Section 16: Power of search in contracted out prisons and secure training centres
- Section 17: Power of detention in contracted out prisons and secure training centres
- Section 18: Powers of authorised persons to perform custodial duties and search prisoners
- Section 19: Powers of director of a contracted out prison
- Section 20: Amendment of section 87 of Criminal Justice Act 1991
- Section 21: Assisting a prisoner to escape
- Section 22: Conveyance of prohibited articles into or out of prison
- Section 23: Other offences relating to prison security
- Section 24: Offences under sections 22 and 23: extension of Crown immunity
- Section 25: Removal of requirement to appoint a medical officer etc
- Section 26: Independent Monitoring Boards
- Section 27: Amendment of section 8A of the Prison Act 1952

PART 3: OTHER PROVISIONS ABOUT OFFENDER MANAGEMENT

- Section 28: Application of polygraph condition to certain licences
- Section 29: Effect of polygraph condition
- Section 30: Use in criminal proceedings of evidence from polygraph sessions
- Section 31: Accreditation of programmes for purposes of programme requirements
- Section 32: Functions of Youth Justice Board
- Section 33: Detention and training orders: early release
- Section 34: Accommodation in which period of detention and training to be served
- Section 35: Escort arrangements

PART 4: SUPPLEMENTAL

- Section 36: Orders and Regulations
- Section 37: Financial Provisions

These notes refer to the Offender Management Act 2007 (c.21)

Section 38: Power to make consequential and transitional provision etc

Section 39: Minor and consequential amendments, transitionals and repeals

Section 40: Extent

Section 41: Commencement

Section 42: Short title

COMMENTARY ON THE SCHEDULES

Schedule 1: Probation trusts: further provisions

Schedule 2: Transfers of property etc and staff in connection with probation services arrangements

Schedule 3: Minor and Consequential Amendments

Schedule 4: Transitional and transitory provisions and savings

Schedule 5: Repeals and revocations

FINANCIAL EFFECTS AND EFFECTS ON PUBLIC SERVICE MANPOWER

Effects of the Bill on Public Sector Manpower

SUMMARY OF THE REGULATORY APPRAISAL

EUROPEAN CONVENTION ON HUMAN RIGHTS

PART 1 –NEW ARRANGEMENTS FOR THE PROVISION OF PROBATION SERVICES

PART 2 – PRISONS

PART 3 – OTHER PROVISIONS ABOUT OFFENDER MANAGEMENT

PART 4 – SUPPLEMENTAL

COMMENCEMENT DATE

HANSARD REFERENCES