

**Changes to legislation:** *Offender Management Act 2007, Part 1 is up to date with all changes known to be in force on or before 22 December 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## SCHEDULES

### SCHEDULE 3

#### MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART 1

#### NEW ARRANGEMENTS FOR THE PROVISION OF PROBATION SERVICES

##### *Race Relations Act 1976 (c. 74)*

F1 1 .....

#### Textual Amendments

- F1** Sch. 3 para. 1 repealed by 2010 c. 15, Sch. 27 Pt. 1A (as inserted (4.4.2011) by [The Equality Act 2010 \(Public Authorities and Consequential and Supplementary Amendments\) Order 2011 \(S.I. 2011/1060\)](#), arts. 1(2), 3(3)(a), [Sch. 3](#))

##### *Interpretation Act 1978 (c. 30)*

2 In Schedule 1 to the Interpretation Act 1978 (words and expressions defined) there is inserted, at the appropriate places—

““Officer of a provider of probation services” in relation to England and Wales, has the meaning given by section 9(1) of the Offender Management Act 2007;” and”

““Provider of probation services”, in relation to England and Wales, has the meaning given by section 3(6) of the Offender Management Act 2007;”.

#### Commencement Information

- I1** Sch. 3 para. 2 in force at 1.4.2008 by [S.I. 2008/504](#), [art. 3\(I\)](#)

##### *Crime and Disorder Act 1998 (c. 37)*

- 3 (1) The Crime and Disorder Act 1998 is amended as follows.
- (2) In section 38(2) (provision of youth justice services), after paragraph (a) (but before the “and” following it) there is inserted—
- “(aa) the Secretary of State in relation to his functions under sections 2 and 3 of the Offender Management Act 2007;
  - (ab) every provider of probation services that is required by arrangements under section 3(2) of the Offender Management Act

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2007 to carry out the duty under this subsection in relation to the local authority;”.

- (3) In section 39 (youth offending teams)—
- (a) in subsection (3), after paragraph (a) (but before the “and” following it) there is inserted—
- “(aa) the Secretary of State in relation to his functions under sections 2 and 3 of the Offender Management Act 2007;
- (ab) every provider of probation services that is required by arrangements under section 3(2) of the Offender Management Act 2007 to carry out the duty under this subsection in relation to the local authority;”;
- (b) in subsection (5)(a), after “board” there is inserted “ or an officer of a provider of probation services ”.
- (4) In section 41(10) (the Youth Justice Board) and 42(3) (supplementary provisions), after “probation board” there is inserted “ a provider of probation services ”.

**Commencement Information**

**I2** Sch. 3 para. 3 in force at 1.4.2008 by S.I. 2008/504, art. 3(l)

*Children Act 2004 (c. 31)*

- 4 (1) The Children Act 2004 is amended as follows.
- (2) In section 10(4) (co-operation to improve wellbeing: relevant partners), after paragraph (c) there is inserted—
- “(ca) the Secretary of State in relation to his functions under sections 2 and 3 of the Offender Management Act 2007, so far as they are exercisable in relation to England;
- (cb) any provider of probation services that is required by arrangements under section 3(2) of the Offender Management Act 2007 to act as a relevant partner of the authority;”.
- (3) In section 11(1) (persons required to make arrangements to safeguard and promote welfare), after paragraph (j) there is inserted—
- “(ja) the Secretary of State in relation to his functions under sections 2 and 3 of the Offender Management Act 2007, so far as they are exercisable in relation to England;”.
- (4) In section 13(3) (establishment of LSCBs: Board Partners), after paragraph (c) there is inserted—
- “(ca) the Secretary of State in relation to his functions under sections 2 and 3 of the Offender Management Act 2007, so far as they are exercisable in relation to England;
- (cb) any provider of probation services that is required by arrangements under section 3(2) of the Offender Management Act 2007 to act as a Board partner of the authority;”.
- (5) In section 25(4) (co-operation to improve wellbeing in Wales: relevant partners), after paragraph (b) there is inserted—

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- “(ba) the Secretary of State in relation to his functions under sections 2 and 3 of the Offender Management Act 2007, so far as they are exercisable in relation to Wales;
- (bb) any provider of probation services that is required by arrangements under section 3(2) of the Offender Management Act 2007 to act as a relevant partner of the authority;”.

(6) In section 28(1) (persons required to make arrangements to safeguard and promote welfare in Wales), after paragraph (f) there is inserted—

- “(fa) the Secretary of State in relation to his functions under sections 2 and 3 of the Offender Management Act 2007, so far as they are exercisable in relation to Wales;”.

<sup>F2</sup>(7) .....

#### Textual Amendments

**F2** Sch. 3 para. 4(7) omitted (6.4.2016) by virtue of [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(No. 413\)](#), regs. 2(1), 257

#### Commencement Information

**I3** Sch. 3 para. 4 in force at 1.4.2008 by [S.I. 2008/504](#), art. 3(1)

### *Local Government and Public Involvement in Health Act 2007*

5 (1) [<sup>F3</sup>Section 104] of the Local Government and Public Involvement in Health Act 2007 (application of Chapter 1 of Part 5: partner authorities) is amended as follows.

(2) In [<sup>F4</sup>subsection (4)(i)]—

- (a) the “and” after sub-paragraph (ii) is omitted;
- (b) after sub-paragraph (iii) there is inserted “;
- (iv) his functions under sections 2 and 3 of the Offender Management Act 2007 (responsibility for ensuring the provision of probation services throughout England and Wales).”

(3) After subsection (5) there is inserted—

“(5A) The Secretary of State's functions under this Chapter as a partner authority of a local authority in relation to the functions referred to in [<sup>F5</sup>subsection (4)(i)(iv)] are functions to which section 2(1)(c) of the Offender Management Act 2007 (functions to be performed through arrangements under section 3 of that Act) applies.”

#### Textual Amendments

**F3** Words in Sch. 3 para. 5(1) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), ss. 118(4)(a), 245(2)

**F4** Words in Sch. 3 para. 5(2) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), ss. 118(4)(b), 245(2)

**F5** Words in Sch. 3 para. 5(3) substituted (30.12.2007) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), ss. 118(4)(c), 245(2)

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#### **Commencement Information**

**14** Sch. 3 para. 5 in force at 1.4.2008 by S.I. 2008/504, art. 3(1)

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**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](#)