



Offender Management Act 2007

2007 CHAPTER 21

PART 1

NEW ARRANGEMENTS FOR THE PROVISION OF PROBATION SERVICES

Functions of the Secretary of State

2 Responsibility for ensuring the provision of probation services

- (1) It is the function of the Secretary of State to ensure that sufficient provision is made throughout England and Wales—
 - (a) for the probation purposes;
 - (b) for enabling functions conferred by any enactment (whenever passed or made) on providers of probation services, or on officers of a provider of probation services, to be performed; and
 - (c) for the performance of any function of the Secretary of State under any enactment (whenever passed or made) which is expressed to be a function to which this paragraph applies;and any provision which the Secretary of State considers should be made for a purpose mentioned above is referred to in this Part as “probation provision”.
- (2) The Secretary of State shall discharge his function under subsection (1) in relation to any probation provision by making and carrying out arrangements under section 3.
- (3) The Secretary of State must have regard to the aims mentioned in subsection (4) in the exercise of his functions under subsections (1) and (2) (so far as they may be exercised for any of the probation purposes).
- (4) Those aims are—
 - (a) the protection of the public;
 - (b) the reduction of re-offending;
 - (c) the proper punishment of offenders;

Changes to legislation: *Offender Management Act 2007, Section 2 is up to date with all changes known to be in force on or before 28 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*

- (d) ensuring offenders' awareness of the effects of crime on the victims of crimes and the public; and
 - (e) the rehabilitation of offenders.
- (5) The Secretary of State is not required by subsections (1) and (2) to take any action in relation to the making of provision for a purpose mentioned in subsection (1) if it appears to him that appropriate provision is being or will be made by any person acting otherwise than in pursuance of arrangements under section 3.
- (6) In this section “enactment” includes subordinate legislation (within the meaning of the Interpretation Act 1978 (c. 30)).

Commencement Information

- I1** S. 2 in force at 1.4.2008 for specified purposes by S.I. 2008/504, **art. 4(1)(b)(2)** (with art. 5)
- I2** S. 2 in force at 1.4.2009 for specified purposes by S.I. 2009/547, **art. 2(1)(b)(2)**
- I3** S. 2 in force at 1.4.2010 in so far as not already in force by S.I. 2010/191, **art. 2(2)**

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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](#)