



Offender Management Act 2007

2007 CHAPTER 21

PART 1

NEW ARRANGEMENTS FOR THE PROVISION OF PROBATION SERVICES

Miscellaneous

14 Disclosure for offender management purposes

- (1) This section applies to—
- (a) the Secretary of State;
 - (b) a provider of probation services (other than the Secretary of State);
 - (c) an officer of a provider of probation services; and
 - (d) a person carrying out activities in pursuance of arrangements made by a provider of probation services as mentioned in section 3(3)(c).
- (2) In this section “listed person” means—
- (a) a government department;
 - (b) a relevant local authority;
 - (c) the Youth Justice Board for England and Wales;
 - (d) the Parole Board for England and Wales;
 - (e) a relevant contractor;
 - (f) a chief officer of police;
 - (g) a person who is responsible for securing the electronic monitoring of an individual; and
 - (h) any other person specified or described in regulations made by the Secretary of State.
- (3) Information may be disclosed—
- (a) by a person to whom this section applies—
 - (i) to another person to whom this section applies, or
 - (ii) to a listed person, or

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- (b) by a listed person to a person to whom this section applies, but only if the disclosure is necessary or expedient for any of the purposes mentioned in subsection (4).
- (4) Those purposes are—
- (a) the probation purposes;
 - (b) the performance of functions relating to prisons or prisoners of—
 - (i) the Secretary of State;
 - (ii) any other person to whom this section applies; or
 - (iii) any listed person; and
 - (c) any other purposes connected with the management of offenders (including the development or assessment of policies relating to matters connected with the management of offenders).
- (5) In subsection (4)(b)—
- (a) the reference to prisons or prisoners includes a reference to—
 - (i) young offender institutions or persons detained in such institutions;
F1
...
 - (ii) secure training centres or persons detained in such centres;[F2]and]
 - [F3(iii) secure colleges or persons detained in them;]
 - (b) the reference to functions, in relation to a listed person who is a relevant contractor, includes activities connected with the making or performance of a contract mentioned in subsection (9).
- (6) Nothing in this section—
- (a) affects any power to disclose information that exists apart from this section; or
 - (b) authorises the disclosure of any information in contravention of any provision contained in an enactment (whenever passed or made) which prevents disclosure of the information.
- (7) But the Secretary of State may by order amend or repeal any provision mentioned in subsection (6)(b) which is contained in an enactment passed or made before the end of the Session in which this Act is passed so as to enable disclosures that would otherwise be permitted under this section.
- (8) In this section “relevant local authority” means a county council in England, a Welsh county council or county borough council, a district council, a London borough council, the Common Council of the City of London or the Council of the Isles of Scilly.
- (9) In this section “relevant contractor” means—
- (a) a person who has entered into a contract for the running of, or of part of—
 - (i) a prison or young offender institution under section 84 of the Criminal Justice Act 1991 (c. 53);
 - (ii) a secure training centre under section 7 of the Criminal Justice and Public Order Act 1994 (c. 33);
 - [F4(iii) a secure college under paragraph 1 of Schedule 10 to the Criminal Justice and Courts Act 2015;]
 or a sub-contractor of such a person (within the meaning of the [F5provision in question]); or
 - (b) a person who has entered into a contract with the Secretary of State—

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- (i) under section 80 of the Criminal Justice Act 1991 for the purposes of prisoner escort arrangements (see subsection (2) of that section); or
- (ii) under paragraph 1 of Schedule 1 to the Criminal Justice and Public Order Act 1994 for the purposes of escort arrangements ^{F6}....

(10) In this section “enactment” includes any subordinate legislation (within the meaning of the Interpretation Act 1978 (c. 30)).

Textual Amendments

- F1** Word in s. 14(5)(a)(i) omitted (20.3.2015) by virtue of [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 9 para. 26\(a\)](#); S.I. 2015/778, art. 2(1)(c)
- F2** Word in s. 14(5)(a)(ii) inserted (20.3.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 9 para. 26\(b\)](#); S.I. 2015/778, art. 2(1)(c)
- F3** S. 14(5)(a)(iii) inserted (20.3.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 9 para. 26\(c\)](#); S.I. 2015/778, art. 2(1)(c)
- F4** S. 14(9)(a)(iii) inserted (20.3.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 10 para. 37\(a\)](#); S.I. 2015/778, art. 2(1)(d)
- F5** Words in s. 14(9)(a) substituted (20.3.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 10 para. 37\(b\)](#); S.I. 2015/778, art. 2(1)(d)
- F6** Words in s. 14(9)(b)(ii) substituted (20.3.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 10 para. 37\(c\)](#); S.I. 2015/778, art. 2(1)(d)

Commencement Information

- I1** S. 14 in force at 1.4.2008 by S.I. 2008/504, [art. 3\(f\)](#)

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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](#)