

OFFENDER REHABILITATION ACT 2014

EXPLANATORY NOTES

SUMMARY

7. The adult sentencing framework is broadly governed by the Criminal Justice Act 2003 (the 2003 Act). The Act makes a number of changes to the release arrangements set out in the 2003 Act for adult offenders serving custodial sentences of less than 12 months and those serving sentences of between 12 months and 2 years.
8. In particular the Act:
 - Applies arrangements for release under licence to offenders serving fixed-term custodial sentences of more than 1 day but less than 12 months.
 - Introduces new supervision arrangements for offenders released from fixed-term custodial sentences of less than 2 years so that all offenders are supervised in the community for at least 12 months.
 - Creates a new court process and sanctions for breach of supervision requirements for offenders serving fixed-term custodial sentences of less than 2 years.
 - Introduces a requirement that offenders sentenced to an extended determinate sentence must have an extension period of supervision of at least 1 year.
 - Introduces for offenders released from custody a new drug appointments condition for the licence or supervision period, and expands the existing drug testing requirement for licences to include Class B drugs and makes it available during the supervision period.
 - Introduces a requirement that any juvenile who reaches his or her 18th birthday before being released from the custodial element of a Detention and Training Order (DTO) should spend at least 12 months under supervision in the community.
 - Introduces a requirement that contracts or other arrangements made under the Offender Management Act 2007 for the supervision or rehabilitation of offenders must state what provision, if any, is intended to meet the particular needs of female offenders.
9. The Act also makes some changes to the arrangements for community orders and suspended sentence orders. In particular it:
 - Creates a new rehabilitation activity requirement for community orders and suspended sentence orders and in doing so abolishes the supervision and activity requirements.
 - Introduces new arrangements for the designation of responsible officers in relation to the supervision of offenders and makes clear that the responsibility for bringing breach action lies with the public sector.

*These notes refer to the Offender Rehabilitation Act 2014
(c.11) which received Royal Assent on 13 March 2014*

- Introduces new arrangements for offenders serving community orders or suspended sentence orders to obtain permission from the responsible officer or the court before changing their place of residence.