

OFFENDER REHABILITATION ACT 2014

EXPLANATORY NOTES

COMMENTARY

Drugs and offenders released during custodial sentence

Section 12: Drug appointments

96. [Section 12](#) inserts new section 64A into the Criminal Justice and Court Services Act 2000, which provides the Secretary of State with a power to impose a new licence condition requiring offenders aged 18 or over on release from prison to attend, in accordance with instructions, appointments designed to address the offender's dependency on or propensity to misuse a controlled drug.
97. Subsection (2) of new section 64A provides that the licence condition can only be imposed where it has been recommended by an officer of a provider of probation services, and where the Secretary of State is satisfied the offender is dependent on or has a propensity to misuse drugs; that the misuse has either contributed to an offence for which the offender has been convicted or is likely to cause or contribute to further offending; and the dependency or propensity is susceptible to treatment and arrangements have been or can be made for the offender to be treated.
98. Subsection (4) of new section 64A provides that the condition must set out where and with whom the offender is required to meet. Subsection (5) provides that the person with whom the offender is required to meet to address his or her drug problems must have the necessary qualifications or experience. Subsection (6) makes clear that the only instructions that may be given by the officer of a provider of probation services are the duration of each appointment and when each appointment takes place.
99. Subsection (7) makes clear that the offender is not required to submit to medical treatment at the appointment. The offender will only be treated as breaching his licence condition if he fails to attend or remain at the appointment for the duration instructed by the officer of a provider of probation services.