



Offender Management Act 2007

2007 CHAPTER 21

PART 3

OTHER PROVISIONS ABOUT THE MANAGEMENT OF OFFENDERS

Young offenders

32 Functions of Youth Justice Board

- (1) Section 41 of the Crime and Disorder Act 1998 (c. 37) (the Youth Justice Board) is amended as follows.
- (2) In subsection (5), after paragraph (j) there is inserted—
 - “(ja) at the request of the Secretary of State, to assist him in carrying out his functions in relation to the release of offenders detained in accommodation which is youth detention accommodation, within the meaning given by section 107(1) of the Powers of Criminal Courts (Sentencing) Act 2000;”.
- (3) After subsection (6) there is inserted—
 - “(6A) The power of the Secretary of State under subsection (6)(b) includes power—
 - (a) to provide that, in relation to any function of his that is exercisable in respect of particular cases, the function is to be exercisable by the Board only—
 - (i) where it proposes to exercise the function in a particular manner, or
 - (ii) in respect of a class of case specified in the order, and
 - (b) to make any supplementary, incidental or consequential provision (including provision for any enactment to apply subject to modifications).”

33 Detention and training orders: early release

- (1) In section 102(4) of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6) (early release from period of detention)—
 - (a) in paragraph (a), for “one month before” there is substituted “at any time during the period of one month ending with”, and
 - (b) in paragraph (b), for “one month or two months before” there is substituted “at any time during the period of two months ending with”.
- (2) The amendments made by subsection (1) apply in relation to an offender detained under a detention and training order which comes into force before this section comes into force as they apply in relation to an offender detained under a detention and training order which comes into force after this section.

34 Accommodation in which period of detention and training to be served

- (1) The Powers of Criminal Courts (Sentencing) Act 2000 is amended as follows.
- (2) In section 102 (the period of detention and training under a detention and training order), in subsection (1)—
 - (a) for “secure” there is substituted “youth detention”, and
 - (b) the words “or by such other person as may be authorised by him for that purpose” are omitted.
- (3) In section 104 (breach of supervision requirements), in subsection (3)(a) for “secure” there is substituted “youth detention”.
- (4) In section 105 (offences during currency of order), in each of subsections (2) and (3), for “secure” there is substituted “youth detention”.
- (5) In the heading to section 107 (meaning of “secure accommodation” and references to terms), for “secure” there is substituted “youth detention”.
- (6) In section 107(1)—
 - (a) for ““secure accommodation”” there is substituted ““youth detention accommodation””,
 - (b) in paragraph (c), after “by” there is inserted “or on behalf of”, and
 - (c) for paragraph (e) there is substituted—
 - “(e) such other accommodation or descriptions of accommodation as the Secretary of State may by order specify.”
- (7) In section 160 (rules and orders)—
 - (a) in subsection (2)(b), after “68,” there is inserted “107(1)(e)”, and
 - (b) in subsection (5)(a), for “or 40C(2)” there is substituted “, 40C(2) or 107(1)(e)”.

35 Escort arrangements

- (1) Schedule 1 to the Criminal Justice and Public Order Act 1994 (c. 33) (escort arrangements: England and Wales) is amended as follows.
- (2) In the heading to paragraph 1, for “offenders detained at secure training centres” there is substituted “persons detained in youth detention accommodation”.

- (3) In paragraph 1 (arrangements for the escort of offenders detained at secure training centres)—
- (a) in sub-paragraph (1), for “offenders” in paragraphs (a) and (b) there is substituted “detained persons” and for paragraphs (c) and (d) there is substituted—
 - “(c) the custody of detained persons temporarily held in youth detention accommodation in the course of delivery from one such place of accommodation to another; and
 - (d) the custody of detained persons while they are outside a place of youth detention accommodation for temporary purposes,”and
 - (b) in sub-paragraph (2), for “a court, secure training centre” there is substituted “a place of youth detention accommodation or a court”.
- (4) In paragraph 4 (interpretation)—
- (a) before the definition of “escort arrangements” there is inserted—
 - ““detained person” means a person remanded or committed to accommodation which is youth detention accommodation or detained in any such accommodation pursuant to a sentence or order requiring the person to be detained;”, and
 - (b) the definitions of “offender” and “secure training centre” are omitted.