OFFENDER REHABILITATION BILL [LORDS], AS AMENDED

NEW CLAUSES

Probation Service Reform: Parliamentary Approval

Sadiq Khan
Jenny Chapman
Mr Elfyn Llwyd
Mr Andy Slaughter
Karl Turner
Dan Jarvis
Alex Cunningham Sarah Champion NC1

To move the following Clause:—

The Secretary of State may not undertake a national restructure or reform of the provision of probation services unless the proposals have first been laid before, and approved by a resolution of, both House of Parliament.’.
Consideration of Bill: 9 January 2014

Offender Rehabilitation Bill [Lords], continued

Rehabilitation of ex-service personnel

Dan Jarvis
Jenny Chapman
Gemma Doyle
Sir Nick Harvey
Mr Elfyn Llwyd
John Mann

Mr David Anderson       Jim Dobbin       Derek Twigg
Yasmin Quershi          Simon Danczuk    Meg Hillier
Mr Jim Cunningham       Mr James Gray    Meg Munn

To move the following Clause:—

‘The Secretary of State must consult on measures to improve rehabilitation services for ex-service personnel who have been convicted of a criminal offence, and must lay a report on the findings of such a consultation before both Houses of Parliament within nine months of this Act being passed.’.

Veterans’ rehabilitation requirement

Dan Jarvis
Jenny Chapman
Gemma Doyle
Sir Nick Harvey
Mr Elfyn Llwyd
John Mann

Mr David Anderson       Jim Dobbin       Derek Twigg
Yasmin Quershi          Simon Danczuk    Meg Hillier
Mr Jim Cunningham       Mr James Gray    Meg Munn

To move the following Clause:—

‘(1) The Secretary of State must by order establish a pilot scheme enabling courts to include a veterans’ rehabilitation requirement in a community order.

(2) A veterans’ rehabilitation requirement may only be used where an offender was previously a member of HM Armed Forces.

(3) A veterans’ rehabilitation requirement must provide for the offender to be referred to a veterans’ rehabilitation panel at the start of a community order, which will put in place a rehabilitation plan for the offender.

(4) An order under subsection (1) must make provision—
    (a) about the membership of veterans’ rehabilitation panels; and
    (b) to allow for the requirement to be reviewed periodically by the veterans’ rehabilitation panel at intervals of not less than one month.

(5) An order under this section—
    (a) shall be made by Statutory Instrument; and

NC2
NC3
Offender Rehabilitation Bill [Lords], continued

(b) may not be made unless a draft has been laid before and approved by a resolution of each House of Parliament.

Piloting of probation reform

Sadiq Khan
Jenny Chapman
Mr Elfyn Llwyd
Mr Andy Slaughter
Karl Turner
Dan Jarvis

Alex Cunningham    Sarah Champion  NC4

To move the following Clause:—

‘The Secretary of State may not undertake a national restructure of the provision of probation services until the proposals have first been subject to an independently evaluated pilot scheme, and the results of that evaluation laid before both Houses of Parliament.’.

Provision of probation services: report to Parliament

Sadiq Khan
Jenny Chapman
Mr Elfyn Llwyd
Mr Andy Slaughter
Karl Turner
Dan Jarvis

Alex Cunningham    Sarah Champion  NC5

To move the following Clause:—

‘(1) The Secretary of State must lay before both Houses of Parliament a report on the performance of all providers contracted to provide officers to perform the duties of supervisor or responsible officer as described in this Act after one year of this Act coming into force.

(2) The report must include—

(a) an assessment of the information made available by each provider to the public, and their assistance to the Ministry of Justice in its performance of duties under the Freedom of Information Act 2000; and

(b) an update on what measures were included in each contract to allow the Secretary of State to penalise a provider that fails to perform to national
Offender Rehabilitation Bill [Lords], continued

standards or fulfil its contractual obligations, and on what occasions these measures have been brought into force.’.

Review of the effectiveness of prison services in delivering the Transforming Rehabilitation Strategy

Mr Elfyn Llwyd
John McDonnell

To move the following Clause:—

‘The Secretary of State may not undertake to introduce competitive tendering for the provision of probation services until a review of the prison services’ ability to implement the Transforming Rehabilitation Strategy has been conducted, and the results of that review laid before both Houses of Parliament.’.

Domestic violence programmes

John McDonnell
Mr Elfyn Llwyd

To move the following Clause:—

‘It shall be the responsibility of the National Probation Service to provide all domestic violence programmes for male offenders where a court makes an order for participation. It shall also be the responsibility of the National Probation Service to provide any programmes that are deemed necessary for short-term prisoners who have been involved in domestic violence.’.

Annual reporting of reconviction rates

John McDonnell
Mr Elfyn Llwyd

To move the following Clause:—

‘The Secretary of State must publish an annual report which must include details of the impact of new measures on the reconviction rates of offenders supervised by providers of probation services and as a consequence of participating in any programme or intervention.’.
Consideration of Bill: 9 January 2014

Offender Rehabilitation Bill [Lords], continued

Contracts

John McDonnell
Mr Elfyn Llwyd

To move the following Clause:—

‘Arrangements made by the Secretary of State resulting from this Act in accordance with which functions are conferred on officers of non-public sector providers of probation services, must include provisions requiring that—

(a) contracts for the provision of probation services from such providers be published;

(b) the economy, efficiency and effectiveness of such providers in discharging relevant functions be subject to National Audit Office assessment;

(c) companies under investigation for fraud may not bid for, nor be part of consortia bidding for, a contract for the provision of probation services; and

(d) companies with the status of prime contractor under the Work Programme may not bid for, nor be part of consortia bidding for, a contract for the provision of probation services.’.

Transparency

John McDonnell
Mr Elfyn Llwyd

To move the following Clause:—

‘Any contract for probation services shall be transparent and available for both public and parliamentary scrutiny, and be the subject of National Audit Office inspections.’.

Prohibition

John McDonnell
Mr Elfyn Llwyd

To move the following Clause:—

‘No company or other consortia shall be allowed to bid for Probation Service work if they are being investigated for fraud.’.
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John McDonnell
Mr Elfyn Llwyd

Clause 2, page 2, line 31, at end insert—

'(4A) A supervisor may apply to the court for the supervision period to be discharged for good conduct provided that half of that supervision period has been completed.'.

Secretary Chris Grayling

Clause 2, page 2, line 39, leave out ‘an officer of a provider of probation services’ and insert ‘a person’.

John McDonnell
Mr Elfyn Llwyd

Clause 2, page 2, line 39, leave out ‘officer of a provider of probation services’ and insert ‘officer of a probation trust’.

Secretary Chris Grayling

Clause 2, page 2, line 42, at end insert—

'(1) In relation to a person subject to supervision requirements under this section following a sentence of detention under section 91 of the Sentencing Act, the supervisor must be—

(a) an officer of a provider of probation services, or

(b) a member of the youth offending team established by the local authority in whose area the offender resides for the time being.

(2) In relation to any other person, the supervisor must be an officer of a provider of probation services.’.

John McDonnell
Mr Elfyn Llwyd

Clause 2, page 2, line 42, at end add—

'(8A) Offenders released under this section shall be supervised by staff working for the National Probation Service or staff seconded from the National Probation Service to other providers of probation services.’.

Secretary Chris Grayling

Clause 4, page 5, line 6, at end insert—

'(3) In subsection (2)(c), omit “if the offender is under the age of 18 years at the date of release,”.'.
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Secretary Chris Grayling

Clause 6, page 7, leave out lines 42 and 43 and insert—
‘(1) “The supervisor”, in relation to the offender, must be—’.

Philip Davies

Page 9, line 41, leave out Clause 10.

John McDonnell
Mr Elfyn Llwyd

Clause 10, page 10, line 10, at end insert—
‘(c) any victim of domestic violence, or stalking, or both, shall have access to Victim Liaison Services including a women’s safety officer.’.

Secretary Chris Grayling

Clause 15, page 14, line 12, at end insert ‘, such as restorative justice activities.
‘(4) For the purposes of subsection (7)(b) an activity is a restorative justice activity if
(a) the participants consist of, or include, the offender and one or more of the victims,
(b) the aim of the activity is to maximise the offender’s awareness of the impact of the offending concerned on the victims, and
(c) the activity gives a victim or victims an opportunity to talk about, or by other means express experience of, the offending and its impact.
(5) In subsection (7A) “victim” means a victim of, or other person affected by, the offending concerned.’.

John McDonnell
Mr Elfyn Llwyd

Schedule 1, page 21, line 34, at end add—
‘(k) literacy, numeracy and employment training.’.

John McDonnell
Mr Elfyn Llwyd

Schedule 1, page 22, line 23, at end insert—
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‘(1A) A drug test administered as a result of a drug testing requirement must be administered by a professionally-qualified practitioner.’.

Secretary Chris Grayling

Schedule 3, page 34, leave out lines 28 to 30 and insert—

‘(1) For paragraph (i) substitute—

(a) post-release supervision in accordance with a licence under section 31 of the Crime (Sentences) Act 1997 or section 250 of the Criminal Justice Act 2003 of a person sentenced to detention under section 90 or 91 of the Powers of Criminal Courts (Sentencing) Act 2000, section 226, 226B or 228 of the Criminal Justice Act 2003 or section 209, 218, 221, 221A or 222 of the Armed Forces Act 2006;

(b) post-release supervision under section 256B of the Criminal Justice Act 2003;

(c) supervision under section 256AA of the Criminal Justice Act 2003 of a person sentenced to detention under section 91 of the Powers of Criminal Courts (Sentencing) Act 2000 or section 209 of the Armed Forces Act 2006;’.

ORDER OF THE HOUSE [11 NOVEMBER 2013]

That the following provisions shall apply to the Offender Rehabilitation Bill [Lords]:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 3 December 2013.

3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.

5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of any message from the Lords) may be programmed.