STATUTORY INSTRUMENTS

2014 No. 2704

PROBATION, ENGLAND AND WALES

The Offender Management Act 2007 (Dissolution of Probation Trusts) Order 2014

Made - - - -	*8th October 2014*
Laid before Parliament	*10th October 2014*
Coming into force - -	*31st October 2014*

The Secretary of State makes the following Order in exercise of the power conferred by sections 5(1)(c) and 36(2) of the Offender Management Act 2007(**a**).

Citation and commencement

1. This Order may be cited as the Offender Management Act 2007 (Dissolution of Probation Trusts) Order 2014 and comes into force on 31st October 2014.

Dissolution of probation trusts

2. The following probation trusts(**b**) are dissolved—

(a) Avon and Somerset Probation Trust;

(b) Bedfordshire Probation Trust;

(c) Cambridgeshire and Peterborough Probation Trust;

(d) Cheshire Probation Trust;

(e) Cumbria Probation Trust;

(f) Derbyshire Probation Trust;

(g) Devon and Cornwall Probation Trust;

(h) Dorset Probation Trust;

(i) Durham Tees Valley Probation Trust;

(j) Essex Probation;

(k) Gloucestershire Probation Trust;

(l) Greater Manchester Probation Trust;

(m) Hampshire Probation Trust;

(**a**) 2007 c.21

(**b**) In total 37 probation trusts were established in three phases (1 April 2008, 1 April 2009 and 1 April 2010). The relevant Orders giving effect to these probation trusts are: The Offender Management Act 2007 (Establishment of Probation Trusts) Order 2008 (S.I. 2008/598), The Offender Management Act 2007 (Establishment of Probation Trusts) Order 2009 (S.I. 2009/504) and The Offender Management Act 2007 (Establishment of Probation Trusts) Order 2010 (S.I. 2010/195). Two of the trusts established by the 2008 Order were subsequently dissolved by the 2010 Order, leaving 35 probation trusts currently in existence across England and Wales.

(n) Hertfordshire Probation Trust;

(o) Humberside Probation Trust;

(p) Kent Probation;

(q) Lancashire Probation Trust;

(r) Leicestershire and Rutland Probation Trust;

(s) Lincolnshire Probation Trust;

(t) London Probation Trust;

(u) Merseyside Probation Trust;

(v) Norfolk and Suffolk Probation Trust;

(w) Northamptonshire Probation Trust;

(x) Northumbria Probation Trust;

(y) Nottinghamshire Probation Trust;

(z) South Yorkshire Probation Trust;

(aa) Staffordshire and West Midlands Probation Trust;

(bb) Surrey and Sussex Probation Trust;

(cc) Thames Valley Probation;

(dd) Wales Probation Trust;

(ee) Warwickshire Probation Trust;

(ff) West Mercia Probation Trust;

(gg) West Yorkshire Probation Trust;

(hh) Wiltshire Probation Trust; and

(ii) York and North Yorkshire Probation Trust.

Final accounts

3.—(1) The Secretary of State must—

(a) prepare a statement of accounts for each of the probation trusts dissolved by article 2 other than the Wales Probation Trust for the period beginning on 1st April 2014 and ending on 31st October 2014; and

(b) send a copy of each statement of accounts prepared under sub-paragraph (a) to the Comptroller and Auditor General as soon as reasonably practicable and in any event before 1st April 2015.

(2) The Comptroller and Auditor General must—

(a) examine, certify and report on each statement received under paragraph (1)(b); and

(b) send a copy of each report and certified statement to the Secretary of State.

(3) The Secretary of State must lay before Parliament a copy of each report and certified statement received under paragraph (2)(b).

(4) The Secretary of State must—

(a) make up the accounts for the Wales Probation Trust for the period beginning on 1st April 2014 and ending on 31st October 2014; and

(b) ensure that the accounts prepared under sub-paragraph (a) are audited in accordance with Chapter 1 of the Public Audit (Wales) Act 2004(**a**) by one or more auditors appointed by the Auditor General for Wales.

(**a**) 2004 c.23.

Signed by the authority of the Secretary of State

Andrew Selous
Parliamentary Under Secretary of State
Ministry of Justice

8th October 2014

EXPLANATORY NOTE

(This note is not part of the Order)

This Order dissolves all 35 existing probation trusts across England and Wales. These trusts were created under section 5(1) of the Offender Management Act 2007 (c.21) ("the 2007 Act") as part of the arrangements for the provision of probation services in England and Wales as contained in Part 1 of the 2007 Act. In total, 37 probation trusts were created across three phases (1st April 2008, 1st April 2009 and 1st April 2010) with two of the trusts (Dyfed Powys Probation Trust and South Wales Probation Trust) being dissolved in 2010. This Order relates to those 35 probation trusts, as outlined in article 2, which are still currently in existence.

Contractual arrangements for the provision of probation services between the Secretary of State and each of the Trusts named in the Order made under section 3(2) of the 2007 Act ceased on 31st May 2014. Staff and property transfer schemes in connection with the termination of those arrangements and the entering into of new arrangements for the provision of probation services by 21 Community Rehabilitation Companies and the National Probation Service were made on 29th May and came into effect on 1st June 2014 under powers in section 11 of, and Schedule 2 to, the 2007 Act.

As a consequence of this Order, the probation trusts as set out in Article 2 are now formally dissolved.

Article 3 of this Order requires the Secretary of State to prepare a final statement of accounts for each of the probation trusts which are abolished by this Order in relation to the period from 1st April 2014 to 31st October 2014. The statements of accounts for the 34 Trusts in England must be sent to the Comptroller and Auditor General.

The Wales Probation Trust was designated as a Welsh Probation Trust by the Offender Management Act 2007 (Establishment of Probation Trusts) Order 2010 (S.I. 2010/195) as amended by the Offender Management Act 2007 (Establishment of Probation Trusts) (Amendment) Order 2012 (S.I. 2012/1215). Therefore, the accounts for the Wales Probation Trust are audited by auditors appointed by the Auditor General for Wales.

An impact assessment of the policy implemented by this Order has not been produced as no impact on the private or voluntary sectors is foreseen.

© Crown copyright 2014

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

£4.25

UK2014100918 10/2014 19585

http://www.legislation.gov.uk/id/uksi/2014/2704

ISBN 978-0-11-112142-9

9 780111 121429