



Criminal Justice and Courts Services Act 2000

2000 CHAPTER 43

PART I

THE NEW SERVICES

CHAPTER I

NATIONAL PROBATION SERVICE FOR ENGLAND AND WALES

Functions

3 Functions of the Secretary of State

- (1) The Secretary of State has the function of ensuring that provision is made throughout England and Wales for the purposes mentioned in section 1.
- (2) The Secretary of State may make any payment he considers appropriate towards expenditure incurred by any person for any of those purposes.
- (3) If he considers it appropriate, he may make any payment on conditions.
- (4) The conditions may (among other things)—
 - (a) regulate the purposes for which the payment or any part of it may be used,
 - (b) require repayment to the Secretary of State in specified circumstances.

4 Local probation boards

- (1) For the purpose of implementing this Chapter, England and Wales shall be divided into areas.

Status: This is the original version (as it was originally enacted).

- (2) For each area there shall be a board (referred to in this Act as a local probation board) which is to exercise the functions conferred on it by virtue of this Act and any other enactment.
- (3) Schedule 1 (which makes provision about the constitution of local probation boards, their powers and other matters relating to them) is to have effect.
- (4) References in this Act or any other enactment to an officer of a local probation board are references to—
 - (a) any member of the staff of a local probation board appointed to exercise the functions of an officer of the board, and
 - (b) any other individual exercising functions of an officer of a local probation board by virtue of section 5(2).
- (5) The initial areas for the purpose of implementing this Chapter are—
 - (a) the police areas listed in Schedule 1 to the Police Act 1996 (areas into which England and Wales, apart from London, is divided), and
 - (b) the area comprising the Metropolitan Police District and the City of London Police Area.
- (6) The division of England and Wales into areas for that purpose may be altered from time to time by order made by the Secretary of State.

5 Functions of local probation boards

- (1) It is a function of a local probation board—
 - (a) to make arrangements for ensuring that sufficient provision is made in respect of its area for the purposes mentioned in section 1 and for ensuring the performance of any other functions conferred by virtue of this Act or any other enactment on the board,
 - (b) to make arrangements for ensuring the performance of any functions conferred by virtue of this Act or any other enactment on officers of the board,and to implement, or ensure the implementation of, any arrangements it makes under this section.
- (2) In addition to making arrangements for provision to be made by its staff, a local probation board may (for example)—
 - (a) make arrangements with organisations for provision to be made on the board's behalf by the organisations,
 - (b) make arrangements with individuals who are not members of the board's staff under which they may perform functions of officers of the board,and arrangements under paragraph (a) may provide for the organisations to designate individuals who may perform functions of officers of the board.
- (3) The provision that may be made in pursuance of such arrangements includes providing services to any person and, in particular—
 - (a) giving assistance to persons remanded on bail or for whom officers of the board have responsibilities,
 - (b) providing accommodation in approved premises for persons who have at any time been charged with or convicted of an offence.

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- (4) A local probation board may provide for its staff to co-operate with persons in its area who are concerned with the prevention or reduction of crime or with giving assistance to the victims of crime.
- (5) Regulations may confer further functions on local probation boards or officers of local probation boards.
- (6) A local probation board may give grants or other financial assistance to any person only in pursuance of regulations.
- (7) A local probation board—
 - (a) may make an arrangement with another local probation board under which it provides on behalf of the other board, in respect of the other board's area, any services which it could provide under this section in respect of its own area, and
 - (b) may charge the other local probation board for any services it provides in pursuance of the arrangement.
- (8) It is for the Secretary of State to determine whether or not any provision made by a local probation board under this section is sufficient.

6 The inspectorate

- (1) The inspectorate, and the office of chief inspector, established under section 23 of the Probation Service Act 1993 (inspectorate of probation) shall continue in being, but—
 - (a) the members of the inspectorate are to be known as “Her Majesty’s Inspectorate of the National Probation Service for England and Wales”, and
 - (b) the chief inspector is to be known as “Her Majesty’s Chief Inspector of the National Probation Service for England and Wales”.
- (2) The power to appoint a person to be chief inspector or one of the other members of the inspectorate is exercisable by the Secretary of State.
- (3) The Secretary of State may determine—
 - (a) the number of members of the inspectorate,
 - (b) the remuneration, allowances or other amounts to be paid by him to or in respect of the members of the inspectorate.
- (4) Below in this Chapter—
 - (a) references to the chief inspector are to Her Majesty’s Chief Inspector of the National Probation Service for England and Wales,
 - (b) references to the members of the inspectorate are to the chief inspector and the other members of Her Majesty’s Inspectorate of the National Probation Service for England and Wales.

7 Functions of inspectorate

- (1) The chief inspector must secure that the provision made in pursuance of arrangements made by each local probation board under section 5 is inspected by a member of the inspectorate.
- (2) The Secretary of State may direct the members of the inspectorate to assess the provision made by reference to criteria specified in directions.

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- (3) A report of an inspection under subsection (1) must be sent to the Secretary of State.
- (4) The Secretary of State may give directions as to—
 - (a) the information to be given in the report and the form in which it is to be given,
 - (b) the time by which the report is to be given.
- (5) The Secretary of State must lay a copy of the report before each House of Parliament.
- (6) The Secretary of State may give directions, in connection with the purposes mentioned in section 1 or any related purposes, conferring further functions on the chief inspector and the other members of the inspectorate.