
STATUTORY INSTRUMENTS

1982 No. 713

The Probation Board (Northern Ireland) Order 1982

Probation Board for Northern Ireland

Establishment of the Board

3.—(1) There shall be established a body to be called the Probation Board for Northern Ireland (“the Board”).

(2) The Board shall have such functions as are conferred on it by the succeeding provisions of this Order.

(3) Schedule 1 (which makes provision relating to the constitution of the Board and other matters and Schedule 2 (which makes provision for the transfer and property and staff to the Board) shall have effect.

Functions of the Board

4.—(1) The Board shall—

- (a) secure the maintenance of an adequate and efficient probation service;
- (b) secure that arrangements are made for persons to perform work under community service orders;
- (c) provide such probation officers and other staff as the [^{F1}Department of Justice] considers necessary to perform social welfare duties in prisons and young offenders centres; and
- (d) undertake such other duties as may be prescribed.

(2) The Board may, with the approval of the [^{F2}Department of Justice],—

- (a) provide and maintain probation hostels and other establishments for use in connection with the supervision and assistance of offenders;
- (b) provide and maintain bail hostels;
- (c) make and give effect to schemes for the supervision and assistance of offenders and the prevention of crime;
- (d) enter into arrangements with voluntary organisations or any other persons (including government departments and public bodies) whereby those organisations or persons undertake, on such terms (including terms as to payment by the Board to those organisations or persons) as may be specified in the arrangements,—

(i) the provision and maintenance of such hostels and other establishments as are mentioned in sub-paragraphs (a) and (b);

[^{F3}(ii) to give effect to such schemes for the supervision and assistance of offenders and the prevention of crime, whether made by those organisations or persons or made by the Board under sub#paragraph (c)]

- F1** Words in art. 4(1)(c) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 20** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F2** Words in art. 4(2) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 20** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F3** 1991 NI 16

Provisions supplementary to article 4

5.—(1) For the purposes of Article 4(1) (a), the Board shall—

- (a) appoint probation officers ^{F4}...; and
- (b) make such arrangements as the Board thinks fit for determining the probation officer who is to be responsible for the supervision of any probationer ^{F5}...;

but nothing in sub-paragraph (a) shall prejudice Schedule 2 or section 19(1) (a) (vi) of the Interpretation Act (Northern Ireland) 1954 (power to employ staff).

(2) For the purposes of Article 4(1) (b), the Board may—

- (a) make payments to any society or body in respect of services rendered by it; and
- (b) defray travelling and other expenses in connection with the performance of work by persons in respect of whom community service orders are in force.

(3) The Board may—

- (a) give financial and other assistance to, or in respect of, persons under the supervision of a probation officer or in connection with whom probation officers are required by the Board to perform any duties and persons remanded on bail;
- (b) make such payments, and to such persons, as may be prescribed in respect of persons under the supervision of a probation officer, being persons required by a probation order to reside in any place otherwise than for the purpose of their submitting to treatment for their mental condition as resident patients.

- F4** Words in art. 5(1)(a) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 89(a), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)
- F5** Words in art. 5(1)(b) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 89(b), **Sch. 9 Pt. 1** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

Directions of [^{F6}Department of Justice] to the Board

6. The [^{F7}Department of Justice] may, after consultation with the Board, give the Board directions of a general character as to the exercise and performance of its functions, and the Board shall give effect to any such directions.

- F6** Words in art. 6 heading substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 21** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F7** Words in art. 6 substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, **Sch. 14 para. 21** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

Financial control of the Board

7.—(1) The [^{F8}Department of Justice] may pay to the Board such sums in respect of its expenses as [^{F9}the Department of Justice] may with the approval of the [^{F10}Department of Finance and Personnel] determine.

(2) So far as relates to the use and expenditure of sums paid under paragraph (1), the Board shall give effect to any directions which the [^{F11}Department of Justice] may give to it.

(3) Schedule 3 (which relates to the making of reports and the maintenance of records by the Board and to the auditing of its accounts) shall have effect.

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| F8 | Words in art. 7(1) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, Sch. 14 para. 22(2)(a) (with arts. 28-31); S.I. 2010/977, art. 1(2) |
| F9 | Words in art. 7(1) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, Sch. 14 para. 22(2)(b) (with arts. 28-31); S.I. 2010/977, art. 1(2) |
| F10 | Words in art. 7(1) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, Sch. 14 para. 22(2)(c) (with arts. 28-31); S.I. 2010/977, art. 1(2) |
| F11 | Words in art. 7(2) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 12, Sch. 14 para. 22(3) (with arts. 28-31); S.I. 2010/977, art. 1(2) |

Changes to legislation:

There are currently no known outstanding effects for the The Probation Board (Northern Ireland) Order 1982, Probation Board for Northern Ireland.