



Criminal Justice Act 1967

1967 CHAPTER 80

PART II

POWERS OF COURTS TO DEAL WITH OFFENDERS

Probation and discharge

53 Substitution of conditional discharge for probation.

- (1) Where on an application made by the probationer or the probation officer it appears to the court having power to discharge a probation order made under section 3 of the Criminal Justice Act 1948 that the order is no longer appropriate in the case of the probationer, the court may make, in substitution for the probation order, an order discharging him in respect of the original offence, subject to the condition that he commits no offence between the making of the order under this section and the expiration of the probation period.
- (2) A person in respect of whom an order is made under this section shall so long as the said condition continues in force be treated in all respects and in particular for the purposes of section 8 of the said Act of 1948 (commission of further offence by probationer or person subject to order for conditional discharge) as if the original order made in his case had been an order for conditional discharge made under section 7 of that Act by the court which made the original order and as if the period of conditional discharge were the same as the probation period.
- (3) On the making of an order under this section the clerk of the court shall forthwith give copies thereof to the probation officer, who shall give a copy to the person in respect of whom the order is made and to the person in charge of any institution in which that person was required by the probation order to reside.