

SCHEDULES

SCHEDULE 3

THE PROBATION AND AFTER-CARE SERVICE AND ITS FUNCTIONS

PART I

THE PROBATION AND AFTER-CARE SERVICE

Probation and after-care committees

- 2 (1) For every probation and after-care area there shall be a probation and after-care committee, which shall be a body corporate.
- (2) Subject to the following provisions of this paragraph and to the provisions of paragraphs 6 and 7 below, a probation and aftercare committee for any area shall consist—
- (a) if that area comprises more than one petty sessions area, of such number of justices as may be specified by the order under paragraph 1(1) above, appointed in the manner so specified by the justices acting for the several petty sessions areas comprised in that area ;
 - (b) if that area is one petty sessions area, of a prescribed number of justices appointed in the prescribed manner by the justices acting for that petty sessions area.
- (3) Sub-paragraph (2) above shall not apply to the probation and after-care committee for the inner London area, but that committee shall, subject to the provisions of sub-paragraph (4) below and of paragraphs 6 and 7 below, consist—
- (a) of such number of metropolitan stipendiary magistrates, nominated by the chief metropolitan stipendiary magistrate, as may be specified by the order under paragraph 1(1) above ;
 - (b) of such number as may be so specified of lay justices for the petty sessional divisions of the area, chosen, in such manner as may be so specified, by the lay justices for those divisions ;
 - (c) of such number as may be so specified of the members of the juvenile courts panel for the inner London area and the City of London, chosen in such manner as may be so specified.
- (4) The Lord Chancellor may, if he thinks fit, appoint—
- (a) one or more judges of the Crown Court (being judges of the High Court, Circuit judges or Recorders) ; and
 - (b) one or more justices with experience of sitting as members of the Crown Court;

to be members of the probation and after-care committee for any area, and any person so appointed shall hold office in accordance with the terms of his appointment.

Status: This is the original version (as it was originally enacted).

- (5) Any contract made or other thing done by or on behalf of a probation and after-care committee before it became, by virtue of section 37 of the Justices of the Peace Act 1949, a body corporate, shall have effect as if made or done by or on behalf of the body corporate constituted by sub-paragraph (1) above.
- 3 (1) It shall be the duty of every probation and after-care committee—
- (a) to appoint sufficient probation officers for their probation and after-care area, subject, in the case of such classes or descriptions of probation officers as may be prescribed, to the approval of the appointment by the Secretary of State, and to ensure that at least one probation officer who is a man and one probation officer who is a woman shall be appointed for or assigned by the committee to each petty sessions area ;
 - (b) to pay to the probation officers appointed for their area such remuneration, allowances and expenses as may be prescribed;
 - (c) to provide for the efficient carrying out of the work of probation officers ;
 - (d) to make such payments and to such persons as may be prescribed in respect of persons under the supervision of probation officers, 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 ; and
 - (e) to perform such other duties in connection with the work of probation officers as may be prescribed.
- (2) A probation and after-care committee may, in such cases and in such manner as may be prescribed, give financial and other assistance to persons under the supervision of probation officers appointed for their area.
- (3) A probation and after-care committee may, with the approval of the Secretary of State, delegate all or any of their functions to a sub-committee consisting of members of the committee and such other persons (if any) as may be co-opted to be members of the sub-committee ; but so that the number of co-opted members of the sub-committee shall not exceed the number of its members who are members of the committee.
- (4) Notwithstanding that, by virtue of paragraph 2(1) above, a probation and after-care committee is a body corporate, any provision applying to employees of justices shall, unless the contrary intention appears, apply to employees of a probation and after-care committee.