

Status: Point in time view as at 01/02/1991.

Changes to legislation: Criminal Justice Act 1988, SCHEDULE 11 is up to date with all changes known to be in force on or before 08 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 11

Section 132.

ADMINISTRATION OF THE PROBATION SERVICE ETC.

Amendments of Schedule 3 to Powers of Criminal Courts Act 1973

- 1 Schedule 3 to the ^{M1}Powers of Criminal Courts Act 1973 shall be amended as follows.

Marginal Citations

M1 1973 c. 62.

- 2 In paragraph 4—
- (a) in sub-paragraph (1), for the word “For” there shall be substituted the words “Subject to sub-paragraph (1A) below, for”;
 - (b) the following sub-paragraph shall be inserted after that sub-paragraph—

“(1A) Where two or more petty sessions areas outside the inner London area form a probation area or part of a probation area, the probation committee, if they think fit, may determine that there shall be one or more joint probation liaison committees for those petty sessions areas; and a joint committee shall consist of not less than three justices appointed by the justices acting for each of the petty sessions areas.”; and
 - (c) the following sub-paragraph shall be inserted after sub-paragraph (3)—

“(4) A probation liaison committee may delegate all or any of their functions to a sub-committee consisting of members of the committee.”.
- 3 The following paragraphs shall be inserted after paragraph 6—
- “6A Any probation committee may also co-opt one or more justices with experience of sitting as members of the Crown Court, and one or more stipendiary magistrates appointed in a commission area which is the same as or is situated within the probation area.

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- 6B (1) The Secretary of State may by order provide that the probation committee for any probation area shall co-opt members of the local authority, or any of the local authorities, liable under paragraph 15 below to defray the expenses of the committee.
- (2) An order under this paragraph may make such consequential, supplementary or transitional provision as appears to the Secretary of State to be necessary or expedient in consequence of the order, including provision for such repeals in or modifications of this Schedule as appear to him to be necessary or expedient in consequence of it.
- (3) Without prejudice to the generality of sub-paragraph (2) above, an order under this paragraph—
- (a) may specify, either as a number or as a proportion of the members of the committee, how many persons may be co-opted to a committee and, where two or more authorities are liable to pay the expenses of a committee, how many persons may be co-opted from each of them;
 - (b) may provide for the procedure for co-opting persons to be followed by a committee;
 - (c) may require that such consultations as may be specified in the order shall be carried out before persons are so co-opted; and
 - (d) may disqualify persons of specified descriptions from being co-opted.
- (4) An order under this paragraph may make different provision for different committees.”.

4 Paragraph 7 shall cease to have effect.

5 The following paragraph shall be substituted for paragraph 10(3)(a)—
“(a) to appoint staff;”.

6 The following paragraph shall be inserted after paragraph 18(1)(a)—
“(aa) limiting the number of staff (other than probation officers) who may be appointed under paragraph 3 or 10 above;”.

Amendment of Local Government Finance Act 1982

8 In paragraph (1) of section 12(2) of the ^{M2}Local Government Finance Act 1982 (bodies whose accounts are subject to audit by Audit Commission), after the word “committee” there shall be inserted the words “, except the committee for the inner London area.”.

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Marginal Citations

M2 1982 c. 32.

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