

## CHAPTER 19.

## PROBATION OF OFFENDERS.

## RULES

Rules  
3 of 1952.

*made by the Governor under section 17 on the 29th December, 1952.*

1. These rules may be cited as the Probation of Offenders Rules.

2. The duties of the chief probation officer shall be—

(i) to train all staff for the probation service;

(ii) to advise the probation committee on all technical details of the probation system and to act as Secretary to the said committee;

(iii) to supervise the field work and all case records of all probation officers;

(iv) to act as liaison between the probation committee and juvenile authority on questions of probation—approved schools, approved houses and such like matters;

(v) to co-ordinate the activities of the probation department with the police, charitable organisations, social services and clinics;

(vi) to encourage, by frequent reports and observations, the promotion of effective methods for the fullest development of probation.

3. It shall be the duty of a probation officer to supervise the probationers and other persons placed under his supervision and to advise, assist and befriend them, to enquire, in accordance with any direction of the court, into the circumstances or home surroundings of any person, to advise, assist and befriend persons who have been released from custody, in such cases and in such manner as the chief probation officer may direct, and to perform such other duties as the probation committee or the chief probation officer may direct.

4. A probation officer shall, subject to any directions given by the court (whether in the probation order or otherwise) or by the probation committee, visit the home of a probationer placed under his supervision and make enquiries as to his behaviour, mode of life and employment. The probation

officer shall keep in close touch with such a probationer and shall secure, as far as possible, the co-operation and assistance of social and religious workers or agencies.

5. A probation officer shall satisfy himself that every probationer placed under his supervision understands the conditions of the probation order that relates to him and the probation officer shall, by warning and persuasion, endeavour to ensure the observance of the conditions by the probationer. Where the probationer fails to obey any of the conditions, the probation officer shall report such failure to the court that made the order and to the probation committee.

6. In the case of a probationer under the age of seventeen years of age, the probation officer shall endeavour to secure his connection with some organisation for the care and protection of the young, such as a Sunday School, Club, Association of Boy Scouts or Girl Guides or Boys' or Girls' Brigades.

7. A probation officer shall make himself conversant with the provisions of the Probation of Offenders Ordinance, and with these rules.

8. (1) A probation officer shall report—

(a) to the court, in accordance with any directions given by the court in the probation order or otherwise;

(b) as to the conduct and mode of life of every probationer placed under his supervision and generally as to his progress, to the probation committee;

(c) to the court and to the probation committee, the failure of a probationer placed under his supervision to observe any of the conditions of the probation order relating to him;

(d) to the probation committee upon any outside case under his supervision.

(2) Reports of a probation officer shall be made at such intervals and in such manner as the chief probation officer may direct and they shall not be made in open court or published.

9. A probation officer shall not wear any badge or uniform distinctive of his office.

10. Every probation officer shall keep a record of each case placed under his supervision, in the form and manner prescribed by these rules.

11. When a probation order has been made by the Full Court of Appeal, the Supreme Court or a court of summary jurisdiction, a copy of such order shall be filed in the Probation Office.

12. The particulars forming the record of each case shall be entered by the probation officer on a "leaf" and one or more "followers" which shall be kept in a cardboard envelope bearing on the outside the probationer's full name, with the surname written first, and the date of the expiry of the probation order.

13. The "leaves", "followers" and envelopes shall be in the form approved by the probation committee.

14. When the supervision of a case is transferred to a probation officer attached to another court or area, the record shall be forwarded to that probation officer.

15. The entries in each case shall be made from time to time without delay by the probation officer concerned. It shall be the duty of the person having custody of the records, subject to the general supervision of the probation committee, to see that the entries are duly and properly made.

16. Records shall be preserved for not less than ten years from the expiration of the probation order to which they relate.

17. In the month of January in each year the clerk of court of every judicial district shall send to the probation committee a return in the forms 1 and 2 in the schedule to these rules.

18. Where any person not being a probation officer is named in a probation order, he shall observe the foregoing rules in regard to the duties, reports and records of probation officers so far as they are applicable.

19. (1) A probation committee consisting of a chairman and not more than seven other members, shall be appointed by the Governor.

(2) The chief probation officer shall be secretary to the probation committee and shall record and keep the minutes of all meetings held by the said committee, and shall perform all such other duties as may from time to time be assigned to him by the committee.

20. The duties of the probation committee shall be—

(i) to make recommendations to the Governor concerning the appointment of probation officers;

(ii) to advise the Chief Secretary in the allocation of the services of the probation officers to the different areas or courts;

(iii) to recommend to the Governor that these rules be amended;

(iv) to make recommendations in the interests of the probation service involving the expenditure of money, to the Governor in Council;

(v) generally to supervise and control the working of the probation system throughout the Colony;

(vi) to review the work of probation officers in individual cases;

(vii) to receive and consider the written or oral reports of the probation officers;

(viii) to make or direct the making of any communication which may be found necessary to be made to the court;

(ix) to advise the probation officers in the carrying out of the duties;

(x) to satisfy themselves as to the manner in which the probation officers perform their duties;

(xi) to investigate complaints against voluntary probation officers arising out of the execution of their duties, and in every such case to report the matter of complaint, with the result of the investigation, to the Governor.

21. The probation committee shall meet at such times and places and shall make such arrangements as to the transaction and arrangement of its business as, subject to the provisions of these rules, it may deem proper.

22. The chairman shall preside at all meetings of the committee at which he is present and in case of his temporary absence the members present and constituting a quorum shall elect a chairman from among their number.

23. A quorum for the transaction of business shall consist of three members.

24. All acts of the committee and all questions coming or arising before the committee shall be done and decided by the



Of those recorded as unsatisfactory state also number of cases—

- (i) with which the probation officer has lost touch ...
- (ii) committed to an Industrial School ... ..
- (iii) committed to prison ... ..
- (iv) for any other reason considered unsatisfactory ...

4. Remarks (any additional information as to probation, matrimonial and kindred social work undertaken during the year may be given here).

(Signed).....  
Clerk of the Court.

Date.....

FORM 2.

r. 17.

*The Probation of Offenders Ordinance.*

RETURN OF PROBATION OFFICERS AT 31ST DECEMBER, 19.....

N.B.—A separate form should be used for each person appointed as probation officer to the area.

.....Court.  
.....

(1) Full name and address of probation officer and telephone No.		
	Placed on probation under the Probation of Offenders Ordinance.	
	Males.	Females.
(2) (a) Number of cases brought forward from last year... ..		
(b) Number of new cases placed under his or her care during the year from this area ... ..		
(c) Cases transferred from other areas ... Total ... ..		
(d) Number of cases completed during the year ... ..		
(e) Number of persons under his or her care on 31st December last ... ..		

(Signed).....  
Clerk of the Court.

Date.....