STATUTORY INSTRUMENTS

1965 No. 722

PROBATION OF OFFENDERS

The Probation (Conditions of Service) Rules 1965

Made - - - - 31*st March* 1965

Coming into Operation 1*st April* 1965

In pursuance of the powers conferred on me by Schedule 5 to the Criminal Justice Act 1948(a), I hereby make the following Rules:—

Salaries of principal probation officers

1. The salary of a principal probation officer, deputy principal probation officer and assistant principal probation officer shall be such as is determined in each case by the Secretary of State.

Salaries of senior probation officers

2.—(1) A senior probation officer shall be paid a salary in accordance with the scale set out in column 2 of the Table in Schedule 1 to these Rules by reference to his length of service as specified in column 1 of the said Table.

(2) The service reckonable for the purpose of applying the said column 1 to any senior probation officer shall be—

(*a*) his current period of continuous service as such, not including any period of leave without pay except in so far as the Secretary of State at the request of the probation committee approves the inclusion of any period of such leave other than sick leave;

(*b*) such period of such employment before the commencement of his current period of continuous service as the Secretary of State at the request of the probation committee employing him approves.

(3) For the purposes of paragraph (2) of this Rule a senior probation officer's service shall be deemed to be continuous notwithstanding an interruption if—

(*a*) the interruption does not exceed three months in duration; or

(*b*) the Secretary of State at the request of the probation committee approves the reckoning of a period of service before that interruption.

(4) For the purposes of the said paragraph (2) any period of employment between two periods of service as a senior probation officer shall, if the Secretary of State, at the request of the probation committee employing the probation officer either immediately before or immediately after the said period of employment, so decides, be treated as part of his current period of continuous service.

Salaries of probation officers

3.—(1) A probation officer who has not attained the age of twenty-nine years shall be paid a salary in accordance with the scale set out in column 2 of the Table in Schedule 2 to these Rules by reference to his age as specified in column 1 of the said Table.

(2) A probation officer who has attained the age of twenty-nine years shall be paid a salary in accordance with the scale set out in column 2 of the Table

(a) 11 & 12 Geo. 6. c. 58.

in Schedule 3 to these Rules by reference to his length of service as specified in column 1 of the said Table.

(3) (*a*) The service reckonable for the purpose of the scale set out in the said Schedule 3 shall, subject to the provisions of sub-paragraph (*d*) of this paragraph, be the current period of continuous service as a probation officer since attaining the age of twenty-nine years:

Provided that, for the purpose only of enabling the service prior to an interruption to be reckoned, service shall be deemed to be continuous, notwithstanding an interruption thereof, if—

(i) that interruption does not exceed three months in duration; or

(ii) the Secretary of State at the request of the probation committee approves the reckoning of a period of service prior to that interruption.

(*b*) The expression "service"—

(i) shall include any period of service as a whole time salaried probation officer in Scotland;

(ii) shall not include any period of leave without pay from such service except in so far as the Secretary of State at the request of the probation committee approves the inclusion of any period of such leave other than sick leave.

(*c*) Any period of employment between two periods of service as a probation officer shall, if the Secretary of State at the request of the probation committee employing the probation officer immediately before or immediately after the said period of employment so decides, be treated as part of his current period of continuous service as a probation officer.

(*d*) If a probation officer was first appointed after attaining the age of twenty-nine years, such period of such employment after attaining that age but before appointment, as the Secretary of State may, at the request of the probation committee employing the probation officer, approve, shall be reckoned as service for the purpose of the scale set out in the said Schedule 3.

(4) For the purposes of this Rule the expression "probation officer" means a probation officer, other than a principal probation officer, deputy principal probation officer, assistant principal probation officer, senior probation officer or temporary probation officer, who devotes substantially the whole of his time to duties as a probation officer.

London addition

4.—(1) The salary which is for the time being payable under Rule 2 or 3 of these Rules to a probation officer whose services are permanently assigned wholly or mainly to courts in Greater London or the Dartford petty sessional division of the county of Kent shall, while his services are so assigned, be increased by £40 if he has not attained the age of twenty-eight years and by £45 in any other case.

(2) A probation officer as aforesaid who is, otherwise than at his request, transferred so that his services are permanently assigned wholly or mainly to courts in the probation area to which he is appointed which are outside Greater London or the said Dartford petty sessional division, as the case may be, shall be entitled to an addition to the salary to which he is entitled under Rule 2 or 3 of these Rules at a rate of such an annual sum as, together with the amount of any annual increments to which he becomes entitled after the said transfer, will equal the rate of salary to which he was entitled immediately before such transfer as increased under paragraph (1) of this Rule:

Provided that in the case of an officer to whom Rule 2 or Rule 3(2) of these Rules applies, the rate of salary payable to him under this paragraph shall not exceed the maximum rate of salary for the time being payable to him under the said Rule 2 or 3(2) as the case may be.

Salaries of part time probation officers

5. A part time probation officer shall be paid such fixed annual salary as the probation committee, with the approval of the Secretary of State, considers appropriate having regard to the duties which he is required to perform and the scales of salary for probation officers under Rule 3 of these Rules.

Salaries of temporary probation officers

6. A temporary probation officer who devotes substantially the whole of his time to duties as such an officer shall be paid such weekly salary as appears to the probation committee, with the approval of the Secretary of State, to be reasonable.

Travelling and subsistence expenses

7.—(1) A probation committee shall pay to a probation officer the actual expenses of travelling reasonably incurred by him in the course of duty.

(2) A probation committee shall pay to a probation officer a reasonable allowance in respect of the use in the course of duty of a motor vehicle, or of a bicycle not being a motor vehicle, provided by the probation officer if the committee has approved such use.

(3) A probation committee may give financial assistance to a probation officer in order to enable him to buy a car where it is satisfied that the use of a car by that officer is necessary for proper performance of his duties.

(4)(*a*) A probation committee shall pay to a probation officer who in the course of duty is necessarily absent from his home and centre, or is detained exceptionally at his centre at unusual hours, a reasonable subsistence allowance.

(*b*) For the purpose of this paragraph the expression " centre " means that office or court which for the time being the probation committee directs is to be his centre.

(5) Where a probation officer moves his home in consequence of being assigned to a different petty sessional division in the same probation area, the probation committee shall pay to him the reasonably incurred cost of removal of his belongings ; where a person moves his home in consequence of being appointed a probation officer, the probation committee may pay to him the whole, or such part as it thinks fit, of the said cost of removal ; and in either case the committee may in addition pay to him the cost of any other reasonable expenses incidental to the move.

(6)(*a*) A probation committee, other than the probation committee for the inner London area, when submitting estimates of its expenses, shall consult each local authority liable under paragraph 5 of Schedule 5 to the Criminal Justice Act 1948 to defray or contribute to the expenses of the committee as to any expenses which involve expenditure under paragraphs (2) to (5) of this Rule.

(*b*) If such a probation committee proposes to incur expenditure under the said paragraphs which has not been included in such an estimate, the committee shall, before incurring such expenditure, consult each such local authority.

(*c*) If a local authority objects to any such expenditure, the local authority or probation committee may refer the matter to the Secretary of State for determination after considering any observations by the local authority or committee.

Annual leave

8.—(1) A probation committee shall grant to a probation officer, other than a temporary or part time probation officer, annual paid leave for not less than twenty-four, nor more than thirty-six, working days to be taken at times agreed, with due regard to the needs of the probation service, between the committee and the probation officer.

(2) A probation committee may grant to a temporary or part time probation officer annual paid leave for such number of working days as appears to the probation committee to be reasonable, having regard to the needs of the probation service and to the amount of annual paid leave granted to probation officers under paragraph (1) of this Rule, to be taken at times agreed between the committee and the probation officer.

Sick leave

9. A probation committee shall grant to a probation officer paid sick leave in respect of any period during which he is medically unfit for duty and has not ceased to be a probation officer, but not so as to exceed the amount of sick pay or the extent of sick leave appropriate to that probation officer as determined, in the case of the probation committee for the inner London area, by the Secretary of State and, in the case of any other probation committee, as agreed between the probation committee and each local authority liable under paragraph 5 of Schedule 5 to the Criminal Justice Act 1948 to defray or contribute to the expenses of the committee or in default of such agreement as determined by the Secretary of State:

Provided that such amount or such extent may be exceeded, in the case of a probation officer employed by the probation committee for the inner London area, with the approval of the Secretary of State or, in the case of any other probation officer, with the agreement of each such local authority or in default of such agreement with the consent of the Secretary of State.

Other leave

10. A probation committee may, at the request of a probation officer, grant him leave without pay or, except in respect of any period during which he is medically unfit for duty and has not ceased to be a probation officer, leave with pay.

11. The Interpretation Act 1889(a) shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament, and as if these Rules and the Rules hereby revoked were Acts of Parliament.

Revocations and transitionals

12.—(1) The Rules specified in Schedule 4 to these Rules are hereby revoked.

(2) Any determination, consent, approval, agreement, request or other thing given, made or done under any Rules revoked by these Rules shall not be invalidated by the revocation effected by paragraph (1) of this Rule, but shall, in so far as it could have been given, made or done under a provision of these Rules, have effect as if it had been given, made or done under that provision.

(a) 52 & 53 Vict. c. 63.

(3) Where immediately before these Rules came into operation a senior probation officer was entitled to a rate of annual salary appropriate to a length of service longer than he had in fact served as reckoned for the purpose of his salary, he shall have the rate of salary in the scale set out in Schedule 1 to these Rules, attributable to that length of service to which his rate of annual salary immediately before these Rules came into operation was attributable; and he shall receive annual increments on the dates on which he would have received them had these Rules not been made.

Citation

13. These Rules may be cited as the Probation (Conditions of Service) Rules 1965 and shall come into operation on 1st April 1965.

Frank Soskice,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
31st March 1965.

Rule 2

SCHEDULE 1

TABLE

SCALE OF ANNUAL SALARY FOR SENIOR PROBATION OFFICERS

Column 1 Length of Service	Column 2 Rate of Annual Salary
	£
Up to 1 year's service	1,450
Over 1 and up to 2 years' service ...	1,500
Over 2 and up to 3 years' service ...	1,550
Over 3 and up to 4 years' service ...	1,600
Over 4 years' service	1,650

Rule 3(1)

SCHEDULE 2

TABLE

SCALE OF ANNUAL SALARY FOR PROBATION OFFICERS WHO HAVE NOT ATTAINED THE AGE OF 29 YEARS

Column 1 Age of Probation Officer	Column 2 Rate of Annual Salary
	£
Under 23	750
23	790
24	830
25	870
26	915
27	960
28	1,005

SCHEDULE 3

Rule 3(2)

TABLE

SCALE OF ANNUAL SALARY FOR PROBATION OFFICERS WHO HAVE ATTAINED THE AGE OF 29 YEARS

Column 1 Length of Service	Column 2 Rate of Annual Salary
	£
Up to 1 year's service...	1,050
Over 1 and up to 2 years' service ...	1,100
Over 2 and up to 3 years' service ...	1,150
Over 3 and up to 4 years' service ...	1,200
Over 4 and up to 5 years' service ...	1,250
Over 5 and up to 6 years' service ...	1,300
Over 6 years' service	1,350

SCHEDULE 4

Rule 12(1)

RULES REVOKED

Rules	References
The Probation (Conditions of Service) Rules 1960.	S.I. 1960/717 (1960 II, p. 2778).
The Probation (Conditions of Service) (No. 2) Rules 1960.	S.I. 1960/1538 (1960 II, p. 2786).
The Probation (Conditions of Service) Rules 1961.	S.I. 1961/944 (1961 II, p. 1840).
The Probation (Conditions of Service) Rules 1962.	S.I. 1962/1783 (1962 II, p. 2141).
The Probation (Conditions of Service) Rules 1963.	S.I. 1963/187 (1963 I, p. 179).
The Probation (Conditions of Service) (No. 2) Rules 1963.	S.I. 1963/686 (1963 I, p. 850).
The Probation (Conditions of Service) (No. 3) Rules 1963.	S.I. 1963/1063 (1963 II, p. 1829).
The Probation (Conditions of Service) Rules 1964.	S.I. 1964/2028 (1964 III, p. 5099).

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

These Rules, other than Rule 7(3), consolidate the Probation (Conditions of Service) Rules 1960, as amended. Rule 7(3) has been transferred to these Rules from the Probation Rules 1949 (S.I. 1949/1328).