the reference to approval by the Secretary of State at the request of the probation committee in paragraph (9) shall in the case of a probation officer in the metropolitan police court area be deemed a reference to determination by the Secretary of State.".

Travelling and subsistence of officers

5. The following Rule shall be substituted for Rule 67:—

"67.—(1) The probation committee shall pay to probation officers—

(*a*) the actual expenses of travelling reasonably incurred in the course of duty;

(*b*) reasonable allowances in respect of use by an officer in the course of duty of his own car or cycle, if the committee has authorized its use; and

(*c*) reasonable subsistence allowance for any period when an officer is in the course of duty necessarily absent from home and centre.

(2) For the purposes of this Rule the expression "centre" means the office or court at which the probation committee directs that the probation officer's work shall be centred for the purpose of sub-paragraph (*c*) of the foregoing paragraph.".

Consultation with local authority

6. In paragraph (1) of Rule 80 the words "heading (*b*) in" shall be deleted.

David Maxwell Fyfe,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
28th February, 1952.

1952 No. 1664 (L. 10)

The Probation (No. 2) Rules, 1952

Made - - - - 11*th September*, 1952
Coming into Operation 16*th September*, 1952

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

Citation and commencement

1.—(1) These Rules may be cited as the Probation (No. 2) Rules, 1952, and shall come into operation on the sixteenth day of September, 1952.

(2) The Probation Rules, 1949(**b**), the Probation (No. 2) Rules, 1949(**c**), the Probation Rules, 1950(**d**), the Probation Rules, 1951(**e**), the Probation Rules, 1952(**f**), and these Rules may be cited together as the Probation Rules, 1949 to 1952.

(**a**) 11 & 12 Geo. 6. c. 58.
(**b**) S.I. 1949/1328; 1949 I, p. 3508.
(**c**) S.I. 1949/1539; 1949 I, p. 3529.
(**d**) S.I. 1950/2136; 1950 II, p. 435.
(**e**) S.I. 1951/536; 1951 II, p. 290.
(**f**) S.I. 1952/389, p. 2680 above.

(3) In these Rules the expression "the principal Rules" means the Probation Rules, 1949, as amended by the Probation (No. 2) Rules, 1949, the Probation Rules, 1950, the Probation Rules, 1951, and the Probation Rules, 1952.

Persons released from custody

2. For paragraphs (1) and (2) of Rule 48 of the principal Rules (which relate to the duty of probation officers to advise, assist and befriend persons who have been released from custody) there shall be substituted the following paragraphs, that is to say:—

"(1) The persons released from custody whom in accordance with sub-paragraph (5) of paragraph 3 of the Fifth Schedule to the Criminal Justice Act, 1948, it shall be the duty of a probation officer to advise, assist and befriend shall be—

(*a*) any person while out on licence from a prison in accordance with the Third Schedule to the Criminal Justice Act, 1948, or the Fifth Schedule to the Criminal Justice (Scotland) Act, 1949(a) (which relate to the release on licence of persons sentenced to corrective training or preventive detention), whom the Central After-Care Association requests the probation officer to advise, assist and befriend;

(*b*) any person while out on licence from a prison under the provisions of the Sixth Schedule to the Criminal Justice Act, 1948, or the Eighth Schedule to the Criminal Justice (Scotland) Act, 1949 (which relate to the release on licence of young offenders), whom the Central After-Care Association requests the probation officer to advise, assist and befriend;

(*c*) any person while out on licence from a prison under section fifty-seven of the Criminal Justice Act, 1948, or under section fifty-seven of the Criminal Justice (Scotland) Act, 1949 (which relate to the release on licence of persons serving imprisonment for life), whom the Central After-Care Association requests the probation officer to advise, assist and befriend and who is willing that the probation officer advise, assist and befriend him or whose licence contains a requirement that he be under supervision;

(*d*) any person while under supervision in accordance with the Second Schedule to the Criminal Justice Act, 1948, or the Fourth Schedule to the Criminal Justice (Scotland) Act, 1949 (which relate to the release under supervision of persons committed to a Borstal institution), whom the Central After-Care Association requests the probation officer to advise, assist and befriend;

(*e*) any person while out on licence under section fifty-three of the Children and Young Persons Act, 1933(b), or under section fifty-seven of the Children and Young Persons (Scotland) Act, 1937(c) (which relate to the discharge on licence of children or young persons convicted of certain grave offences), whom the Central After-Care Association requests the probation officer to advise, assist and befriend and who is willing that the probation officer advise, assist and befriend him or whose licence contains a requirement that he be under supervision;

(a) 12, 13 & 14 Geo. 6. c. 94. (b) 23 & 24 Geo. 5. c. 12.
(c) 1 Edw. 8 & 1 Geo. 6. c. 37.

(*f*) any person while out on licence from an approved school under paragraph 6 of the Fourth Schedule to the Children and Young Persons Act, 1933 (which relates to the release on licence of a person detained in an approved school), whom the managers of the approved school request the probation officer to advise, assist and befriend;

(*g*) any person while under the supervision of the managers of an approved school by virtue of section seventy-four of the Children and Young Persons Act, 1933 (which relates to the supervision of children or young persons after the expiration of the period of detention in an approved school), whom the managers request the probation officer to advise, assist and befriend;

(*h*) any person discharged from a detention centre who is willing that the probation officer advise, assist and befriend him and whom the Board of Visitors of the detention centre requests the probation officer to advise, assist and befriend;

(*i*) any person discharged from a prison either after having served a period of imprisonment of three years or more or after a period of training in a regional prison within the meaning of the Prison Rules, 1949(**a**), other than a person mentioned in the foregoing sub-paragraphs, who is willing that the probation officer advise, assist and befriend him and whom the Central After-Care Association or the National Association of Discharged Prisoners' Aid Societies requests the probation officer to advise, assist and befriend.

(1A) (*a*) The duty imposed on a probation officer—

(i) by sub-paragraph (*c*) or (*e*) of the last preceding paragraph shall in no case continue after three years from the date of the person's release from prison or discharge as the case may be;

(ii) by sub-paragraph (*h*) of the said paragraph shall in no case continue after six months from the date of the person's discharge from the detention centre;

(iii) by sub-paragraph (*i*) of the said paragraph shall in no case continue after twelve months from the date of the person's discharge from prison.

(*b*) The probation officer in performing the duty imposed on him by sub-paragraph (*f*) or (*g*) of the last preceding paragraph shall be deemed to be the agent of the managers of the approved school and shall, if requested by the said managers, also carry out on their behalf the further obligations imposed upon them by sub-paragraph (2) of paragraph 12 of the Fourth Schedule to the Children and Young Persons Act, 1933.

(2) The probation officer shall bring to the notice of the Central After-Care Association any facts about a person in regard to whom he has a duty under sub-paragraph (*a*), (*b*), (*c*), (*d*) or (*e*) of paragraph (1) of this Rule, other than a person out on licence whose licence does not contain a requirement that he be under supervision, and to the notice of the managers of the approved school any facts about a person in regard to whom he has a duty under sub-paragraph (*f*) or (*g*) of the said paragraph (1) which in his opinion make it desirable for the recall or return of that person to a prison, Borstal institution or approved school, as the case may be, to be considered.".

(**a**) S.I. 1949/1073; 1949 I, p. 3470; and *see* S.I. 1952/1405, p. 2631 above.

Maintaining touch generally

3. At the end of Rule 51 of the principal Rules (which imposes duties on a probation officer as to maintaining touch generally with probationers) there shall be added the following paragraph, that is to say:—

"(3) Where the probationer normally resides at his family home but has temporarily ceased to do so (whether in compliance with a requirement of the probation order or otherwise), then if the family home is situated in a petty sessional division for which the probation officer is for the time being appointed or to which he is for the time being assigned, the probation officer shall, unless there is good reason for not doing so, keep in touch with the probationer's family, and if the family home is not situated as aforesaid, the probation officer for the time being appointed for or assigned to the petty sessional division in which the family home is situated shall, unless there is good reason for not doing so, perform the said duty.".

Applications to courts

4. At the end of paragraph (5) of Rule 55 of the principal Rules (which paragraph specifies the circumstances in which a probation officer need not apply to the court for amendment of a probation order where the probationer has changed his residence from the petty sessional division named in the probation order to another petty sessional division) there shall be added the following words, that is to say:—

"or

(*c*) the probation officer has ascertained from the court that that court and the court having jurisdiction in the petty sessional division where the probationer is residing are satisfied that having regard to the special circumstances of the case it is desirable that the probationer should be under his supervision.".

Salaries generally

5.—(1) In Rule 58 of the principal Rules—

(*a*) in paragraph (1) (which relates to the salary of whole time probation officers who have not attained the age of thirty years), the words "of which scale A shall apply during the year 1951 and scale B thereafter" shall be omitted;

(*b*) in paragraph (2) (which relates to the salary of whole time probation officers who have attained the age of thirty years), the proviso shall be omitted.

(2) For the First Schedule to the principal Rules (which sets out the scales of annual salary for whole time probation officers who have not attained the age of thirty years) there shall be substituted the Schedule set out in the First Schedule to these Rules, and for the Second Schedule to the said Rules (which sets out the scales for such officers who have attained the said age) there shall be substituted the Schedule set out in the Second Schedule to these Rules.

Salaries of principal officers

6.—(1) For the Tables subjoined to paragraph (2) of Rule 61 of the principal Rules (which set out the scales of annual salary for principal probation officers) there shall be substituted the Tables set out in the Third Schedule to these Rules.

(2) For the Tables subjoined to paragraph (3) of the said Rule (which set out the scales for deputy or assistant principal probation officers) there shall be substituted the Tables set out in the Fourth Schedule to these Rules.

(3) In paragraph (4) of the said Rule (which specifies the probation areas which, for the purposes of the said Rule relating to scales of annual salary, fall into the groups specified in the aforesaid Tables), in Group IV after the word "Birmingham" there shall be inserted the word "Cheshire".

Subsistence of officers

7. For sub-paragraph (*c*) of paragraph (1) of Rule 67 of the principal Rules (which requires the probation committee to pay a reasonable subsistence allowance to a probation officer for any period when he is in the course of duty necessarily absent from home and centre) there shall be substituted the following sub-paragraph, that is to say:—

"(*c*) reasonable subsistence allowance for any period when an officer is in the course of duty necessarily—

(i) absent from his home and centre, or

(ii) detained exceptionally at his centre at unusual hours.".

David Maxwell Fyfe,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
11th September, 1952.

FIRST SCHEDULE Rule 5 (2)

FIRST SCHEDULE Rule 58 (1)

SCALE OF ANNUAL SALARY FOR WHOLE TIME PROBATION OFFICERS WHO HAVE NOT ATTAINED THE AGE OF 30 YEARS

Age	Men	Women
	£	£
23	415	400
24	425	410
25	440	425
26	455	440
27	470	455
28	485	470
29	500	485

SECOND SCHEDULE

Rule 5 (2)

SECOND SCHEDULE

Rule 58 (2)

SCALE OF ANNUAL SALARY FOR WHOLE TIME PROBATION OFFICERS WHO HAVE ATTAINED THE AGE OF 30 YEARS

Men		Women	
Length of service	Rate of salary	Length of service	Rate of salary
	£		£
Up to 1 year's service ...	515	Up to 1 year's service ...	500
Over 1 and up to 2 years' service	530	Over 1 and up to 2 years' service	515
Over 2 and up to 3 years' service	545	Over 2 and up to 3 years' service	530
Over 3 and up to 4 years' service	560	Over 3 and up to 4 years' service	545
Over 4 and up to 5 years' service	575	Over 4 years' service ...	565
Over 5 and up to 6 years' service	595		
Over 6 and up to 7 years' service	615		
Over 7 and up to 8 years' service	635		
Over 8 and up to 9 years' service	655		
Over 9 years' service ...	675		

THIRD SCHEDULE

Rule 6 (1)

TABLES

Men

Post	Minimum rate	Annual increment	Maximum rate
	£	£	£
Group I	775	30	895
Group II	825	30	945
Group III	885	40	1,005
Group IV	935	50	1,085
Group V	1,055	50	1,205
Group VI	1,200	50	1,350

Women

Post	Minimum rate	Annual increment	Maximum rate
	£	£	£
Group I	650	25	775
Group II	700	30	820
Group III	745	30	865
Group IV	805	40	925
Group V	915	40	1,035
Group VI	1,015	40	1,175

FOURTH SCHEDULE Rule 6 (2)

TABLES

Men

Post	Minimum rate	Annual increment	Maximum rate
	£	£	£
Group III	700	25	800
Group IV	725	30	845
Group V	775	30	895
Group VI (Assistants) ...	775	30	895
Group VI (Deputies) ...	885	40	1,005

Women

Post	Minimum rate	Annual increment	Maximum rate
	£	£	£
Group III	575	25	675
Group IV	600	25	725
Group V	650	25	775
Group VI (Assistants) ...	650	25	775
Group VI (Deputies) ...	745	30	865

EXPLANATORY NOTE

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

These Rules amend the Probation Rules, 1949 to 1952, in the following respects:—Rule 2 makes precise provision as to the classes of persons released from custody who, under paragraph 3 (5) of the Fifth Schedule to the Criminal Justice Act, 1948, are to be advised, assisted and befriended by probation officers; Rule 3 requires that a probation officer shall normally keep in touch with a probationer's family when he is residing away from home; Rule 4 relieves a probation officer from the requirement of applying for amendment of the probation order when a probationer goes to reside in another petty sessional division if the two courts concerned are satisfied that in the special circumstances a change is not desirable; Rules 5 and 6 and the Schedules make provision for increased salaries for probation officers; Rule 7 makes provision for the payment of a subsistence allowance to probation officers in a case additional to those already provided for, namely, exceptional detention at office or court at unusual hours.