

Subsidiary Legislation made under s.209.

## **Probation Rules**

**1946.12.20**

*Commencement*

**16.1.1947**

Amending  
enactments

Relevant current  
provisions

Commencement  
date

Rules of 19.10.1946 r. 9(1)

**1961-24**

**Criminal Procedure**

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**Probation Rules**

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**ARRANGEMENT OF RULES**

Rule

1. Title.

*Duties of Probation Officers.*

2. Preliminary inquiries.
3. Supervision of offenders.
4. Visits to and meetings with probationers.
5. Probationers attending a school.
6. Compliance with conditions of probation order.
7. General duties.
8. Uniform not to be worn.

*Reports by Probation Officers.*

9. Reports to court.
10. Manner of making reports.

*Records.*

11. Record of each case.
12. Entries to be made promptly.
13. Access to records.
14. Preservation of records.

**Title.**

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

*Duties of Probation Officers.*

**Preliminary inquiries.**

2. A probation officer shall make such preliminary inquiries, including inquiries into the home surroundings of an offender, as a court may direct in respect of any offender in whose case the question of the making of a probation order may arise.

**Supervision of offenders.**

3. A probation officer shall undertake the supervision of any offender when so required by a court.

**Visits to and meetings with probationers.**

4. A probation officer shall, subject to any directions given by a court, whether in the probation order or otherwise, visit the home of the probationer and make inquiry as to his behaviour, mode of life and employment and the probation officer shall keep in close touch with the probationer and shall for the first month of probation meet the probationer, unless the court otherwise directs, at least once a week; thereafter the number of visits or meetings shall depend on the conduct and mode of life of the probationer:

Provided that in the case of persons under sixteen years of age regard shall be had to the desirability of such visits or meetings taking place at least once a fortnight during the first six months of probation.

**Probationers attending a school.**

5. In the case of a probationer who is attending a school the probation officer shall make inquiry of the head teacher as to the probationer's attendance and progress at school, but no such probationer shall be visited on the school premises.

**Compliance with conditions of probation order.**

6. A probation officer shall satisfy himself that the probationer understands the provisions of the probation order, and shall by warning and persuasion endeavour to ensure his compliance

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with them and if the probationer fails to obey any of the conditions contained in the probation order, the probation officer shall report as hereinafter directed.

#### **General duties.**

7.(1) A probation officer shall advise, assist and befriend the probationer, and when necessary endeavour to find him employment and for these purposes the probation officer shall secure as far as possible the co-operation and assistance of social and religious workers or agencies.

(2) In the case of a person under sixteen years of age, the probation officer shall endeavour to secure his connection with some organization for the care and protection of the young, such as a Sunday school, club, association of boy scouts or girl guides or other similar organization.

#### **Uniform not to be worn.**

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

#### *Reports by Probation Officers.*

#### **Reports to court.**

9.(1) A probation officer shall report to the appropriate court in accordance with any directions given by the court in the probation order, but shall in any event furnish the court with a report in writing every three months, and, in the case of a probation order made by the magistrates' court, shall furnish the Registrar of the Supreme Court with a copy of every such report.

(2) If the probationer fails to comply with any of the conditions contained in the probation order, the probation officer shall report the matter to the appropriate court.

(3) In this rule the expression "the appropriate court" means, in relation to any probationer, the court which made the probation order in respect of that probationer.

#### **Manner of making reports.**

10. Reports required to be made by a probation officer shall not be made in open court or published.

#### *Records.*

**Record of each case.**

11.(1) A probation officer shall keep a record of each case placed under his supervision in the manner prescribed by these rules.

(2) The record of every such case shall be filed at the court which made the probation order relating to such case.

**Entries to be made promptly.**

12. The entries in each case shall be made from time to time without delay by the probation officer or other person concerned and it shall be the duty of the person having the custody of the records to see that the entries are duly and promptly made.

**Access to records.**

13. A probation officer shall have a free access to the records of his cases at all reasonable times. He shall keep notes of the recorded particulars and reports relating to his current cases for use in the performance of his duties away from the court or when the records are not accessible.

**Preservation of records.**

14. Records shall be preserved for not less than ten years from the expiry of the probation orders to which they relate.