

GUERNSEY STATUTORY INSTRUMENT

2007 No. 25

The Criminal Justice (Community Service Orders) (Bailiwick of  
Guernsey) Regulations 2007

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The Criminal Justice (Community Service Orders) (Bailiwick of  
Guernsey) Regulations 2007

Made

22 October, 2007

Coming into operation

22 October, 2007

Laid before the States

, 2007

**THE HOME DEPARTMENT** in exercise of the powers conferred upon it by section 3 of the Criminal Justice (Community Service Orders) (Bailiwick of Guernsey) Law, 2006<sup>a</sup> and of all other powers enabling it in that behalf, hereby orders:-

**Post-sentence assessment.**

1. (1) Each offender shall attend an assessment and placement interview, except where the Order is imposed consecutively to or concurrently with an existing Order.

(2) An offender shall be –

(a) given at court, or

(b) sent within 3 working days of the date of sentence,

an appointment letter instructing him to attend an assessment and placement interview.

(3) Where an offender fails to attend his assessment and placement interview on the first occasion, a second appointment letter shall immediately be sent to him instructing him to attend for that interview.

(4) Only where an offender –

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<sup>a</sup> Order in Council No. [] of 2007

- (a) fails to attend either of the assessment and placement interviews as instructed under paragraphs (2) and (3), and
- (b) does not satisfy an Officer that there was not an acceptable reason for absence that was beyond his reasonable control,

may an Officer consider breach proceedings.

(5) An assessment and placement interview must take place within 10 working days of the date of sentence, unless –

- (a) an acceptable reason for absence is substantiated,
- (b) he has –
  - (i) commenced proceedings to appeal, or
  - (ii) stated an intention to appeal.

(6) Where an offender has commenced proceedings or stated an intention to appeal, he shall attend an interview to review his personal details and the requirements of the Order.

(7) Where an offender provides documentary evidence that he has commenced proceedings to appeal, the progress of the Order shall be suspended until the appeal has been determined or abandoned.

(8) Where an offender has stated an intention to appeal, the progress of the Order shall only be suspended if he, within 10 days of stating that intention, provides documentary evidence to show that he has –

- (a) since caused appeal proceedings to be commenced, or

(b) sought advice regarding such an appeal from an Advocate.

(9) The progress of the Order shall only be suspended –

(a) under paragraph (8)(a), until the appeal has been determined or abandoned, or

(b) under paragraph (8)(b), until (as the case may be) –

(i) any appeal subsequently commenced has been determined or abandoned, or

(ii) the time limit for appealing against the conviction or sentence has expired without proceedings being commenced.

(10) Where the progress of an Order has been suspended under paragraphs (7) or (8), the offender shall maintain contact with the Officer at least once a month.

(11) Where an offender fails to maintain contact under paragraph (10), he shall be sent an appointment letter instructing him to attend an interview with the Officer.

(12) Where an offender fails to attend an interview under paragraph (11), an Officer may consider breach proceedings.

(13) Where an offender does not satisfy the requirements of paragraph (8), he shall within 20 days of stating his intention to appeal be sent an appointment letter instructing him to attend an assessment and placement interview.

(14) Where –

- (a) an appeal is dismissed or abandoned, or
- (b) proceedings are not commenced before the expiry of the time limit,

the offender shall within 10 days of the date of the dismissal or abandonment of the appeal, or of the expiry of the time limit, be sent an appointment letter instructing him to attend an assessment and placement interview.

(15) An offender shall be assessed for suitability to perform the Order at an individualised placement and at the conclusion of the assessment and placement interview, he shall be issued with work instructions to report –

- (a) if considered suitable, at such an individualised placement (if available), or
- (b) if not considered suitable or such a placement is not available, at a placement supervised by an Officer.

(16) Where no work instructions are issued at the assessment and placement interview, they shall be issued to the offender within 7 days of that interview.

**Work instructions.**

2. (1) The work instructions issued by an officer under regulation 1(15) shall, as far as practicable, be such as to avoid –

- (a) any conflict with the offender's religious beliefs or any exceptional commitments, and
- (b) any interference with the times, if any, at which he normally works or attends a school or other educational establishment.

- (2) All work instructions should –
  - (a) be in writing, and
  - (b) include –
    - (i) the date, time and place at which he is to report, and
    - (ii) the scheduled duration of the work session.

(3) Any variation of the work instructions made by the Officer during the course of the Order shall be made in writing.

(4) Notwithstanding regulation 2(3), variation may be made orally if –

- (a) there would insufficient time between the issue of the written variation of work instructions and the commencement of the variation, and
- (b) the Officer making the oral variation is satisfied that the offender has understood the instructions given to him.

**Commencement of work.**

3. (1) An offender shall commence work under an Order within fifteen working days of the date of sentence, unless –

- (a) an acceptable reason for absence is substantiated, or
- (b) the progress of the Order has been suspended under regulation 1.

- (2) Where –
  - (a) an acceptable reason for absence is substantiated, an offender shall commence work under the Order within 15 days of the review of the reason for absence by the Officer, and
  - (b) an Order has been suspended under regulation 1 and that period of suspension has ended, an offender shall commence work under that Order within 15 days of the end of that period.

**Hours of working.**

4. (1) An offender shall be given work instructions to last between 5 and 15 hours per week.

(2) A work session under an Order shall last between 3 and 8 hours, except where –

- (a) the hours of work are limited by –
    - (i) the operational requirements of the placement,
    - (ii) the medical or physical limitations of the offender, or
  - (b) the work session is terminated by an Officer.
- (3) Where the offender reports as instructed but –
- (a) the work session cannot commence, the offender shall be credited with one hour of work, and

(b) the work session commences and is terminated by an Officer or other supervisor, the offender shall be credited with the time worked or one hour of work, whichever is the greater.

(4) Notwithstanding regulation 4(3)(b), where –

(a) a work session commences but terminated by an Officer or other supervisor, and

(b) less than one hour of work remained in that session,

the Officer may credit the offender with that period of time that remained.

(5) Any time spent –

(a) travelling to or returning from the work placement or the assembly point shall not be credited to the offender, and

(b) travelling during a work session on the instruction of an Officer or other supervisor shall be credited to an offender.

(6) During a work session of not less than 4 hours, an Officer or other supervisor may permit an offender to have a rest break at the work placement and the time of any such rest break shall be credited to the offender.

### **Punctuality**

5. (1) An offender who fails to report for a work session at the time instructed shall only be accepted at the discretion of an Officer or other supervisor (as the case may be).

(2) Where an offender fails to report for a work session at the time instructed, an Officer shall review his case for disciplinary action under regulation 15, whether or not the offender was accepted at that work session.

(3) Where an Officer or other supervisor (as the case may be) does not attend at the work session at the time at which an offender was instructed to report, the offender shall wait for not less than 30 minutes after that time.

(4) Where –

(a) an offender has waited for not less than 30 minutes in accordance with paragraph (3), and

(b) an Officer or other supervisor has still not attended,

the offender may leave, and may be credited with one hour where he can prove his attendance to the reasonable satisfaction of an Officer.

(5) An offender may not leave a work session in advance of the time specified in his work instructions without the prior permission of an Officer or other supervisor.

**Conduct at work sessions.**

6. (1) An offender shall –

(a) comply with any instruction given to him by an Officer or other supervisor during a work session, and

(b) work to a standard which the Officer or other supervisor considers to be satisfactory.

(2) An offender who reports for a work session and –

(a) is, or

- (b) appears in the reasonable opinion of an Officer or other supervisor to be,

under the influence of alcohol or drugs shall be dismissed from the work session.

- (3) An offender shall not have in his possession or consume any –

- (a) alcohol,
- (b) prescription drugs which are not prescribed to him, or
- (c) unless he has been given prior permission by an Officer or other supervisor, prescription drugs which are prescribed to him,

during a work session.

- (4) An offender shall not enter any licensed premises during a work session, except where –

- (a) in respect of the licensed premises,
  - (i) there is in force a Category I licence (general off-licence) under the Liquor Licensing Ordinance, 2006<sup>b</sup>, and
  - (ii) any alcohol is offered for sale as part of a range of general groceries and food stuffs, and
- (b) he has been given prior permission by an Officer or other supervisor.

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<sup>b</sup> Ordinance No. V of 2006.

- (5) An offender shall not use any –
- (a) mobile phone,
  - (b) pager,
  - (c) sound or image recording equipment,
  - (d) personal music player, or
  - (e) other electrical device,

during a work session.

(6) Notwithstanding paragraph (5)(a), an offender may use a mobile telephone where the Officer or other supervisor gives the offender prior permission to do so.

- (7) An offender shall not –
- (a) smoke any tobacco products without the prior permission of an Officer or other supervisor,
  - (b) use any language which is foul, abusive or which the Officer or other supervisor reasonably considers is inappropriate or would cause offence,
  - (c) wear any clothing which the Officer or other supervisor reasonably considers is inappropriate or would cause offence, or
  - (d) have any animal with him at a work session, unless that animal is his assistance dog,
  - (e) otherwise behave in a manner which the Officer or other supervisor reasonably considers -
    - (i) is not reasonable, orderly and decent, or

- (ii) is in any other way inappropriate or would cause offence,

during a work session.

(8) An offender shall not –

- (a) be accompanied by any person, including a child,
- (b) receive any visitor,

when at a work session.

(9) Where an offender contravenes any paragraph of this regulation, an Officer shall review his case for disciplinary action under regulation 15.

**Unfitness to work at a work session.**

7. (1) Where an offender reports for a work session and –

- (a) an Officer or other supervisor reasonably considers that he is unfit to work, the Officer or other supervisor shall excuse him from the work session, or
- (b) he requests to be excused from that work session as he is unfit to work, the Officer or other supervisor shall excuse him from the work session and may require him to provide verification that he was unfit.

(2) Where an offender complains of becoming unfit to work during a work session and he requests to be excused from the work session, the Officer or other supervisor shall excuse him and may require him to provide verification that he was unfit.

**Long-term unfitness.**

8. (1) Where an offender is unfit for work for an aggregate period of 29 days or more, an Officer shall –

- (a) review his case to consider if any other work placement would be suitable, and
- (b) while his unfitness to work continues, interview him at monthly intervals to ascertain –
  - (i) his current state of health, and
  - (ii) which other work placement would be suitable.

(2) Where an Officer has reviewed the case of an offender and has required him to provide verification of his unfitness to work, the Officer may ask the person who has provided that verification of the form of work that would be suitable for him.

(3) Where an offender is not fit to undertake any form of work for what the Officer considers to be a substantial period, the Officer shall consider whether to apply to the sentencing court for a review under section 4 of the Law.

**Verification of unfitness.**

9. (1) Where an offender is required to provide verification that he is unfit, he shall provide –

- (a) a certificate or letter from a recognised medical practitioner, or
- (b) such other proof as an Officer shall consider acceptable,

and which shall set out the reason for his unfitness to attend an interview or to work.

(2) Any fee charged for the verification required under these Regulations shall be the responsibility of the offender.

**Failure to attend for work or interview.**

10. (1) Where an offender has failed to report for work or for an interview as instructed, he shall contact the Officer within 1 working day to explain that failure.

(2) The Officer shall review any explanation provided to him under paragraph (1) and –

(a) if satisfied that there was an acceptable reason for absence which was beyond the reasonable control of the offender, he shall not take any further action,

(b) if not so satisfied, he shall record the failure to report as an unacceptable absence, or

(c) if unable to make a decision without further information, he may require the offender to provide that information within 4 working days of the review.

(3) Notwithstanding paragraph (2), where the offender does not provide –

(a) an explanation for his failure to report under paragraph (1) within 1 working day, or

(b) further information under paragraph (2) within 4 working days,

the Officer shall record the failure to report as an unacceptable absence and consider whether any disciplinary action should be taken.

(4) Any further information under paragraph (2)(c) provided by the offender shall be provided in writing.

(5) Notwithstanding paragraph (5), the Officer may accept oral verification of information provided by the offender if –

- (a) the Officer considers that acceptance of information in that form would be appropriate,
- (b) the person providing the verification is identifiable, and
- (c) the Officer is satisfied that the person is acting impartially.

(6) For the purposes of these Regulations, an acceptable reason for absence shall be one or more of the following –

- (a) the offender is medically unfit to carry out the work as instructed or attend the interview (as the case may be),
- (b) detention by –
  - (i) the police,
  - (ii) customs, or
  - (iii) order of a court,
- (c) prior arrangement with an Officer,
- (d) unforeseen employment commitments at short notice, which does not include voluntary overtime work,

- (e) a serious and unforeseen commitment arising out of the domestic responsibilities of the offender,
- (f) the offender was given less than 5 days notice of his work instructions or of any variation thereto,
- (g) compassionate circumstances, or
- (h) attendance at a religious event.

**Leave of absence.**

11. (1) Any request by an offender for leave of absence shall be made to an Officer not less than 15 working days before the anticipated commencement of that leave, unless –

- (a) the reason for the leave of absence requested was not known or could not have reasonably have been anticipated at that point, or
- (b) the leave of absence is anticipated to commence less than 15 days after the assessment and placement interview.

(2) Where an offender requests leave of absence to attend a religious event, an Officer shall consider whether –

- (a) his attendance at that event would be for the purpose of his religious beliefs, and
- (b) he is a member of or a regular attendee at a religious organisation,

and may request verification of these matters.

(3) Where an offender requests leave of absence to attend a leisure or social event, an Officer shall consider –

- (a) the balance of hours outstanding for the Order,
- (b) his record of compliance with the Order,
- (c) the extent of any hardship which he might suffer if the request was refused,
- (d) likelihood of the offender re-offending during the leave of absence, and
- (e) any other relevant circumstance.

(4) Where a request for leave of absence would involve travel outside the Bailiwick, an Officer shall, in addition to any factors listed in this regulation, consider the likelihood of the offender –

- (a) returning to the Bailiwick at the expiration of the leave of absence, and
- (b) re-offending during the leave of absence.

(5) Where an offender requests leave of absence to travel outside the Bailiwick to attend a religious event, an Officer shall consider –

- (a) the factors in paragraph (2), and
- (b) whether the offender would otherwise be able to celebrate the religious event in the Bailiwick.

(6) Where an offender requests leave of absence to travel outside the Bailiwick to attend a leisure or social event, an Officer shall consider the factors in paragraph (3).

(7) Where an offender requests leave of absence to travel outside the Bailiwick for the purposes of employment, education or vocational training –

(a) for an aggregate period of twenty-eight days or less, an Officer shall consider whether the primary purpose of the travel is his employment, education or vocational training (as the case may be), or

(b) for an aggregate period of twenty-nine days or more, where an Officer does not consider that alternative arrangements can be made, he shall refer the request to a Manager.

(8) Where a request is referred to a Manager under paragraph (7)(b), he shall consider –

(a) whether the primary purpose of the travel is his employment, education or vocational training (as the case may be)

(b) the balance of hours outstanding for the Order,

(c) his record of compliance with the Order,

(d) the extent of any hardship which he might suffer if the request was refused, and

(e) whether –

- (i) the sentencing court was made aware of the intention or likelihood of the offender that he should travel, and
- (ii) if not, whether that intention or likelihood might reasonably have been disclosed to the sentencing court at the time of sentence.

(9) Where an offender requests leave of absence to travel outside the Bailiwick in circumstances that are urgent and unanticipated, an Officer shall –

- (a) consider the factors in paragraph (3), and
- (b) may require such verification as he sees fit, and

and may grant the offender leave of absence for not more than 10 days.

(10) Where an Officer or a Manager considers a request for leave of absence, he shall give a decision in writing.

(11) Where a request for leave of absence is refused, the offender may –

- (a) where the decision was made by an Officer, request a Manager,
- (b) where the decision was made by a Manager, request the Chief Probation Officer,

to review the decision.

**Maternity and paternity leave.**

12. Notwithstanding the provisions of regulation 11 -

- (a) an offender who is pregnant may be granted leave of absence for a period of up to 18 weeks, to -
  - (i) commence at any time between 11 and 6 weeks prior to the anticipated date of birth, and
  - (ii) continue for a period of between 6 and 8 weeks after the date of birth, and
- (b) a male offender who is a father or otherwise has parental responsibility for a child may be granted leave of absence for a period of 2 weeks from the date -
  - (a) the child is born, or
  - (b) the child's mother is discharged from hospital.

**Failure to notify.**

13. (1) Where an Officer knows or has reasonable grounds to suspect that an offender has failed to notify the relevant officer of a change of address or working arrangements, he shall –

- (a) make such enquiries as he sees fit to ascertain the current address or working arrangements of the offender (as the case may be), and
- (b) if he cannot so ascertain the current address or working arrangements, send an appointment letter to the last known address of the offender instructing him to attend an interview.

(2) An interview under paragraph (1)(b) must take place within 5 working days of the date of the sending of the appointment letter.

- (3) Where –
- (a) the –
- (i) offender attends an interview under paragraph (1)(b), and
- (ii) Officer is satisfied that the offender failed to notify the relevant officer of a change of address or working arrangements, he shall consider disciplinary action under regulation 15,
- (b) the offender fails to attend such an interview, the Officer shall refer him to a Manager for consideration of breach proceedings.

**Attendance at interviews.**

14. Any time spent attending an interview during the course of and for the purpose of the Order shall not be credited against the Order, except where an interview is conducted for research or evaluation purposes.

**Disciplinary action.**

15. Where an Officer decides that disciplinary action should be taken against an offender, he may –

- (a) give him a warning orally or in writing,
- (b) where disciplinary action has been taken on the basis of the conduct of the offender at a work session, disallow all or a proportion of the hours worked at the work session.
- (c) suspend him, or
- (d) institute breach proceedings.

**Suspension.**

16. (1) Where an Officer decides to suspend an offender, he shall –
  - (a) inform the offender of his suspension in writing, and
  - (b) be sent an appointment letter instructing him to attend a suspension interview.
  
- (2) A suspension interview –
  - (a) must take place within 5 working days of the date of suspension, and
  - (b) shall have the purpose of –
    - (i) investigating the reason for the conduct of the offender which has led to disciplinary action being considered, and
    - (ii) ascertaining the commitment of the offender to comply with the terms of the Order in future.
  
- (3) For the purposes of a suspension interview, an Officer may make such enquiries as he sees fit with any Officer or other supervisor into the conduct of the offender.
  
- (4) At the conclusion of a suspension interview, an Officer may –
  - (a) reinstate the offender to the Community Service scheme,
  - (b) refer the offender for breach proceedings to be considered, or

- (c) cause any further investigation to be undertaken which is necessary before a decision can be made and instruct the offender to attend a further suspension interview.

**Suspected commission of an offence.**

17. (1) Where an Officer has reasonable grounds for suspecting that an offender has committed an offence at a work session, he shall –

- (a) inform the police as soon as is reasonably practicable, and
- (b) immediately suspend him until the conclusion of any –
  - (i) investigation by the police, or
  - (ii) prosecution,

whichever is the later.

(2) Where the offender is not prosecuted for any offence arising out of the information given by the Officer to the police in paragraph (1), the Officer shall investigate the circumstances of the suspected offence before deciding if the offender should be reinstated to the Community Service scheme.

(3) Notwithstanding regulation 16(2) and for the purposes of investigating the circumstances of the suspected offence, the Officer may interview the offender at such point as he sees fit.

(4) Where the Officer is satisfied after investigation that –

- (a) the conduct of the offender was such that disciplinary action should be taken, he shall consider regulation 13, or

(b) in any other case, he shall reinstate the offender and credit him with the amount of time –

(i) that he worked at the work session at which he was suspended, and

(ii) that remained at that work session which he could not undertake due to the suspension.

**Suspension upon alleged commission of a new offence.**

18. (1) Where an offender appears in court charged with a new offence, he may be suspended at the discretion of an Officer –

(a) until the next court hearing in respect of the new offence, or

(b) for a period of one month,

whichever is sooner.

(2) The Officer shall review whether there should be a renewal of the suspension at the expiry of the previous period of suspension.

(3) Where an offender is not suspended by an Officer under paragraph (1), he shall report for any work session or interview as instructed.

**Breach proceedings.**

19. (1) Where breach proceedings are initiated under section 5 of the Law, the Officer shall provide to the Magistrate's Court –

(a) details of the alleged breach of the Order (a "**breach report**"), and

(b) the last known address of the offender.

(2) Where a defendant does not admit that he is in breach of an Order, the Officer shall, in addition to a breach report -

(a) provide such written evidence to the court as may be necessary, and

(b) attend any substantive court hearing of the alleged breach in order to give oral evidence if requested to do so.

**Proceedings for review.**

20. (1) Where an Officer decides that it would be in the interests of justice that an Order be reviewed by the sentencing court to consider varying or revoking it under section 4 of the Law, he shall make an application for a review to that court.

(2) Any application for a review under paragraph (1) must be accompanied by -

(a) a written explanation stating the grounds for the application, and

(b) the last known address of the offender.

(3) Where an Officer makes an application for review under paragraph (1), he shall notify the offender in writing -

(a) that an application has been made,

(b) that he should seek legal advice,

(c) of the powers of the sentencing court on such a review.

(4) Where an offender wishes to make an application to the sentencing court to review the Order by varying or revoking it, he shall first –

- (a) request an Officer to consider making the application under paragraph (1), and
- (b) provide an explanation as to why it would be in the interests of justice for that court to vary or revoke the Order under section 4.

(5) Where an Officer has considered any explanation provided by the offender and decides not to apply to the court under paragraph (1), he shall refer the request and explanation to a Manager.

(6) Where a Manager considers the explanation provided by the offender and -

- (a) decides that an application should be made under paragraph (1), he shall direct the Officer to make such an application, or
- (b) decides that an application should not be made under paragraph (1), he shall notify the offender in writing -
  - (i) of the reasons for his decision,
  - (ii) that he should seek legal advice, and
  - (iii) that the offender may in any event apply to the sentencing court to review it.

(7) Where an application is made by an Officer or by an offender, the progress of the Order may be suspended at the discretion of the Officer.

**Additional requirements for relevant offenders.**

21. (1) Where an offender is a relevant offender, this regulation shall have effect in respect of him notwithstanding any other provision in these Regulations.

(2) Where a relevant offender –

- (a) is given or sent an appointment letter to attend an interview, a letter shall be sent under separate cover to an appropriate adult, and
- (b) is instructed to attend an interview, an appropriate adult shall be invited to attend that interview.

(3) Where a relevant offender is instructed to attend an interview (other than an assessment and placement interview) and fails to do so, an Officer may in his discretion instruct him to attend on a second occasion before he considers whether any disciplinary action should be taken.

(4) Where –

- (a) an appropriate adult is invited to attend an interview but does not attend, or
- (b) there is no appropriate adult to invite,

the interview may take place but the relevant offender or the Officer may request another member of the Probation Service to attend the interview in place of the appropriate adult.

(5) Where a relevant offender fails to attend a work session or his conduct at a work session is not satisfactory, an Officer may send him an appointment letter to attend an interview, even if disciplinary action is not being considered.

- (6) For the purposes of this regulation –
- (a) a "relevant offender" means an offender who –
- (i) is deemed in law to be a child,
  - (ii) has an impairment of his mental health,
  - (iii) has a significant learning disability, or
  - (iv) is otherwise vulnerable in the reasonable opinion of an Officer, and
- (b) an "appropriate adult" means -
- (i) for an offender in subparagraph (a)(i), a parent or other suitable person with parental responsibility for him, and
  - (ii) for any other offender in subparagraph (a), any person that an Officer considers is suitable to deal with persons who fall within that subparagraph.

**Commencement of the Law.**

22. (1) The Criminal Justice (Community Service Orders) (Bailiwick of Guernsey) Law, 2006 shall come into force on the date on which it is registered on the records of the Island.

(2) The coming into force of this Law is of no effect in relation to an offence for which an offender was convicted before the date in paragraph (1).

**Effect of non-compliance with Regulations.**

23. For the avoidance of doubt, any failure by the Guernsey Probation Service, a Manager or an Officer to comply with these Regulations shall not invalidate any action taken or proceedings commenced under the Law or these Regulations.

**Interpretation.**

24. (1) In these Regulations, unless the context requires otherwise, the following words and expressions shall be construed in accordance with this regulation or the other provisions of these Regulations referred to in relation to them in this regulation -

"**appointment and placement interview**" has the meaning given in regulation 1,

"**Chief Probation Officer**" means the person employed in that capacity by the States Home Department,

"**individualised placement**" means a placement where the offender is not directly supervised by the Guernsey Probation Service,

"**the Law**" means the Criminal Justice (Community Service Orders) (Bailiwick of Guernsey) Law, 2006,

"**leave of absence**" means a period in which the offender is not required to attend an interview or for work,

"**Manager**" means a person designated to have managerial responsibility in respect of Orders by the Chief Probation Officer,

"**offender**" means a person in respect of whom an Order is made,

"**Officer**" means a person designated as a Community Service Officer by the Guernsey Probation Service,

**"Order"** means a Community Service Order,

**"placement"** means a scheme of work arranged by the Guernsey Probation Service for an offender to complete work pursuant to an Order,

**"recognised medical practitioner"** means -

- (a) if practising from Guernsey, a recognised practitioner within the meaning of the Doctors, Dentists and Pharmacists Ordinance, 1987<sup>c</sup>,
- (b) if practising from Alderney, a recognised practitioner within the meaning of the Alderney (Application of Legislation) (Doctors, Dentists and Pharmacists) Ordinance, 1988<sup>d</sup>, or
- (c) if practising from any other location, a person who is registered as a fully registered medical practitioner pursuant to section 3 or 19 of the Medical Act 1983<sup>e</sup>,

**"relevant offender"** has the meaning given in regulation 21,

**"suspension"** in respect of -

- (a) the progress of an Order, has the meaning given in regulation 1, and
- (b) an offender, has the meaning given in regulation 16,

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<sup>c</sup> Recueil d'Ordonnances Tome XVII, pg.79.

<sup>d</sup> Recueil d'Ordonnances Tome XVII, pg. 262.

<sup>e</sup> An Act of Parliament (1983, c. 54).

and related expressions shall be construed accordingly,

"**suspension interview**" has the meaning given in regulation 16, and

"**work session**" includes any rest break.

(2) The provisions of the Interpretation (Guernsey) Law 1948<sup>f</sup> shall apply to the interpretation of these Regulations throughout the Bailiwick of Guernsey.

(3) Any reference in these Regulations to an enactment is a reference thereto or from time to time amended, replaced, re-enacted, extended or applied.

**Citation and commencement.**

25. These Regulations may be cited as the Criminal Justice (Community Service Orders) (Bailiwick of Guernsey) Regulations, 2007 and shall come into force on the 22<sup>nd</sup> October, 2007.

Dated this 22<sup>nd</sup> day of October, 2007.



G H Mahy

Minister

For and on behalf of the Home Department

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<sup>f</sup> Ordres en Conseil Vol. XIII, p. 355.