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## GOVERNMENT NOTICE

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### DEPARTMENT OF SOCIAL DEVELOPMENT

No. R. 116

15 February 2013

### SOCIAL SERVICE PROFESSIONS ACT, 1978

#### REGULATIONS RELATING TO THE REGISTRATION OF A SPECIALITY IN PROBATION SERVICES

The Minister of Social Development has, in terms of section 28(1)(gA) of the Social Service Professions Act, 1978 (Act No. 110 of 1978), on the recommendation of the South African Council for Social Service Professions, made the regulations set out in the Schedule hereto.

#### SCHEDULE

#### DEFINITIONS

1. In these regulations “the Act” means the Social Service Professions Act, 1978, (Act No. 110 of 1978), and any expression to which a meaning has been assigned in the Act, shall have such meaning and, unless the context otherwise indicates-

“appropriate adult” means any member of the child’s family including the siblings, who are sixteen years or older or a caregiver referred to in section 1 of the Children’s Act, 2005 (Act No. 38 of 2005);

“assessment” means “assessment” as defined in the Probation Services Act, 1991;;

“assistant probation officer” means an “assistant probation officer” as defined in section 1 of the Probation Services Act 1991;;

“child and youth care centre”, means a “child and youth care centre” as defined in section 1 of the Children’s Act, 2005;

“community service” means the performance without remuneration and outside the prison of some service for the benefit of the community under the supervision or control of an organisation or institution which, or person who, in the opinion of the court, promotes the interests of the community;

“Council” means the South African Social Service Professions Council established under section 2 of the Act;

“diversion” means “diversion” as defined in section 1 of the Probation Services Act, 1991;

“home based supervision” means “home based supervision” as defined in section 1 of the Probation Services Act, 1991;

“probation services” means services pertaining to -

- (a) the rendering of advocacy and educational programmes to individuals, families, groups and communities;
- (b) the provision of expert assessment regarding the needs, risks and resilience of offenders and victims to assist courts on individualised interventions and sentencing options;
- (c) the acting as an expert witness in court regarding the appropriate sentencing of children and adults;
- (d) the reintegration of children who have been discharged from reform schools and secure care facilities; (e) the provision of home-based supervision of children placed under an appropriate adult;
- (f) the challenging of offending behaviour and the helping of offenders to realise the impact of their behaviour on themselves, their families, the community and their victims;
- (g) the compiling of reports on the compliance and non-compliance of the persons placed under the supervision of probation officers;
- (h) the facilitation of diversion and restorative justice processes;
- (i) the care, support, referral to and provision of mediation in respect of victims of crime; and
- (j) any service under the Probation Service Act, 1991.

“Probation Services Act” means the Probation Services Act, 1991 (Act No. 116 of 1991), as amended;

“restorative justice” means “restorative justice” as defined in section 1 of the Probation Services Act;

“social work” for the purposes of these regulations, means the promotion by a social worker of social change, problem-solving in human relationships and the empowerment and liberation of people to enhance the well-being of the client system through utilising theories of human behaviour and social systems, intervening at the point where people interact with their environment.

“supervision” means “supervision” as defined in section 1 of the Probation Services Act, 1991.

**REQUIREMENTS FOR REGISTRATION OF A SPECIALITY IN PROBATION SERVICES**

2. The Council shall on application register a speciality in probation services where a social worker has-
- (a) a recognised qualification in social work and is registered as a social worker with the Council; and
  - (b) an appropriate Master's degree approved by the Council related to probation services, plus at least two years appropriate and evidence-based practical experience within the scope of probation services; or
  - (c) an appropriate post graduate diploma or certificate in probation services approved by the Council, plus *three years appropriate and evidence-based practical experience within the scope of probation services; or*
  - (d) five years appropriate and evidence-based practical experience within the scope of probation services.; Provided that the applicant demonstrates expertise in probation services by meeting the assessment criteria of the Council for the purpose of determining whether the social worker concerned is competent to practice probation services.

**CONDITIONS FOR PRACTISING A SPECIALITY IN PROBATION SERVICES**

- 3.(1) A social worker who has complied with the requirements referred to in regulation 2 may, after registration of a speciality in probation services, practise the profession of social work in respect of a speciality in probation services subject to the following conditions:
- (a) A social worker referred to in regulation 2(a), (b) and (c) must pay the prescribed registration fee relating to the speciality as well as the prescribed annual fee for the speciality ; and
  - (b) a social worker referred to in regulation 2(d) must pay the prescribed assessment fee, the prescribed registration fee relating to the speciality as well as the prescribed annual fee for the speciality.

**APPLICATION FOR REGISTERING A SPECIALITY IN PROBATION SERVICES**

4. (1) Application by a social worker for the registration of a speciality in probation services shall be made on a form obtainable from the Council.

(2) Such application form shall be accompanied by –

- (a) a certified copy of the social worker's registration certificate issued by the Council upon registration as a social worker,, as well as proof of payment of the prescribed annual fee;
- (b) a certified copy of documentary proof of the experience referred to in regulation 2(b),(c) and (d); and
- (c) certified copies of documentary proof of the qualifications obtained, referred to in regulation 2(a), (b) and (c).

### **GENERAL PROVISIONS**

5. (1) A social worker who has registered a speciality in probation services may affix the designation "probation services specialist" (PSS) after his or her name.
- (2) A social worker who has registered a speciality in probation services shall display conspicuously in his or her office the registration certificate issued to him or her in terms of the Act.
- (3) A social worker who has registered a speciality in probation services is not excluded from practicing social work within a generic context.
- (4) A social worker who does not have the required experience in probation services and who wishes to obtain registration as a specialist in probation services may obtain such experience under the supervision of a probation officer registered as such with the SACSSP.

### **COMMENCEMENT**

6. These regulations shall come into operation on the date of publication thereof.
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