



Prijelazni instrument Europske unije za Hrvatsku / The European Union's Transition Facility for Croatia



“Support to further development and strengthening of the Probation Service in Croatia”

„Podrška daljnjem razvoju i jačanju probacijske službe u Republici Hrvatskoj”



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Consortium: Spanish General Secretariat of Penitentiary Institutions
in collaboration with the **German Foundation for International Legal**
Cooperation (IRZ)

FIIAPP (International and Ibero-American Foundation for
Administration and Public Policies)

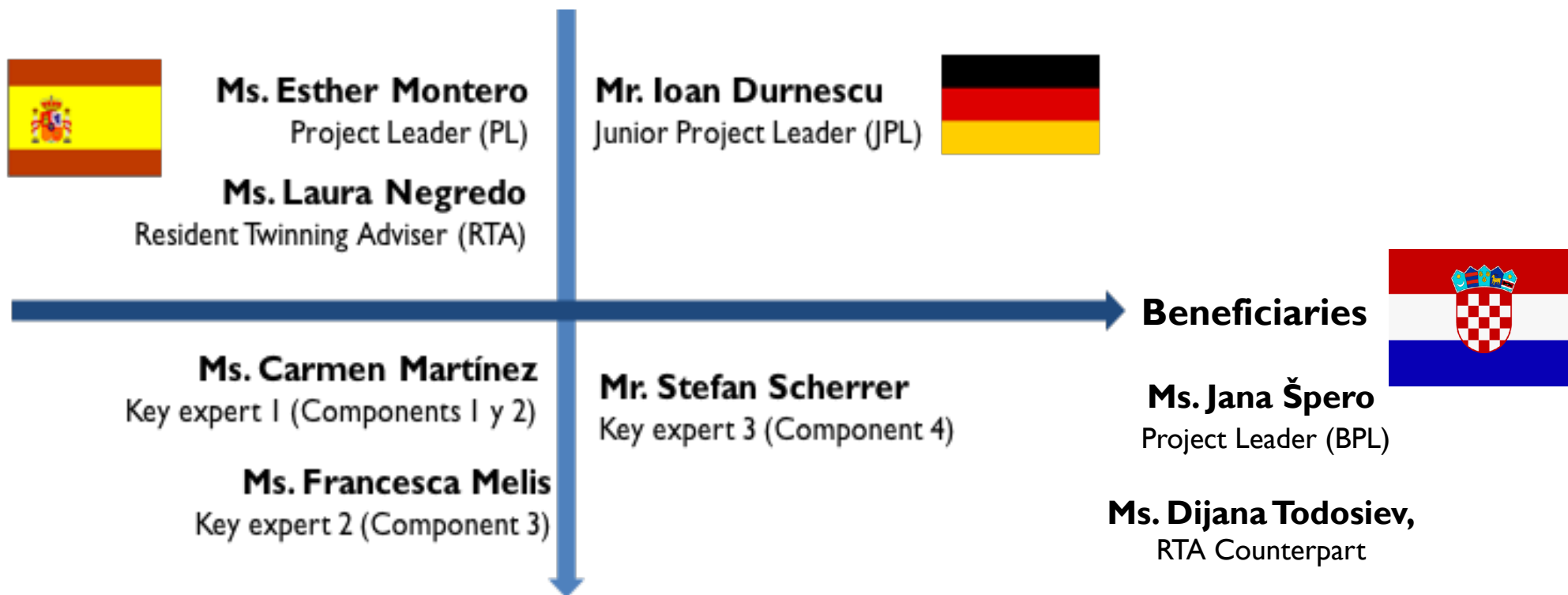
CFCA (Central Finance and Contracting Agency)

Main objective **to work in partnership with our beneficiary:**
Building something genuine, even new, together
Taking into account the positive achievements in our systems in the
Probation Area, as well as other EU models and the EU good
practices...



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Project Team





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Probation System in Spain

Main characteristics

- Spanish Penitentiary System: holistic, integrative and centralized system.
- 224 prison facilities and 55 probation units.
- High level of coordination, collaboration and knowledge in the enforcement of probation and prison sentences.
- The Spanish Penitentiary system is a “scientific individualization system” divided in three degrees.
- Comprehensive system including a wide range of alternatives to prison



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Probation System in Spain

Alternative Sentences and measures

Probation measures	
Community Service	Traffic and gender-based violence offences. Implemented in 2 different ways: <ul style="list-style-type: none"> • Offenders perform unpaid work for the benefit of the community. • Offenders attend workshops or treatment programmes.
Suspended Sentences	<ul style="list-style-type: none"> • Prison sentences shorter than two years / five in the case of drug-addicts • Conditioned to the offender not committing a new offence. • Obligations set by the judge (participation in treatment programmes)
Third Grade/Open Regime	<ul style="list-style-type: none"> • Inmates spend most of the day in the community. • Return to the prison facility at night, participation in programmes
Parole/Conditional Release	<ul style="list-style-type: none"> • Suspension of the final stage of prison sentence + Obligations
Security Measures	Custodial: psychiatric facility, addictions treatment/special education centres
	Non-custodial: supervised release.



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Alternative Sentences and measures

- More than 140,000 of probation cases each year
- 14'4% of prison population on parole
- 15'8% of prison population in open regime
→ **27,29% of them under ES!**

🌐 Electronic Monitoring Pilot project in 2000.

🌐 Dual goal of EM: promotion of social reintegration and control.

🌐 3 different situations:



Penal situation	Type of offenders
Open regime	Job requirements, mothers and health issues
Temporary release	Extra control measure for high risk offenders
Permanent location	Control of the execution of the sentence



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Workshops and Programmes

Road safety

Gender-based violence

Drug-addiction

Sex offenders

Internet sex offenders

Domestic violence

Social reeducation

(environmental offences, animal mistreatment, violence offences)

Motivation for change (transversal)



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Strengths of Probation System in Spain

- Good internal and external coordination :
 - With other administrations
 - Coordination /cooperation with all public and private institutions
 - Coordination before and after release
- Innovative ways of implementing some alternative measures
- Large experience in several treatment programs (Ex. sexual aggressors...) and group treatment programs
- Good and already large experiences in Electronic Monitoring
- Overcome a huge development of the alternative sentences and measure system during the last years...
 - From 812 probation cases in 2000 to 140.546 cases in Dec. 2015.



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Some data about Probation System in Croatia

- Young but very developed Probation system
- High level of qualification of the staff
- Participation in all phases of the Penal Justice System

Pre-trial	Criminal trial	Enforcement of “alternative sanctions”	Enforcement of sanction
Supervision of fulfilling obligations arising from the Decisions issued by the State Attorney (when deciding on criminal)	Pre-sentence reports to the Court	Protective supervision ordered with: -Suspended sentence -Community work	Protective supervision ordered with: -conditional release -upon the end of the prison sentence
Reports to the Prosecutor (State Attorney)		Community service: -acquiring consent , organization and supervision (CW:1d=2h)	Reports for prisons or penitentiaries
<i>Reports required for deciding on the measures of supervision and protection during pre- trial</i>		Supervision of : -Security measures -Special obligations	Reports for courts when deciding on the termination of sentence and CR



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Some data about Probation System in Croatia

- **Professional Probation System, built using the best European and international practices**
- **Development of the Probation System complies with several recommendations made by the Council of Europe**
- **In developing process: facing the increase of cases...**
 - **From 1067 in 2011 to 3911 new cases in 2015**
 - **New solutions? New alternatives? New technologies?**



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Project Purpose and working areas

Project Purpose:

**Further improvement of institutional capacity of the
Probation Service and introduction of electronic
surveillance in Croatia**

Four Areas:

Legislative / work - practices perspective

Treatment programs

Electronic Monitoring

PR Strategy



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1) Analysis of legal framework and work practice: Goals

- **Analysis of Croatian Probation legislation**
- **Analysis of work practice:**
 - *Probation officer's skills*
 - Skill Assessment Tool – online survey
 - Direct Observation of interviews
 - *Conditional Release (recent change in competences)*
 - Is the coordination and the information flow among different agencies working well?
 - *Pre-sentence reports and CW's reports*
 - Do they comply with EU standards and recommendations?
 - Are they functional for the needs of the Probation Service?





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1) Analysis of legal framework and work practice: Findings

- **General Overview:**

- The legal framework complies with EU standards
- High number of CW cases and CW hours
- High professionalism of Probation staff

- **Probation Reports:**

- Pre-sentence reports are under-used

- **Conditional Release**

- Need of formalizing the coordination between Prison and Probation
- Need of more involvement of community partners
- Lack of specific preparation of inmates for CR (role of Probation)



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1) Analysis of legal framework and work practice: Recommendations

General

- Introduce some changes in legislation (active participation; warning system and intake procedure)
- Promote suspended sentences versus CW
- Organize regular meetings with judges (cooperation work and visibility)
- Reduce the number of CW hours
- Skills: motivational interviewing, confronting offenders' behavior

Pre-sentence reports

- Increase the visibility of their applicability and content in the legislation
- Provide training to Probation staff

Conditional Release

- Coordination with Prison system: enhance pre-release work, formalize communication protocols



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2) Training of Probation Officers: Goals

- **The Croatian reality: Analysis of the existing training programs to work with specific categories of offenders:**
 - Probation, prison, universities and NGOs
- **What Works in Europe? Comparative overview:**
 - UK, Spain, Sweden, Finland and Germany
 - European best practices: Istanbul Convention on violence against women, Daphne Project and others
- **Training Need analysis** (knowledge, skills and attitudes)
- **Treatment Manuals** (sustainability)
- **Study visit to Spain**
- **ToT and Training for Probation Staff**





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2) Training of Probation Officers: Findings

- **Training in general:**

- Level of competences is good
- Previous Tw Project: part of the staff was trained
- Need for a strategic training plan in the future: initial and on-going
- Training areas: burnout prevention, non-cooperative offenders
- Supervision of Probation work

- **Trainings on treatment of specific categories of offenders:**

- Currently: Domestic Violence Program
- No other specific programs
- Lack of transfer of information of the treatment programs in prison (CR)
- Good collaboration with universities and external entities



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2) Training of Probation Officers: Recommendations

General Training

- Establishment of a Training Center and Training Strategy
- Induction and on-going trainings for PO
- Diversity of methodologies proposed (online, mentorship)

Specific Trainings

- 3 programs: sex offenders, gender-based violence and general offending/violent offending
- Common structure: Motivation for change, Intervention Phase and Follow-Up
- Target POs for the training: psychologists, social workers and social pedagogues
- Meetings with the Prison system: coordination of programs - coherence and continuity



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3) Implementation of an ES pilot project: Goals

- **The Croatian reality: Analysis of the existing national framework on ES** ✓
- **What Works in Europe? Comparative overview:** ✓
 - UK, Spain, Sweden and Belgium
 - EU recommendations
- **Cost-benefit analysis of introducing ES in Croatia** ✓
- **Protocols of cooperation**
- **Study visit to Spain**
- **Implementation of pilot Project**
- **Monitoring of the pilot Project and results**





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3) Implementation of the ES pilot project: Findings

- 2 cases for EM: investigative home detention and conditional release
- ES is not applied yet
- 20 cases will be piloted
- Key partners: Probation, Prison, Police, Judiciary and State Prosecutors- cooperation and awareness
- Cost-benefit analysis:
 - Prison cost= 400 kn (53 €)
 - Probation cost= 10 kn (1,3 €)
 - ES cost= 100 kn (Belgium model) (13,3 €)



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3) Implementation of the ES pilot project: Recommendations

Some general recommendations for ES

- Protocols of cooperation- EU recommendations
- EM + Probation Work
- EM - Probation work more flexible
- EM program: Direct contact and help vs exclusively time and space control

Regarding cost-benefit...food for thought

- International studies: do they consider all the real costs?
- Avoid the “easy, quick and cheap” approach for EM
- Which problems do you wish to solve through EM?, Who are the clients and the stakeholders?, What value do we offer to them?



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4) Raising awareness and enhancing visibility of the Probation Service : Goals

- **Croatian reality: PR strategies already implemented** ✓
- **European practices: how PR is approached in other countries?** ✓
- **Create a PR strategy: mission statement, key messages, target groups**
- **Implement some PR techniques:**
 - Participate in this conference!
 - Probation Service website and online newsletter
 - PR materials (leaflets, brochures)
 - Photography exhibition
 - Annual conference on Probation practices
- **Findings and recommendations... to come!**





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Conclusions

- ✓ Excellent collaboration between MS and BC
- ✓ Intense pre-work before the missions
- ✓ Diverse and well-experienced experts (Spain, Germany, Romania and Belgium)
- ✓ No one-way learning process but a reciprocal and interactive professional experience



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Thank you for your attention!

For more information about the Project:

- **Website:**

<https://pravosudje.gov.hr/pristup-informacijama-6341/ostale-informacije/projekti/euprojekti/transition-facility-support-to-further-development-and-strengthening-of-the-probation-service-in-croatia/11801>

- **Follow us on Facebook:**

<https://www.facebook.com/Twinning-project-Probation-Service-in-Croatia-1641459776164507/?fref=ts>

- **Email:** laura.negredo@pravosudje.hr