
National Probation Directorate Romania

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Short history of the probation system in Romania



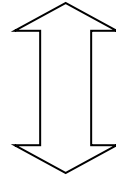
- established as a public service in 2001
- following an experimental period of 5 years (partnership between NGO's and Ministry of Justice)
- Within the Ministry of Justice, distinct from the Prison Administration



- The New Criminal Code and The New Criminal Procedure Code were adopted in 2012
- perfect opportunity to reform the probation system

The New Probation System

NATIONAL PROBATION
DIRECTORATE



42 PROBATION SERVICES

- Central level – National Probation Directorate - 37 employees
 - Local level - 42 probation services: 380 probation staff, graduated in social sciences, law, psychology, sociology or pedagogy out of which 42 are probation chiefs
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The New Probation System

- extended scale of competencies for the probation staff
 - higher decision powers
 - We encourage the organizations within the community to participate beside us in the process of execution of non-custodial sanctions and measures
 - a sustainable strategy to attract external funds
 - the Romanian Probation System continues to be organized apart from the prison administration but we have a very close communication and a genuine partnership between us
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1st of February 2014

turning point

First fundamental legislative reform in half of century

- New Criminal Code, New Criminal Procedure Code
 - New laws for probation
 - New law for prison
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Main competencies

Pre-trial (prosecutors)	Trial (judges)	Enforcement of the sanctions (community and judges)	Post release (community and judges)
Assessment reports for juveniles	Assessment reports for juveniles	Juveniles - 4 educative measures	Release from a detention center
	Reports for adults	Postponement of penalty enforcement; Suspension of sentence enforcement with supervision + Community Service	Conditional release \geq 2 years

The change - reports

Old attributions

Report - in the prosecuting, court judgment and executional stage

- preparing the assessment reports/pretrial for the accused minors - Prosecution;
- preparing, the presentence reports for the minor or adult offenders - Court;
- preparing the supervision reports for the convicted minor or adult offenders, at the request of the Court, in case that they break the obligations and measures imposed on them.

Current attributions

Report - in the prosecuting, court judgment and executional stage:

- preparing the assessment/pretrial reports for the accused minors – Prosecution;
- Preparing the presentence reports for the minor or adult offenders – Court;
- preparing the report in the executional stage:
 - in order to change the obligations;
 - in case of breaking the obligations and measures;
 - for the minors released from prison and obliged to follow the daily assistance measure
 - for the minors conditionally released from detention centres or educative centres

The change - supervision

Old attributions

- Supervising the manner in which the convicted person respects the measures and obligations imposed on them by the court during the probation period.
- The probation services **can** run specialized reintegration programs for the convicted persons maintained in liberty **if** they request to be assisted.

Current attributions

- Supervising the sanctioned/convicted persons to respect the measures and obligations imposed by the court during the probation period.
- Supervising the obligation to perform an unpaid activity in an institution of public interest (only for adult offenders);
 - restriction not to leave the country without the judge's permission;
 - to participate in a specialized reintegration program.
- The probation services **have to** run the reintegration programs for the convicted persons if they request to be assisted.

The change – underage offenders

Old attributions

1 non-custodial measure under probation supervision:

- educational measure of liberty under surveillance

Current attributions

4 non-custodial measures:

- civic traineeship
- supervision
- curfew on weekend
- assistance on a daily basis

The change – in prison

Old attributions

- Participation of a probation officer in the Conditional Release Commission.
- The probation services can run the reintegration programmes for the convicted persons.

Current attributions

Old +

- Supervision of conditional released inmates from prisons – remaining of sentence more than 2 years.
- Recommendations for the Parole Board Commission for adults/minors regarding the obligations that may be imposed

The change - organisation

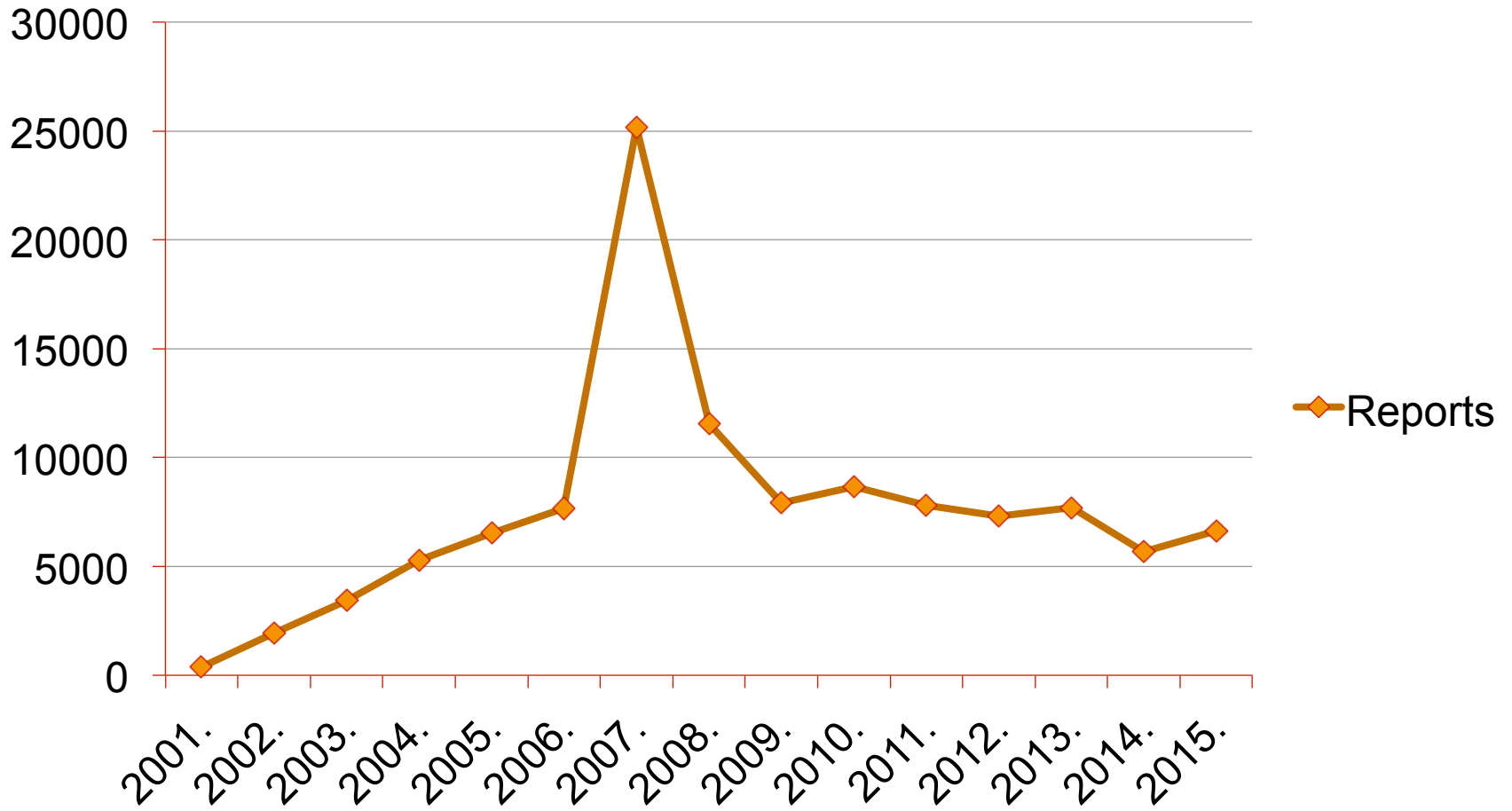
Old organisation

- Probation Department within the Ministry of Justice (16 positions)
- 42 probation services supported from the budgets of the courts (280 probation counsellors)

Current organisation

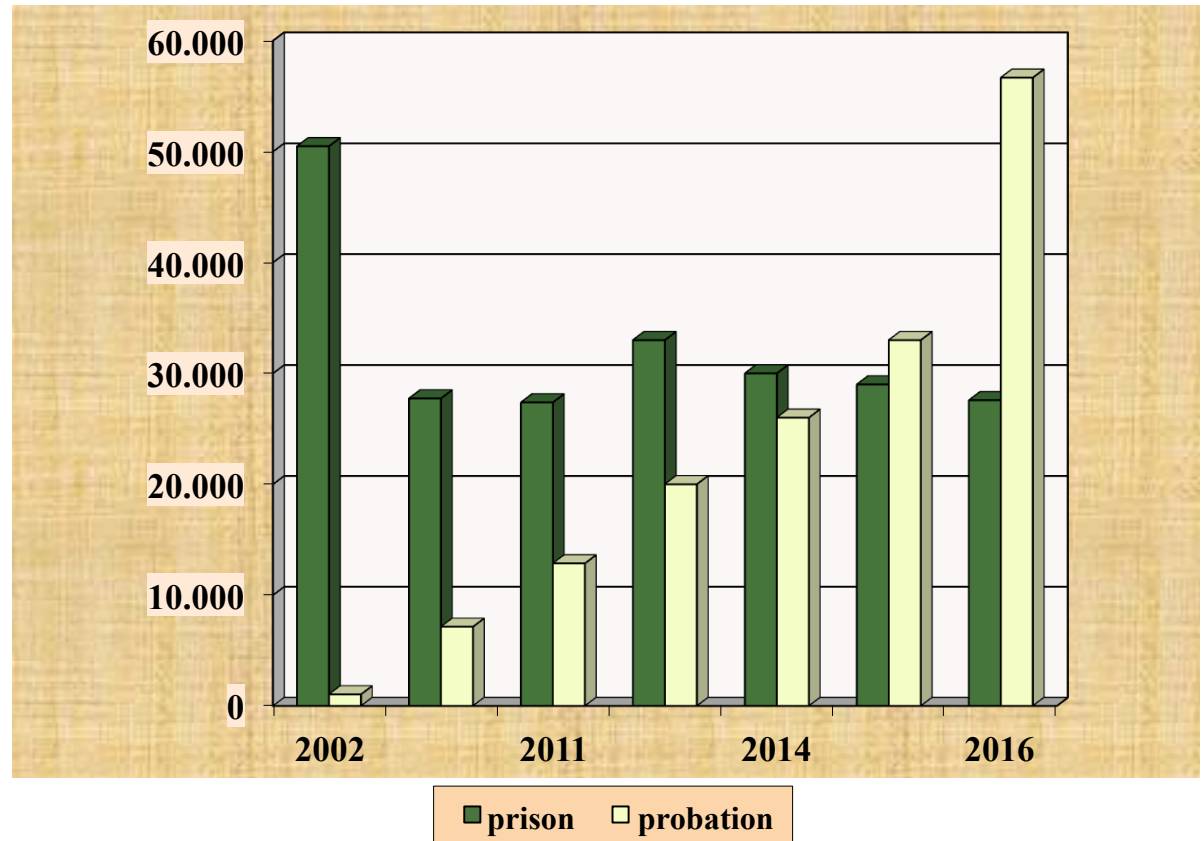
- National Probation Directorate (NPD) within the Ministry of Justice (90 positions)
- 42 probation services supported from the budgets of the NPD (380 probation counsellors)
- In 2017 – app. 1000 probation staff

Reports

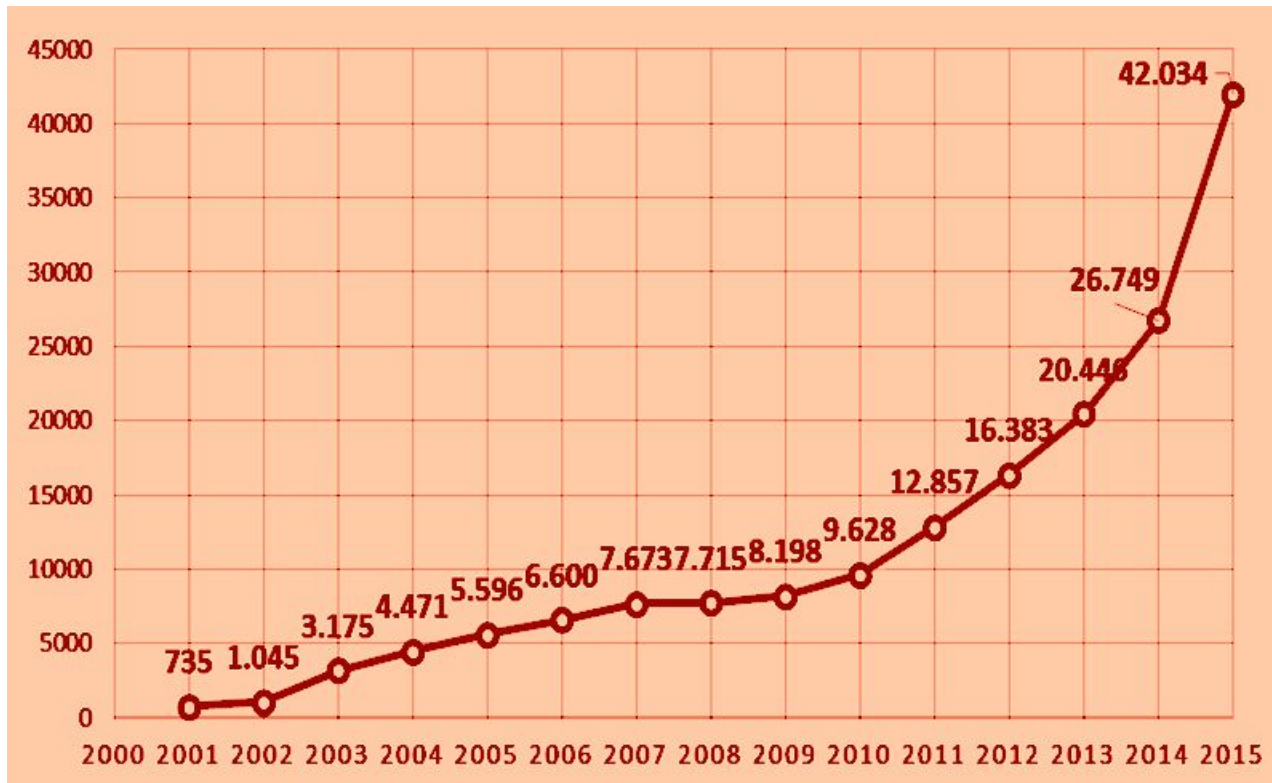


Supervision

- Constant increase of the probation activity



The change



The progress?

- Role of the probation service within the justice system
 - Decreasing the prison population
 - Reducing the costs
 - Educating the community
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Challenges

- ⌚ Overcrowding
 - ⌚ Change of the profile of the people in probation
 - ⌚ New procedures for probation practice
 - ⌚ New administrative procedures
 - ⌚ New staff
 - ⌚ New organization
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The role of the community

Examples of activities:

- Training;
 - Reintegration programs;
 - Community service;
 - Treatment;
 - Civic traineeship
 - Curfew on week-end
 - Daily assistance
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Plans for the future

- Taking new steps towards promoting new regulations to consolidate the probation system
 - Recruiting and training new probation counselors
 - Adjusting the physical and IT infrastructure of the Probation Services
 - Consolidating the NPD's management capacity
 - Continuing the implementation of international cooperation programs and identifying new opportunities
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