



- Self presentation. This presentation was developed in partnership with Mr. Valentin Schiaucu the Educational manager of the Probation Department in Romania.
- Intentions: to explore the possibilities of establishing European Curriculum in Probation by trying offer some answers to a certain number of questions:
 1. What is a educational curriculum?
 2. What are the premises to have such a program ?
 3. What would be the right university level for such a program ?
 4. What would be the benefits and the risks of such a program?

In the end I propose some questions to help us think about this idea in a structured way.

What is an educational curriculum?

- First appearing in documents: Leiden University (1582) and Glasgow University (1633).
- First document that mentions this concept: "The Oxford English Dictionary" (OED) - "mandatory course for training or study, held in a school or university".
- Recent understanding: "a set of knowledge, skills and behaviours mandatory for all the students".

2

- The term curriculum appears for the first time in documents of Leiden University (1582) and Glasgow University (1633).
- The first document that mentions this concept is "The Oxford English Dictionary" (OED) meaning "mandatory course for training or study, held in a school or university".
- In a more recent understanding, a core educational curriculum could be defined as "a set of knowledge, skills and behaviours mandatory for all the students".
- According to these definitions, an educational curriculum means actually a core educational curriculum.

What are the reasons we should have an European Curriculum in Probation?

1. Lisbon Treaty (EU)

- in force since 1st of December 2009
- establishes a common Area of freedom, security and justice (art. 61)
- “ensure a high level of security through measures to prevent and combat crime ...as well as through **mutual recognition of judgments in criminal matters** and, if necessary, through the **approximation of criminal laws**” (art. 61)
- Council and the EU Parliament, by means of **directives**, may establish minimum rules concerning the definition of criminal offences and sanctions

3

Now it is recognized that the Council and the Parliament may adopt such minimum rules for certain particularly serious crime: terrorism, trafficking in human beings, illicit drug trafficking etc. The Treaty also recognizes that other serious crimes may be added to the list with the consent of the MS.

What are the reasons we should have an European Curriculum in Probation?

2. Directives (EU)

- Council Framework Decision 2008/909/JHA on the application of the principle of **mutual recognition to judgments in criminal matters imposing custodial sentences** or measures involving deprivation of liberty for the purpose of their enforcement in the European Union, which concerns transfer of prisoners;
- Council Framework Decision 2008/947/JHA on the application of the principle of **mutual recognition to judgments and probation decisions** with a view to the supervision of probation measures and alternative sanctions.

4

We all know that starting with 2011 probation decisions may be transferred between EU members states under certain conditions. After this moment an offender can be convicted in one state and execute the sanction in another. Obviously this process will increase the interaction between states and facilitate a common approach to probation issues.

What are the reasons we should have an European Curriculum in Probation?

3. **Recommendation no. R (92) 16** of the Committee of Ministers to Member States on the European Rules on Community Sanctions and Measures (CoE) (and others):

- “consider the importance of establishing **common principles regarding penal policy** among the member States of the Council of Europe in order to strengthen international co-operation in this field”;

- “to establish a **set of standards** to enable national legislators and the practitioners concerned (deciding authorities and authorities responsible for implementation) **to provide a just and effective application of community sanctions and measures**”.

What are the reasons we should have an European Curriculum in Probation?

4. Draft Recommendation on Probation Rules (CoE):

- working with foreign probationers: “close co-operation with the probation agencies in their country of origin shall be established in order to facilitate the necessary supervisory arrangements upon arrival.”
- “Revision of existing laws, policy and practice shall be based on sound scientific knowledge and research that meets **internationally recognized standards.**”

Two interim conclusions:

From the criminal justice stand point:

There are some clear expectations that the EU member states will increase the process of **law approximation** in criminal matters both regarding criminal sanctions and their execution.

There is also noticeable aspirations towards some “internationally recognized standards” and therefore towards some **comparable probation practices**.

From the educational point of view:

Bologna process:

– which aims at creating “a European Higher Education Area by 2010, in which students can choose from a wide and **transparent range of high quality courses** and benefit from smooth **recognition procedures**.

- **three priorities:** 1) Introduction of the three cycle system, 2) quality assurance and 3) recognition of qualifications and periods of study.

- to increase the mobility of learners between countries and make the qualifications more readable across EU

– the EU Parliament and the Council adopted in April 2008 - **European Qualifications Framework (EQF)**.

Print EQF.pdf - Adobe Reader

Edit View Document Tools Window Help

THE EUROPEAN QUALIFICATIONS FRAMEWORK FOR LIFELONG LEARNING

DESCRIPTORS DEFINING LEVELS IN THE EUROPEAN QUALIFICATIONS FRAMEWORK (EQF)

Each of the 8 levels is defined by a set of descriptors indicating the learning outcomes relevant to qualifications at that level in any system of qualifications.

	KNOWLEDGE	SKILLS	COMPETENCE
<p>In the context of EQF, knowledge is described as theoretical and/or factual.</p>	<p>In the context of EQF, skills are described as cognitive (involving the use of logical, intuitive and creative thinking) and practical (involving manual dexterity and the use of methods, materials, tools and instruments).</p>	<p>In the context of EQF, competence is described in terms of responsibility and autonomy.</p>	
<p>The learning outcomes relevant to Level 1 are</p>	<p>basic general knowledge</p>	<p>basic skills required to carry out simple tasks</p>	<p>work or study under direct supervision in a structured context</p>
<p>The learning outcomes relevant to Level 2 are</p>	<p>basic factual knowledge of a field of work or study</p>	<p>basic cognitive and practical skills required to use relevant information in order to carry out tasks and to solve routine problems using simple rules and tools</p>	<p>work or study under supervision with some autonomy</p>
<p>The learning outcomes relevant to Level 3 are</p>	<p>knowledge of facts, principles, processes and general concepts, in a field of work or study</p>	<p>a range of cognitive and practical skills required to accomplish tasks and solve problems by selecting and applying basic methods, tools, materials and information</p>	<p>take responsibility for completion of tasks in work or study</p> <p>adapt own behaviour to circumstances in solving problems</p>
<p>The learning outcomes relevant to Level 4 are</p>	<p>factual and theoretical knowledge in broad contexts within a field of work or study</p>	<p>a range of cognitive and practical skills required to generate solutions to specific problems in a field of work or study</p>	<p>exercise self-management within the guidelines of work or study contexts that are usually predictable, but are subject to change</p> <p>supervise the routine work of others, taking some responsibility for the evaluation and improvement of work or study activities</p>

- Each of the 8 levels is defined by a set of descriptors indicating the learning outcomes relevant to qualifications at that level in any system of qualifications.
- In the context of EQF, knowledge is described as theoretical and/or factual.
- In the context of EQF, skills are described as cognitive (involving the use of logical, intuitive and creative thinking) and practical (involving manual dexterity and the use of methods, materials, tools and instruments).
- In the context of EQF, competence is described in terms of responsibility and autonomy.

LEVEL 5 ¹	LEVEL 6 ²	LEVEL 7 ^{3,4,5}	LEVEL 8 ^{6,7}
The learning outcomes relevant to Level 5 are	<ul style="list-style-type: none"> comprehensive, specialised, factual and theoretical knowledge within a field of work or study and an awareness of the boundaries of that knowledge 	<ul style="list-style-type: none"> a comprehensive range of cognitive and practical skills required to develop creative solutions to abstract problems 	<ul style="list-style-type: none"> exercise management and supervision in contexts of work or study activities where there is unpredictable change review and develop performance of self and others
The learning outcomes relevant to Level 6 are	<ul style="list-style-type: none"> advanced knowledge of a field of work or study involving a critical understanding of theories and principles 	<ul style="list-style-type: none"> advanced skills, demonstrating mastery and innovation, required to solve complex and unpredictable problems in a specialised field of work or study 	<ul style="list-style-type: none"> manage complex technical or professional activities or projects, taking responsibility for decision-making in unpredictable work or study contexts take responsibility for managing professional development of individuals and groups
The learning outcomes relevant to Level 7 are	<ul style="list-style-type: none"> highly specialised knowledge, some of which is at the forefront of knowledge in a field of work or study, as the basis for original thinking and/or research critical awareness of knowledge issues in a field and at the interface between different fields 	<ul style="list-style-type: none"> specialised problem-solving skills required in research and/or innovation in order to develop new knowledge and procedures and to integrate knowledge from different fields 	<ul style="list-style-type: none"> manage and transform work or study contexts that are complex, unpredictable and require new strategic approaches take responsibility for contributing to professional knowledge and practice and/or for reviewing the strategic performance of teams
The learning outcomes relevant to Level 8 are	<ul style="list-style-type: none"> knowledge at the most advanced frontier of a field of work or study and at the interface between fields 	<ul style="list-style-type: none"> the most advanced and specialised skills and techniques, including synthesis and evaluation, required to solve critical problems in research and/or innovation and to extend and redefine existing knowledge or professional practice 	<ul style="list-style-type: none"> demonstrate substantial authority, innovation, autonomy, scholarly and professional integrity and sustained commitment to the development of new ideas or processes at the forefront of work or study contexts including research

Compatibility with the Framework for Qualifications of the European Higher Education Area

The Framework for Qualifications of the European Higher Education Area provides descriptors for cycles. Each cycle descriptor offers a general statement of typical expectations of achievements and skills associated with qualifications that represent the end of that cycle.

¹ The descriptor for the higher education short cycle (bachelor or linked to the first cycle), developed by the Joint Quality Initiative as part of the Bologna process, corresponds to the learning outcomes for EQF level 5.

² The descriptor for the first cycle in the Framework for Qualifications of the European Higher Education Area agreed by the ministers responsible for higher education at their meeting in Bergen in May 2005 in the framework of the Bologna process corresponds to the learning outcomes for EQF level 6.

³ The descriptor for the second cycle in the Framework for Qualifications of the European Higher Education Area agreed by the ministers responsible for higher education at their meeting in Bergen in May 2005 in the framework of the Bologna process corresponds to the learning outcomes for EQF level 7.

⁴ The descriptor for the third cycle in the Framework for Qualifications of the European Higher Education Area agreed by the ministers responsible for higher education at their meeting in Bergen in May 2005 in the framework of the Bologna process corresponds to the learning outcomes for EQF level 8.

If we look closely to these descriptors we will see that the right level for our probation officers is Level 7 – the equivalent of the Masters degree – read !!

Interim conclusion regarding the education

We have seen that in the education field there are also aspirations towards a **convergent area of higher education** where students from all over EU will be able to benefit from high quality courses, recognized all over Europe by all the employers.

- 
- All the previous partial conclusions advocate for an integrated European Curriculum (Master?) on Probation Studies.

Advantages:

- prepare for the law and procedures approximation in EU;
- prepare for a more intensive cooperation among EU probation agencies;
- channel best practices and cutting edge models into probation practice;
- ensure equal treatment of probationers all over EU;
- effective use of expertise;
- low cost.

Risks:

- limit the cultural and professional diversity (against the Lisbon Treaty – “respect of different legal systems and traditions” – art. 61);
- since the criminal justice laws are not yet deeply approximated there is a risk of conceptual misunderstandings.
- the imperialism of some theoretical models.

14

For instance, there are differences between countries in terms of the sanctioning system as there are differences among countries in terms of the understanding or the content of each sanction. In some countries the concept of supervision involves both surveillance and assistance. In others supervision is just surveillance.

Conclusion

Our opinion is that this program:

- is possible,
- it could be useful and
- 2010 is a good time to start thinking of such an initiative but the measures to avoid the risks must be thoroughly considered.
- There is no other educational program developed to be relevant to all the UE countries (avangarde)

How such a program could be built-up ?

1. Inductive – starting with an occupational analysis, identification of Knowledge, Skills and Competences etc.
2. Deductive – starting with what the international standards requires for probation services to deliver (respecting the diversity and the specificity of each jurisdiction)

Some thoughts about the design of such a Master (deductive):

- One option could be to develop a multicultural program with 8 fundamental courses (e.g. crime and criminology, interviewing skills, assessment practices, European standards, introduction to criminal justice etc.) and other 16 optional courses out of which the students should select 8 (e.g. RNR based practice, The Good Lives based practice, case management, casework etc.).
- The program could be half theory (online) and half practice (in the students home countries) with specific learning objectives.
- The program should be delivered by at least one university in each country.
- CEP could take the coordination role (curricula adaptation, monitoring, quality assurance etc.)

17

It would look like a “menu based” master degree with 120 credits and 8 compulsory and 8 optional courses.

Courses like Introduction to criminal justice might be tailored and adapted to the students profile. The group of students from Germany may attend the course on Introduction to CJ in Germany. Leading lecturers might be recruited from all over the world to teach in there area of expertise: Rob Canton and Anton van Kalmthout might be convinced to teach European standards on probation. Shadd Maruna and Fergus McNeill could take over desistance based probation practice. Martine Evans and Frieder Dunkel might teach probation work in prisons and so on.

Before a master like that is in place:

- In order to strengthen the cooperation between EU countries in terms of probation education and training some other solutions could be considered:
 - A training handbook for probation officers (like the one of UN, 1998),
 - Increase Erasmus mobility among universities with probation programs,
 - Bilateral agreements between countries with intensive cooperation in probation matters,
 - Collective books on probation practice in Europe,
 - More comparative research on probation practice published in European Journal of Probation or EuroVista,
 - Distinct sections on education and training in European Framework decisions and CoE recommendations etc.

Possible sources of funds:

- European Commission
- Council of Europe
- Ministries of Justice from different states (a joint venture)
- Other private and public donors

Questions & Dilemmas:

What are the preconditions for such a program to be feasible ?

What are the benefits and the risks of such an initiative ?

How can the risks be reduced ?

If we decide to create such a program what would be the next steps ?



Thank you !!

Ioan Durnescu
University of Bucharest
idurnescu@gmail.com