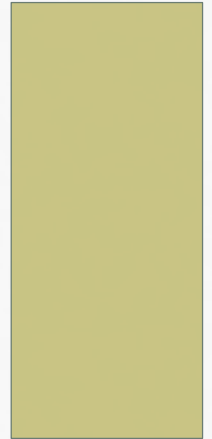


# MENTAL HEALTH AND PROBATION IN CATALONIA



Generalitat de Catalunya  
Departament de Justícia  
**Secretaria de Mesures Penals,  
Reinserció i Atenció a la Víctima**

February 13th, 2019 Malta



# 1. GENERAL INFORMATION: OVERVIEW OF THE PROBATION SYSTEM IN CATALONIA

- 1978 Spanish Democratic Constitution
- Justice competency transferred to Catalonia in 1984
- Legal framework:
  - New criminal Code (1995)
  - Royale Decree 840/2011 of June 17 establishes how to serve sentences of: unpaid work, permanent location in prison, certain security measures and de suspension of the prison sentences with obligations.



# 1. GENERAL INFORMATION: OVERVIEW OF THE PROBATION SYSTEM IN CATALONIA

- The Alternative Measures and Sanctions Management Services development:
  - 1995- 2000: *Direct* management by Administration (public servants)
  - 2001- 2009: *Mixed* management (1 Agency under public contract *and* public servants)
  - 2010- 2017: *Indirect* management (3 Agencies under public contract *by public tender every four years*)
- At the moment the Catalan Probation Agencies are non-profit ones

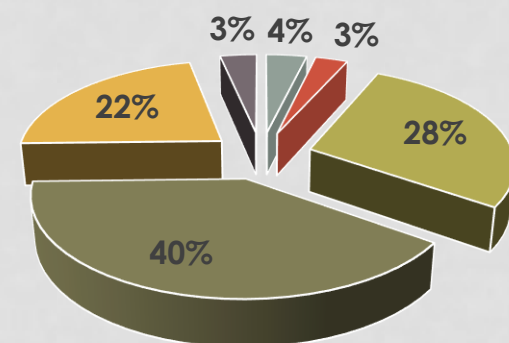


**Fundació apip - acam**

# 1. GENERAL INFORMATION: STATISTICAL DATA 2018

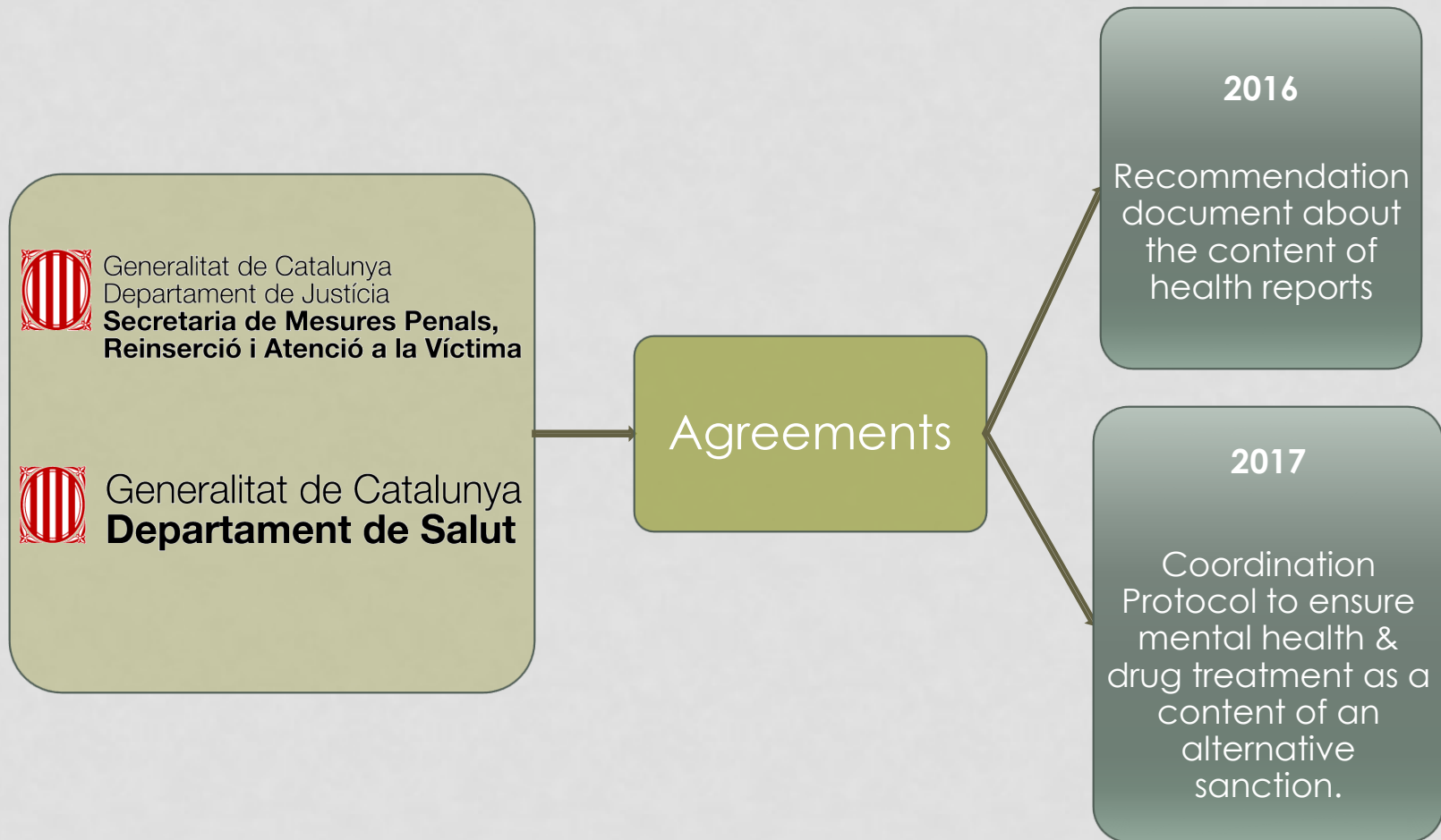
	<u>Prog. diferents</u>	<u>Pers. diferents</u>
Llibertat Vig.Post Cond OCA (sense presó)	5	4
Llibertat Vig.Post Cond PF (sense presó)	19	19
Llibertat Vig.Post Cond S.Mental (sense presó)	10	8
Llibertat Vig.Post Cond.(sense presó)	28	26
Llibertat Vig.Post Cond.Tt.desh (sense presó)	1	1
Llibertat Vigilada Post Condemna	20	20
Llibertat Vigilada Post Condemna OCA	3	3
Llibertat Vigilada Post Condemna Prog.Formatiu	12	12
Llibertat Vigilada Post Condemna Salut Mental	8	8
Llibertat Vigilada Post Condemna Tta. Desh.	3	3
Mesura assistència programes formatius	1	1
Mesura de custòdia familiar	9	9
Mesura seguiment int. centre deshabituació	36	32
Mesura seguiment int. centre educ. especial	2	1
Mesura seguiment int. centre psiquiàtric	86	75
Mesura TTA deshabituació	31	31
Mesura TTA salut mental	117	107
Obligació comparèixer davant administració	50	50
Obligació compliment deures	59	59
Obligació de Treballs benefici comunitat	1.008	962
Obligació internament deshabituació	10	10
Obligació participació programes formatius	1.412	1.384
Obligació TTA deshabituació	495	444
Pena de treballs benefici comunitat	6.353	5.462
Programa MPA no oficial	11	11
<b>Total</b>	<b>9.789</b>	<b>8.035</b>

## Mental Health Programs 2018



- Supervised release (no prison)
- Supervised release (after prison)
- Security Measure Internament
- Security Measure Outpatient
- Obligations
- Family Custody

## 2. POLICY & RESEARCH



## 2. POLICY & RESEARCH: ORGANISATIONS INVOLVED IN MENTAL HEALTH

### **HEALTH CARE SYSTEM NETWORK**

#### **MENTAL HEALTH NETWORK**

- Psychiatric Hospitals
- Mental Health Centers (MHCs)
- Legal residences
- Specific units of general hospitals
- Therapeutic apartments

#### **NETWORK OF DRUG DEPENDENCY**

- Therapeutic Communities
- Centers for Monitoring and Drug Addiction (CASD)
- Legal residences
- Hospital detox units
- Therapeutic apartments

#### **INTELLECTUAL DISABILITIES NETWORK**

- Directorate General of Public Protection. Department of Labour, Welfare and Families
- Intellectual Disability Care Centers (CAD)
- Dincat (Accepta program)
- Residential
- Legal residences
- Supervised apartments
- Occupational workshops
- Hospitalization Unit For People with a Diminished Intellectual Capacity

#### **PRISON**

- Dincat (Accepta program)
- Psychiatric Unit (UHPP)

### 3. TRAINING/EXPERTISE

- CEJFE: Centre of Legal Studies and Specialized Training is an autonomous administrative body attached to the Catalan Government Department of Justice that provides specialized training and research activities in the field of law and justice.

e.g. 2019:

- prevention and intervention of suicide in prison
  - intellectual disabilities
- Catalan Probation Agency IReS provides training programs each year based on PO needs (last one about sexual offenders).
- There are 4 probation officers in Barcelona specialized in Internment Security Measures.



## 4. SCREENING

- Assessment and Pre- sentenced reports in the adult jurisdiction are prepared only under judge's request to:
  - EAT penal: specialized assessment teams that inform the judges about personal and social circumstances
  - Forensic reports: mental health and drug assessment
- The probation officer makes questions about mental health in the first interview (issues, medication, current or past treatments..) however the PO **doesn't have specific tools** for screening. The PO may ask the court for a forensic report in case of suspicious of mental health issues.



# 5. TREATMENT: BASIS PRINCIPLES

- 4 BASIS PRINCIPLES



## 5. TREATMENT: CARE & CONTROL

- The probation officer **supervises** the progress of the offender's treatment while offering him or her **socio-educational support** aimed to a **social integration**, ensuring the fulfillment of the conditions established by the sentence.
- **Every mental health care center designs a plan** that must have a therapeutic purpose and may promote the gradual integration back of the subject into the community.

# 5. TREATMENT: ROLE OF THE PROBATION OFFICER

Multidisciplinary background of the probation officers (social workers, psychologists, criminologists, pedagogues...)

## Tasks

### 1. INITIAL PHASE

- Reviewing the Judicial documentation + Forensic report
- Interviewing with the offender
- Searching of an appropriate resource and/or fixing coordination with the professionals of the chosen center.
- Reporting to the court of the proposed individual plan, in order to be approved by the judge.

# 5. TREATMENT: ROLE OF THE PROBATION OFFICER

## 2. FOLLOW UP STAGE

- Carrying on interviews with the offender (usually monthly).
- Establishing professional coordination with the public compliance center
- Reporting to the court (usually quarterly) on:
  - ✓ the current situation
  - ✓ The treatment's progress
  - ✓ Breaches
  - ✓ Proposing modifications of the initial work plan content if needed

## 3. FINAL STAGE

- Carrying on final interview with the offender.
- Producing final report (offender's progress and current situation)

## 6. MAIN CHALLENGES

Dual pathology

Exchange of  
information

Intellectual disabilities

Families

Social difficulties

Bond

- Difficulty to attend people with psychiatric disorders and substance abuse
- Improve the exchange of information between different resources and different courts
- More investment
- Working with and for the families: existence of restraining orders within the family
- Problems related to immigration, poverty, social exclusion may suffer anxiety or depression
- Sometimes de PO may be under suspicion  
Risk of withholding relevant information

*Thanks for your attention !*

*Any questions?*



**Cristina Sanchez**

cristina.sanchezd@gencat.cat

**[www.fundacioires.org/es](http://www.fundacioires.org/es)**



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