

APPENDIX II

Glossary

Accredited programme	<p>'Programmes' represent a structured approach to helping offenders to acquire the skills and knowledge, which can help them to stay out of trouble. Mostly delivered to groups of offenders, programmes have their origins in attempting to help offenders to acquire problem-solving, thinking and self-management skills, and in combining a range of learning opportunities into a structured sequence (2). Accredited programmes are those programmes approved by an authority either administrative or academic on the basis of what is considered effective (3).</p> <p>See also: What Works.</p> <p><i>Related terms: Group work, cognitive behavioural programmes and effective practice.</i></p>
Advisory report	<p>An advisory report is a written report given by the probation service to the public prosecutor, the court or other competent authority which can contain information on the offender with respect to his behaviour, his compliance with conditions imposed on him, often based on a risk assessment, that could help the authority in taking a well-founded decision with respect to the offender (3).</p> <p>See also: Pre-sentence report.</p>
After-care	<p>After-care is the process of reintegration of an offender back into the community in a positive and supervised manner. In case the offender is deprived of his liberty, aftercare will start from its outset and shall continue after his release (1). Usually, reintegration back into community covers one or more of the following services providing housing, employment, education, family support, reconciliation with the victim and so on.</p> <p><i>Related terms: Resettlement and post release supervision.</i></p>
Alternatives to remand in custody/pre-trial detention	<p>These requirements are imposed on the suspect in order to avoid the remand in custody (3). Alternative measures to remand in custody may include, for example: undertakings to appear before a judicial authority as and when required, not to interfere with the course of justice and not to engage in particular conduct, including that involved in a profession or particular employment; requirements to report on a daily or periodic basis to a judicial authority, the police or other authority; requirements to accept supervision by an agency appointed by the judicial authority (usually probation service); requirements to submit to electronic monitoring; requirements to reside at a specific address, with or without conditions as to the hours to be spent there; requirements not to leave or enter specified places or districts without authorisation; requirements not to meet specified persons without authorisation; requirements to surrender passports or other identification papers and requirements to provide or secure financial or other forms of guarantees as to conduct pending trial.</p> <p><i>Related terms: Alternatives to pre-trial detention, electronic monitoring, supervision, home detention/house arrest etc.</i></p>
Amnesty	<p>Amnesty is a legislative or executive act by which all legal</p>

remembrance of the offence is obliterated. It means that those who may or may not have been convicted of an offence are restored to the position of innocent persons. Amnesties may be granted by the crown alone or by an act of Parliament or by an act of Crown and Parliament together. Amnesty differs from a pardon because amnesty is the abolition and forgetfulness of the offence, whereas a pardon is forgiveness (3).

Related terms: Pardon.

Antisocial behaviour order

Antisocial behaviour is a behaviour, which causes or is likely to cause harassment, alarm or distress to one or more persons not in the same household as the perpetrator. The order (ASBO) was introduced by the Crime and Disorder Act 1998 and is usually made in civil proceedings, on application by the local authority or the police, but can be imposed alongside a criminal court sentence. Although ASBO is a civil order, the breach of such an order is a criminal offence. ASBO includes prohibitions like the ban to enter specific zones, or congregating in groups and associating with named others in the public place (3).

Related terms: 'Naming and shaming', 'broken windows' etc.

Assistance

Most of the time, assistance is a part of the supervision process alongside with control. In some jurisdictions it is clearly differentiated from supervision and takes the form of a service providing counselling, practical help, orientation, advocacy etc. aiming to cover the criminogenic needs of the offenders (3).

Related terms: Assistance plan, criminogenic needs, assessment and risk of reoffending.

Assessment

This is the process of determining or estimating the risks posed by an offender as the basis for providing advice to courts or others. Assessment also seeks to identify the causes of offending, and whether anything can be done to reduce the likelihood of repetition. It is the starting point for working out sentence plans (2).

Related terms: Risk assessment, criminogenic needs, risk factors, assistance plan, supervision plan, ASPIRE.

Attendance Centre Order

An attendance centre order sentences a young person (10-25 years old) to attending an attendance centre for a minimum of 12 hours and a maximum of 36 hours, dependent on the seriousness of the offence. The main purpose of the attendance centre is to restrict a young person's leisure time (2).

Related terms: Community sanctions and measures, community order etc.

Bail support

Bail means cash or surety posted to procure the release of a defendant in a criminal proceeding by insuring his/her future attendance in court, and compelling him/her to remain within the jurisdiction of the court (3).

Back-door sanction

See: Sanction.

Cognitive behavioural

This programme is based on a cognitive behavioural theory of

programme	<p>human action. This theory represents a synthesis of concepts from behavioural and cognitive psychology. A cognitive – social – learning approach seeks to understand offending behaviour as a function of learning – of the cumulative experiences to which an individual has been exposed and the environment in which that has taken place. Essential to this approach is the triangle cognition (thoughts) – emotion (feelings) – behaviour. Cause – effect relationships are thought to operate in multiple pathways. The assessment of thoughts, feelings and behaviour, and their mutual interactions, generates information that can enable individuals to enact change in their lives (2).</p> <p><i>Related terms: What Works, accredited programs, assessment, desistance, learning programme.</i></p>
Community participation	<p>Community participation covers all those forms of help, paid or unpaid, carried out full-time, part-time or intermittently, which are made available to the implementing authority by public or private organisations and by individuals drawn from the community (1).</p>
Community sanctions and measures	<p>These are sanctions and measures, which maintain the offender in the community and involve some restrictions of their liberty through the imposition of conditions and/or obligations. The term designates any sanction imposed by a judicial or administrative authority, and any measure taken before or instead of a decision on a sanction as well as ways of enforcing a sentence of imprisonment outside a prison establishment (1). Community sanctions and measures could be considered the following: alternatives to pre-trial detention, probation as an independent sanction imposed without pronouncement of a prison sentence, suspension of the enforcement of a prison sentence with imposed conditions, community service, victim compensation/reparation/victim-offender mediation, treatment orders for drug or alcohol misuse, and those suffering from mental health disturbance that is related to the criminal behaviour, intensive supervision for appropriate categories of offenders, restrictions of the freedom of movement by means of for example curfew orders or electronic monitoring, conditional release from prison followed by post-release supervision and so on (1).</p> <p><i>Related terms: Alternatives to pre-trial detention, alternatives to custody, probation, conditional sentence, community service, victim compensation, treatment orders, intensive supervision, curfew order, electronic monitoring and conditional release.</i></p>
Community service	<p>Community service belongs to the community sanctions and measures that have been developed as alternatives to custody. The obligation to perform community service means that the convicted offender, and in some countries even the suspect, is required to perform unpaid work for the benefit of society either entirely or partly in lieu of other judicial remedies and penalties. In most countries community service is mainly imposed instead of an unconditional (short) prison sentence. In some countries (e.g. Belgium, Czech Republic, the</p>

Netherlands, Germany) community service can also be applied as alternative to other sanctions, such as a fine, a conditional or suspended sentence. In these countries community service can also be applied as a diversionary measure in order to avoid (further) criminal proceedings. Community service can be found in various modalities: as condition, attached to a conditional waiver, a suspended or conditional sentence or conditional release, as principal penalty, as accessory penalty and as sanction in its own right. With some exceptions (England and Wales, the Netherlands, Germany) community service can only be imposed with the consent of the offender. Community service that can be imposed without the offender's consent is also called 'Compulsory work' (3).

Related terms: 'Community sanctions and measures'.

Compensation

Compensation is a sanction or measure imposed to an offender that consists in awarding the victim a sum of money for the damage or the loss he/she suffered. The offender is due to pay this compensation to the victim either directly or through a third party. Also community service can be seen as a form of compensation to the community. Usually compensation is an obligation, attached to a deferred or suspended sentence, a conditional waiver of prosecution or imposed as a sanction or measure in its own right (3).

Related terms: mediation, conciliation, reparation, restitution.

Competent or deciding authority

This term means a member of the judiciary, a prosecutor or a body that is empowered by law to make decisions about the imposition, implementation or revocation of a non-custodial sanction or measure or to modify its conditions and obligations or any body similarly empowered (3/7).

Compulsory work

See: Community service.

Conditional deferment of sentence

See: Deferment of sentence.

Conditional release

Conditional release means the release of sentenced prisoners under individual post-release conditions. In some countries the only condition attached to this release is not to commit a new offense during the probationary period. In the majority of the countries various types of special conditions can be connected to this release (3).

Conditional suspension of the pre-trial detention

In several countries the investigating judge and/or the court can suspend the pre-trial detention under certain conditions. These conditions can contain the obligation to provide a financial security, to participate in a special training programme, to stay at home for a certain period of time (home arrest) etc. Not-complying with these conditions means that the offender is taken into remand again (3).

Related terms: Bail.

Conditional waiver

In some countries the public prosecutor may, on the basis of the expediency principle, decide not to prosecute an offender

under the condition that the offender complies with certain obligations, e.g., not to commit a new offence during the probation period, to compensate the victim, to pay a sum of money to the treasury etc. (3).

Conditional discharge

A conditional discharge is a sentence in which the offender receives no punishment provided that, in a period set by the court, no further offence is committed. If an offence is committed in that time, then the offender may also be sentenced for the offence for which a conditional discharge was given. In English conditional discharges, a conviction and record of the discharge becomes part of the offender's criminal record, but does not count as a conviction except for certain purposes within the criminal justice system (unless the offender is resentenced for reoffending) (3).

Condition

The term condition means any requirement that is attached to a sanction or measure, imposed by the deciding authority. E.g. conditions attached to a conditional waiver of the procedure, to a conditional or suspended sentence, to conditional release (3).

Control

The term control refers to activities which are limited to ascertaining whether any imposed conditions or obligations are fulfilled as well as to activities to secure compliance by using, or threatening to use, the procedures available in the event of non-compliance (1).

Related terms: Supervision, surveillance, risk management and community safety.

Controlled freedom

Controlled freedom is used as alternative to pre-trial detention, a short prison sentence or as substitute for a fine; controlled freedom is a community sanction that keeps the offender in the community by obliging him to comply with the instructions attached to this sanction or measure. These instructions may concern, for example, the offender's place of residence, his contact with third parties, periodic reporting to the police or other authorities (3).

Corrective/correctional labour

This is a form of a financial penalty, which consists in the deduction from the earnings of the person. This penalty is used as a substitute for e.g. restriction of freedom, arrest or imprisonment. The amount of the deduction is decided by the court in relation to the substituted sentence (3).

Council of Europe

Founded in 1949, the Council of Europe is an international organisation, consisting of 47 Member States that seeks to develop throughout Europe common and democratic principles based on the European Convention on Human Rights and other reference texts on the protection of individuals. The aims of the Council are: to protect human rights, pluralist democracy and the rule of law; to promote awareness and encourage the development of Europe's cultural identity and diversity; to find common solutions to the challenges facing European society such as discrimination against minorities, xenophobia, intolerance, bioethics and

cloning, terrorism, trafficking in human beings, organised crime and corruption, cybercrime, violence against children; to consolidate democratic stability in Europe by backing political, legislative and constitutional reform (1).

Crime prevention

Crime prevention is a policy and practice to prevent, or more plausible to reduce, crime by a range of strategies that recognise the limits of the contribution that can be made by the formal agencies of criminal justice. A useful framework involves distinguishing: primary prevention – through various forms of environmental design or manipulation; secondary prevention – identifying and working with those considered likely to offend ('at risk of offending'); and tertiary prevention – working with known offenders to reduce the incidence of their offending (2).

Related terms: What Works, community safety and environmental criminology.

Criminal Justice System

A collective term encompassing the various agencies that are responsible for determining how offences should be dealt with and for the administration of criminal justice, including the police, prosecuting authorities, criminal courts and 'correctional agencies', such as Probation Service and Prison Service. The term also encompasses the personnel who work within these agencies and the procedures they employ (2).

Related terms: Probation Service, Prison Service, Corrections, Court System, Prosecution Service, Police.

Criminogenic needs

Problems or factors known as associated with offending or re-offending behaviour. Some of these needs could be considered the following: job, education, accommodation, substance misuse etc. (3).

See also: What Works.

Related terms: Risk factors, triggers, problem areas.

Curfew order

This sentence requires an offender to remain for set periods of time at a specified place, and can be given alongside other community orders. When the curfew is being controlled by an electronic device the usual term used is electronic tagging or electronic monitoring (3).

Related terms: Electronic monitoring, house arrest.

Custody Minus

The Criminal Justice Act 2003 provides for the replacement of short prison terms with three new provisions: Custody Plus, Custody Minus and the Intermittent Custody order. However, in June 2006, the planned implementation of the Custody Plus was deferred on the grounds that they could not yet be adequately resourced. Custody Minus is already implemented. Custody Minus is a new suspended sentence order under which an offender will have requirements to fulfil in the community, as in a community sentence. If an offender breaches the requirements the presumption is that the suspended prison sentence is activated. However, during the passage of the bill, courts dealing with breaches of an order were given discretion to vary the term to be served in custody, or to enhance the conditions to be served in custody or to

enhance the conditions to be served in the community without implementing the custodial element. If the custodial element was invoked, the offender would subsequently be subject to a licence period to which, once again, conditions could be added (and could once again be returned to prison for breaching those conditions) (2).

See also: Custody Plus, Intermittent Custody.

Related terms: Community Order, Prison, Shock probation and shock incarceration (in USA).

Custody Plus

Custody Plus is a custodial sentence of less than 12 months (expressed in weeks with a minimum of 28 weeks and a maximum of 51 weeks) consisting of a short 'custodial period' of between two weeks and three months followed by a 'licence period' of at least six months. The court may order a similar range of conditions to be attached to the licence as is available under the community order.

See also: Custody Minus and Intermittent Custody (2).

Related terms: Community Order, Prison, Shock probation and shock incarceration (in USA).

Day centre

Premises attended by Probation Service users, on a voluntary or statutory basis, in which they might be involved in various activities (2). Such activities could be woodwork, art but also group-work, counselling and other activities meant to offender rehabilitation (3).

See also: Attendance centre and community order.

Related terms: Community rehabilitation centre, rehabilitation, group-work.

Deferment of sentence

In some countries (France, Germany, Ireland) after conviction, the court may postpone sentencing to a future date, if it wishes to assess any change in the offender's conduct or circumstances during that time. The court can attach certain conditions to its decision, such as the obligation to complete a probationary period or to make efforts to compensate the victim. If the person completes the requirements, the case will be dismissed and will not be part of the defendant's criminal record (3).

Related terms: 'Conditional deferment of sentence'.

Desistance

Generally speaking, desistance is the process by which people come to cease and sustain cessation of offending behaviour, with or without intervention by criminal justice agencies (2). According to theory desistance could take place due to some individual changes (e.g. age or maturation) or to some structural factors like getting a job, having a stable and satisfactory relationship and so on. A useful distinction is between *primary desistance* which is a temporary cessation of offending and *secondary desistance* which refers not only to the fact that crime stops but the person's sense of identity is changed into a 'coherent pro-social identity' (2).

Related terms: cognitive behavioural theory, change, rehabilitation and relationship.

Diversion

An administrative procedure which permits select offenders to

bypass formal adversary proceedings by participating in e.g. a treatment-oriented programme, by paying compensation to the victim or by complying with other conditions that are usually imposed by the police or public prosecutor. The aim of diversion is to avoid (further) prosecution and conviction (3).
Related terms: Conditional waiver.

Drug treatment and testing order (DTTO)

DTTO was introduced in UK by the Crime and Disorder Act 1998 and is now subsumed as one of the 12 requirements of the community order introduced by the Criminal Justice Act 2003. Now this order is somehow replaced by the new drug rehabilitation requirement. Those on DTTO were required to attend a treatment programme five days a week, at least in the early stages of the order, and to undergo regular drug testing. Offenders were also required to go back to court for regular progress reviews (3).
Related terms: Drug rehabilitation requirement, community order.

Early intervention/early help

Assistance, guidance and support offered to the offender during police custody (3).

Educative measure

Usually is applied to juveniles or young offenders instead of punishment. In some jurisdictions it goes alongside with the main punishment. It consists of some requirements aiming to warn, supervise or enhance the educative prospects of the person (3).

Electronic monitoring

Electronic monitoring in broader sense means the use of various electronic surveillance devices to monitor the location and/or movement of defendants and offenders. This can be done in various stages of the criminal justice process, for example in stead of pre-trial detention, as condition attached to a suspended or conditional sentence, as condition attached to conditional release and as sanction in its own right. In a more narrow sense, electronic monitoring is synonymous to house arrest or home detention (3).
Related terms: House arrest, home detention.

Entrustment order

The entrustment order is a measure in the Dutch Penal Code aiming at the protection of society against dangerous mentally disordered offenders. The entrustment order may be combined with conditions (such as ambulatory treatment) or in combination with compulsory nursing care (3).
Related terms: In-patient order, Out-patient order.

Family support

This is a typical social work service provided in some jurisdictions for the probationers or inmates families. It covers services like counselling, guidance, practical help, information and so on. The aim of these services is to prevent family break down and increase family functionality (3).
Related terms: Assistance, social work, counselling, prevention.

Front-door sanction

See: Sanction.

Halfway house	<p>A halfway house is an establishment run by probation and/or prison service aiming to assist ex-prisoners to a successful return into community. Usually, a wide variety of probation activities take place in this house to support the ex inmate's adaptation to the free society (3).</p> <p><i>Related terms: social work, assistance, support and aftercare.</i></p>
House arrest/detention	<p>House arrest, also called home confinement, home detention, or electronic monitoring is a penal sanction (penalty, measure or condition) by which an offender (suspect or convicted) is confined by the competent authorities to his or her residence. House arrest is seen as an alternative to pre-trial detention and/or imprisonment and aims to reduce re-offending while also coping with expanding prison numbers and rising costs. In most of the countries offenders under house arrest are allowed to retain or seek employment, maintain family relationships and responsibilities and attend rehabilitative programs that contribute towards addressing the causes of their offending. House arrest is often enforced with the use of an electronic device (3).</p> <p><i>Related terms: Alternatives to pre-trial detention, Community sanctions and measures, Curfew, Electronic monitoring.</i></p>
Implementing authority	<p>This term refers to a body or bodies empowered to decide on, and with primary responsibility, the practical implementation of a community sanction or measure. In many countries, the implementing authority is the probation service (7).</p>
In-patient order	<p>The in-patient order is a penal measure that can be imposed on offenders who committed an offence for which they cannot be held responsible at all by reason of mental defect or mental disease or whose responsibility by that reason was diminished. A person sentenced to this measure will be placed in a special psychiatric hospital. The in-patient order is also called 'Entrustment order combined with treatment in a special psychiatric hospital' (3).</p> <p><i>Related terms: Entrustment order, Out-patient order.</i></p>
Intermittent Custody	<p>This is a custodial sentence of 14 - 90 days that is served in blocks of a few days at a time, enabling offenders to maintain community ties (such as work, education or childcare) while serving a custodial sentence. Conditions may be attached to the licence period that follows the custodial period (2).</p> <p>See also: Custody Minus and Custody Plus.</p> <p><i>Related terms: Community Order, prison and weekend imprisonment.</i></p>
Judicial authority	<p>The term judicial authority means a court, a judge or a public prosecutor (3).</p>
Learning project	<p>The obligation to participate in a learning project can be imposed as principal sanction or as condition to e.g. a conditional waiver of prosecution or a suspended sentence. It means that the offender is obliged to learn specific behavioural</p>

skills or that he is confronted with the consequences of his criminal behaviour for the victim (3).

Related terms: Accredited programme, cognitive behavioural programme.

Multi-Agency Public Protection Arrangements (MAPPA)

MAPPA is a framework in England and Wales under which agencies work together to reduce the risk of the serious reoffending behaviour of violent and sexual offenders. There are four overlapping stages to a MAPPA: 1. The identification of MAPPA offenders, 2. The sharing of relevant information between agencies, 3. The assessment of the risk of serious harm and 4. The management of that risk (2).

Related terms: risk assessment, aftercare supervision, local partnership.

Measure

According to the definition used by the Council of Europe, in the European Rules on community sanctions and measures the term measure designates any sanction imposed by a judicial or administrative authority, and any measure taken before or instead of a decision on a sanction as well as ways of enforcing a sentence of imprisonment outside a prison establishment. The term measure can also refer to the distinction made in many Penal Codes between penalties and measures. In contrast to penalties, measures are not aimed at punishment and general prevention but at the security of safety of persons or property, or at restoring a state of affair. For that reason many measures, especially the security measures, can also be applied on offenders who have not been found guilty. Examples of these measures are Measures of reformation and protection in Germany and the Entrustment Order in the Netherlands (3).

Related terms: Sanction, Entrustment Order, In-patient order, Out-patient Order.

Measures of reformation and protection

See: Measure.

Mediation

Mediation in the sense of victim-offender mediation (also called victim-offender dialogue, victim-offender conferencing, victim-offender reconciliation, alternative dispute resolution or restorative justice dialogue) is a way of resolving conflicts or differences of interests between the offender and the victim. Mediation is usually a face-to-face meeting, in the presence of a trained mediator, between the victim of a crime and the person who committed that crime. In some countries mediation belongs to the core tasks of the probation service, in other countries mediation is provided by organisations for victim support or by specialised victim-support schemes. It often results in a form of compensation to the victim and can be applied in all phases of criminal procedure (3).

Related terms: Compensation, reparation, restorative justice.

Mission statement

A paragraph or a sentence which makes a synthesis of the aims and the means of an organisation (3).

Monitored liberty	See: Controlled freedom.
Needs assessment	<p>This is a procedure by which the criminogenic needs are identified and changed into intervention's objective. Usually for the purpose of needs assessment particular standardised tools are available (3).</p> <p>See also: Criminogenic needs, assessment.</p> <p><i>Related terms: Risk assessment, planning, ASPIRES.</i></p>
Offender assessment System (OASys)	<p>OASys is a tool used in UK for assessing the risks and needs of an offender. It is designed to: assess how likely it is for an offender to be reconvicted; identify and classify offending-related needs; assess risk of harm to others and to self; assist with the management of risk of harm; link the assessment to the sentence plan; indicate the need for further specialist assessments and measure change during the period of supervision/sentence. Using an electronic format OASys allows for assessment to be passed between probation offices and prison establishments (2).</p> <p>Other risk Assessment tools are: SAVRY, OGRS, LSI etc.</p> <p><i>Related terms: Risk assessment, criminogenic needs, risk factors, risk management.</i></p>
Offending behaviour programmes	<p>Offending behaviour programmes are interventions, aiming at influencing offender's behaviour in order to reduce the risk of reoffending. Examples of these, mostly accredited programmes, are: cognitive skills programmes, sex offender treatment programmes, cognitive self change programmes for persistently violent offenders (3).</p>
Out-patient order	<p>The out-patient order, also called entrustment order with conditions, is a penal measure that can be imposed on offenders who committed an offence for which they cannot be held responsible at all by reason of mental defect or mental disease or whose responsibility by that reason was diminished. In contrast to the In-patient order the delinquent psychiatric patient is not sentenced to compulsory nursing care in a closed psychiatric clinic but has to comply with certain conditions attached to the order. These conditions may consist in a treatment in a regular mental hospital or in the society (3).</p> <p><i>Related terms: Entrustment order, In-patient order, measure.</i></p>
Pardon	<p>A pardon is the forgiveness of a crime and the penalty associated with it. It is granted by a sovereign power, such as a monarch or chief of state or other competent authority. Pardon is seen as an act of clemency, meaning the lessening of the penalty of the crime without forgiving the crime itself. Pardon has different modalities: 1) total or partial remission of the imposed penal sanction, 2) conversion of the imposed unconditional penal sanction in a conditional one, 3) commutation of the imposed penal sanction in a lesser one (3).</p> <p><i>Related term: Amnesty.</i></p>
Parole	<p>Parole is a system of (conditionally) releasing a prisoner before the whole sentence has been served, under the threat that he will be recalled to prison if the conditions that are attached to</p>

this conditional release are not complied with (3).
Related terms: Conditional (early) release.

Penalty

See: Measure.

Probation hostel

A probation hostel is an approved establishment where specially selected offenders can be accommodated before or during the trial. Probation hostels are now called in England and Wales *approved premises* and are used especially as alternatives to pre-trial detention (3).
Related terms: Approved premise, bail support and alternatives to pre-trial detention.

Post release aftercare

See After-care.

Post release supervision

See After-care.

Postponement of the execution of the prison sentence

See: Suspended sentence.

Pre-release programme

This is a programme delivered either by the prison or the probation staff that is meant to prepare prisoners for release. Usually such a programme encompasses activities like: job counselling, work release, family support and so on (3).
Related terms: Aftercare, prison, prisoner and reintegration.

Pre-sentence report

This is a report requested by the court from the Probation Service or youth offending team prior to sentencing. The report provides an analysis of the offence(s), relevant information pertaining to the offender and an assessment of the offender's risk of harm and reoffending. It concludes with a clear and realistic proposal for sentence (2). In some countries this report can also be delivered by the probation service upon the request of prosecution or even police. In some jurisdictions the report is offence focussed while in others the same report is offender focused. In the latter case the report is also called social enquiry report (3).
Related terms: Social enquiry report, fast report, quick scan and advisory report.

Pre-trial detention

See: Remand in custody.

Prison

Prison is a total institution where the prison sentence is enforced (3).
Related terms: Imprisonment, prison regime, sentence enforcement.

Probation clients rights

Probation clients' rights are the rights of the offender to issue complaints to an independent body if he is of the opinion that his rights or interests have been infringed by actions of the probation service.

Probation officer

A probation officer is a professional employee of the probation service with the main responsibility to fulfil probation tasks. Usually a probation officer has special qualifications in social

work, law, psychology or other related fields. The main probation tasks are offender assessment and supervision (3).

Related terms: Probation counsellor, probation service officer and probation commissioner.

Probation sanction

Probation in a larger context is a method of punishment with a socio-pedagogic basis characterized by a combination of supervision and assistance. It is applied under a free system (no fee) to offenders selected according to their criminal personality, the type of crime, and their receptiveness, in relation to a system whose aim is to give the offender the chance to modify his/her approach to life in society and to take a place in the social environment of choice without the risk of violating a social penal norm again (6).

Related terms: Community sanctions and measures, alternatives to custody and diversion.

Probation service

This agency is responsible for delivering probation activities such as preparing pre-sentence reports, early intervention work, activities in the field of community measures and sanctions, activities in prisons, supervising offenders in the community etc. The Probation service can be a state service or a private agency monitored and financed by the state. It can also be independent or amalgamated with other criminal justice services (ex. with prison department) (3).

Related terms: Correctional service, criminal justice system and prison system.

Probation system

For a system to be considered as a probation system the following criteria must be followed:

- *Distinct organisation:* the administration of the probation system should be dealt with separately within the criminal justice system;
- *Judicial function:* probation should have a judicial function in the criminal justice system and placing a person on probation should be the result of a judicial decision;
- *Legal mandate:* probation should be based on a legal mandate;
- *Supervision:* being placed on probation should imply that the offender receives supervision (in this study, the conditional release of an offender, without supervision, is not considered probation);
- *In the community:* probation should not only control offenders but it should also help them to readjust in the community (5).

Related terms: Probation, probation service, criminal justice system and correctional system.

Professional

A professional probation officer is a person fulfilling probation tasks employed by the state or an agency appointed by the state (usually Ministry of Justice) with a certain professional status (3).

Related terms: Probation officer, social worker and probation service.

Quick scan/fast report

These reports are usually short versions of the pre-sentence

report delivered in up to 48 hours. They are useful in particular when deciding upon the preventive measures such as pre-trial arrest (3).

See also Pre-sentence report (3).

Related terms: Assessment, risk assessment, pre-sentence report.

Recognisance	An obligation in a court of law to perform a specific duty, e.g. to appear in court as a conditional for referral (7).
Registration system	This is a system of systematic data collection about probationers. It could be paper based, computerised or both. It is used for management or strategic purposes or for measuring effectiveness (3).
Rehabilitation	Rehabilitation is a broad concept that denotes a wide variety of interventions aimed at promoting desistance and/or the symbolic restoration of a former offender to the status of a law-abiding citizen (2). Sometimes it is used as a synonym to treatment or reintegration (3). <i>Related terms: Desistance, cognitive behavioural programme and resettlement.</i>
Reintegration	A process that follows a period of formal punishment (usually imprisonment) whereby the ex-offender resumes life as a member of the community. The concept has two main parts: a symbolic and a practical one. The symbolic one refers to the community acceptance of the offender after return and the practical one covers aspects like job, training, education, accommodation and so on (2). See also: Rehabilitation, Aftercare and Needs assessment. <i>Related terms: Resettlement, social work and intervention.</i>
Release under the court supervision (France and Romania)	This is a procedural measure which functions as an alternative to remand involving in particular supervision and monitoring. During the court supervision a number of supervisory measures can be imposed in order to prevent absconding of the offender (3). <i>Related terms: Pre-trial custody, remand, alternative to custody.</i>
Remand in custody/pre trial detention	This is any period of detention of a suspected offender ordered by a judicial authority and prior to conviction. It also includes any period of detention pursuant to rules relating to international judicial cooperation and extradition, subject to their specific requirements. It does not include the initial deprivation of liberty by a police or a law enforcement officer (or by anyone else so authorised to act) for the purposes of questioning). Remand in custody also includes any period of detention after conviction whenever persons awaiting either sentence or the confirmation of conviction or sentence continue to be treated as non convicted persons (1). <i>Related terms: Preventive arrest, electronic monitoring, diversion and bail.</i>
Remand prisoner	Persons who have been remanded in custody and who are not

already serving a prison sentence or are detained under any other instrument (1). Remand prisoners may be held in remand when non-convicted, before and during their trial, or when convicted but not finally sentenced (3).

Related terms: Preventive arrest, preventive measures, diversion and bail.

Referral to the children hearing

A children's hearing aims to combine justice and welfare for children and young people (Scotland, Estonia). In Scotland the children's hearing is a lay tribunal made up of three members of the Children's panel, which comprises trained voluntary members of the public. Children referred to hearings are first referred to a professional Reporter. The referral may be made on offence grounds and/or care and protection grounds. The reporter investigates the case and will decide whether or not compulsory measures of supervision may be required. If, in the reporter's opinion, such measures are required, a hearing will be arranged. The reporter may take other steps short of arranging a hearing, for example arrange for some form of restorative justice. Hearings have power to make a wide range of conditions on a disposal – called a Supervision Requirement. These may range from attendance on a particular programme, conditions regulating contact with parents or other significant adults/family members, contact with a social worker, placement in foster care, residential accommodation or secure accommodation (3).

Reparation

Reparation or compensation, ordered by the public prosecutor or the court is a sanction or measure that obliges the offender to repair the damage, caused by his offense to the victim. The public prosecutor and/or the court can impose the sanction/measure of reparation as compensation:

- for loss of or damage to property;
- for emotional harm; and
- for loss or damage which arises from or is caused by the emotional or physical harm to the victim or the loss of or damage to property (3).

Related terms: Compensation, restitution, restorative justice, community sanctions and measures.

Resettlement

See: Rehabilitation.

Restitution

Is a financial reimbursement or community service awarded by the court to the victim of crime. The offender has to make this restitution as a result from the mediation process or as an obligation imposed by the court (3).

Related terms: Mediation, restorative justice, compensation.

Restorative Justice

Approaches that aim to hold offenders accountable for their offences while seeking to repair the harm visited upon victims by the commission of the offence. A variety of practices and approaches can be described as 'restorative justice'. Each puts an emphasis on reparation of making amends, and outcomes (or agreements) include written or verbal apologies, financial restitution or unpaid work for the victim or the community (2).

Related terms: Victim-offender mediation, reparation, family

group conference, community panel and community justice.

Revocation	An action taken by the court, the public prosecutor, prison authorities, the parole authority or other competent authorities which removes a person from probation, parole or which makes an end to a conditional or suspended sentence or other conditional sanction of measure because of a violation of the imposed condition(s) (3).
Risk assessment	<p>Risk assessment is a procedure by which the probability of the commission of a new offence is estimated. The most advanced risk assessment tools also estimate what kind of offence is likely to re-offend with, in what circumstances, which is most likely to be a victim and with what impact. Traditionally risk assessment is considered as actuarial (based on a statistical analysis) or/and as clinic (based on an in-depths qualitative evaluation) (3).</p> <p>See also: Offender Assessment System (OASys).</p> <p><i>Related terms: Needs assessment, risk management, risk culture, dangerousness and public protection.</i></p>
Sanction	<p>Sanction in general will cover all the penalties, penal measures and obligations that can be imposed to an offender in the pre-trial, trial and post trial phase by a recognised authority (police, prosecutor, judge, parole committee etc.). Sanctions applied in the pre-trial phase are called 'Front-door sanctions'. To this category belong e.g. conditions attached to a conditional waiver of the proceedings or to a conditional suspension of pre-trial detention. Back-door or back-end sanctions are sanctions applied in the post-sentencing phase. The decision to apply these sanctions is not taken by the trial judge, but by the prison authorities or a special sentencing judge after trial. Examples are: Semi-detention, semi-liberty, assignment to the probation service (3).</p>
Semi-detention	Semi-detention means that the convicted person during day time has to stay in a special day centre, but during the evening and night can stay at home (3).
Semi-liberty	Semi-liberty means that the offender during day time remains outside prison and only during the evening and the night has to stay in prison. Semi-liberty can be imposed in some countries as sanction in its own right, in other countries semi-liberty can be applied as part of the enforcement of a custodial penalty and is similar to what in other countries is called open prison (3).
Social curator (Czech)	In the 1970s and 80s a trend emerged in the Czech Republic for work with offenders which focused on social behavior. A system of <i>social curators</i> based within local authorities was created and administered by the Ministry of Labor and Social Affairs. The network of curators gradually expanded and still functions relatively unchanged to the present day. Its main role is to offer social work assistance to conditionally released offenders. The after-care is offered on an entirely voluntary basis, to adults and young people" (3).

Social enquiry report	<p>The social enquiry report is sometimes the same as the pre-sentence report and sometimes a sort of assessment report with a special focus on the social aspects of the offender's life (ex. family, neighbourhood, social network, school etc.) (2). See also: Pre-sentence report. <i>Related terms: Evaluation report, quick scan, fast report and assessment.</i></p>
Special treatment orders	<p>Special treatment orders are orders made by the court, which are meant to help offenders solve different problems connected with the crime (drug addiction, mental health, drunk driving etc.) The orders can be imposed as an independent sentence, instead of a sentence or as an additional sentence (3). <i>Related terms: Community order, probation order, special requirements, drug and alcohol addiction and mental health.</i></p>
Supervision	<p>The term supervision refers both to helping activities conducted by or on behalf of an implementing authority which is intended to maintain the offender in society and to actions taken to ensure that the offender fulfils any conditions or obligations imposed (1). Supervision could be mandatory or voluntary (upon the offender's request) (3). <i>Related terms: Assistance, community order, probation and public safety.</i></p>
Supervision plan	<p>A supervision plan is a working document describing how the supervision process will take place. The supervision plan can be described as a map, which guides the intervention. It can consist of the requirements, the criminogenic needs, the risk assessment, the frequency of the meetings, the intervention objectives and so on (2). <i>Related terms: Sentence plan, supervision and intervention.</i></p>
Suspended sentence	<p>This is a postponed execution of sentence; the sentence is imposed but the execution of it is suspended, postponed, or stayed for a period and on conditions set by the judge. If the conditions are not complied with the postponed sentence can be revoked, which means that the sentence can be executed (3).</p>
Temporary release	<p>Temporary release means that a prisoner, before having served his full sentence, can be released for a set period of time under certain conditions in order to prepare them for their eventual return to the society (3). <i>Related terms: Parole, conditional release.</i></p>
Temporary suspension of proceedings	<p>See: Conditional waiver of proceedings.</p>
Termination of the criminal proceedings	<p>See: Conditional waiver of the proceedings.</p>
Training project	<p>See: Learning programme.</p>

Victim support	<p>Victim support means help offered to victims of crime in order to assist them in coping with the consequences of the crime. This assistance can consist of talking with the victim in confidence, in giving information on police and court procedures or in giving information about compensation, mediation and insurance or in referring to other sources of help. In many countries victim support belongs to the tasks of specialised victim support organisations; in some countries it also belongs to the core tasks of the probation service (3).</p> <p><i>Related terms: Compensation, reparation.</i></p>
Volunteer	<p>A volunteer is a person delivering probation activities who is not paid for this work. Sometimes the volunteers are paid a small amount of money to cover the expenses of this work (3).</p> <p><i>Related terms: Professional, probation officer and citizenship.</i></p>
What Works	<p>“What Works” refers to the movement in the UK, from about 1990 onwards, which revived confidence in the belief that rehabilitation programmes for offenders could reduce their likelihood of reoffending. This idea was promulgated in the What Works conference of the early 1990s, and James McGuire’s seminal book <i>What Works: Reducing Reoffending</i> (1995).</p> <p>According to McGuire an effective programme should include:</p> <ul style="list-style-type: none"> - programme intensiveness should be matched with offender risk level; - to reduce offending, the programmes should intervene in problem areas most related to or supportive of further offending; - programmes should use methods most suited to the learning style of offenders; - most effective programmes are multi-modal (address a variety of problems), skills-oriented and use cognitive-behavioural methods; - programmes should be delivered as planned, using appropriate methods, by skilled staff, and be properly monitored and evaluated (4). <p><i>Related terms: Criminogenic needs, risk assessment, cognitive-behavioural methods.</i></p>
Work release	<p>A programme that permits an inmate to be conditionally released to the community for a finite period prior to sentence completion for purposes of engaging in productive employment (3).</p> <p><i>Related terms: Conditional release, early release, parole.</i></p>

Legend source:

1 Council of Europe

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3 - The editors

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