

# **APPENDIX I**

## **Probation Documents**



## **BELGIUM**

In terms of legal frameworks (cadre légal), several form letters have been devised, including convocations and notification notices of home visits, reminders, etc. As to the reports, here too several models have been put in place. For the “inquiry” process, the following report models are available: summary information reports, social inquiry reports. For the “guidance” process, report types differ according to time of guidance and the purpose the report is meant to serve. These models provide a consistent framework structure, although they are particularised in consideration of the legal frameworks under which they are being used.

### **Summary information reports and social inquiry reports**

1. Definitions: the summary information report is used to allow criminal justice workers to respond to and report on specific queries by the authority issuing the assignment. The social inquiry report is used to enable justice assistants to expound on the social context in which the sentenced person will be developing. The contents of these reports are required to be compliant with the provisions of the Programme Law dated 27 December 2006 (Belgian Law Gazette 28 December 2006), i.e. strictly limited to the elements that are germane in order to enlighten the authority.

2. Structures: the reports include identification details, the offences committed and the legal status, the professional situation, the authority issuing the assignment, the assignment reception date, and the interventions performed by justice assistant. The summary information report focuses on answering the specific questions from the authority issuing the order. Social inquiry reports provide indications regarding elements that are germane to the social context and the concrete opportunities for imposing an alternative measure. The two report types render the viewpoints of the persons under investigation and those of the justice assistants.

3. As to the social inquiry reports compiled for the purpose of evaluating a penalty enforcement modality, the same basic structure is used. In addition, these reports also provide an overview of the course of proceedings of the modality and put forward a critical analysis of the elements intended to result in a proposal on the continued application of the same modality or the awarding of a different modality.

### **Guidance reports**

Five different report models exist: assumption of responsibility, guidance plan, progress, notification, and conclusion. Each of these include identification details, legal status, the authority issuing the order, the decision date, the start and termination dates of the alternative measure. They also go on to detail the interventions, the conditions imposed, the elements germane to the current context, due compliance with the conditions imposed and final conclusions. The assumption of responsibility report expounds on the due understanding on the part of the sentenced person of the nature of the measure imposed upon him, on the clarification of the roles of the parties involved, on the elements of the current situation warranting particular attention and the conclusions to be

drawn from all of the above. The guidance plan report, on the basis of the elements outlined under the assumption of responsibility report, describes the objectives and future prospects for the guidance activities being deployed. The guidance plan report is not used for the alternatives to preventive detention, electronic monitoring and limited detention. The progress report, in addition to a brief summary of the preceding report, goes on to add an assessment and puts forward observations as to the objectives to be pursued. Modification reports are intended to advise the authority issuing the order of any changes that have implications in terms of the due compliance with the conditions imposed; this could either be to confirm the failure on the part of the person sentenced to comply or concern the transfer of the person sentenced from one House of Justice to another, in the event the person concerned were to change address. In cases where the justice assistant feels guidance is no longer required because of the positive progress being made, he can suggest guidance efforts to be suspended. Upon expiry of the probationary period, a conclusion report encapsulates the various elements that have been pertinent over the course of the measure and ends by drawing a series of general final conclusions. With regard to penal mediation, model reports are available pertaining to the exploratory stage and the conclusion, concerning non-compliance with the terms of the agreement that was reached. A model agreement protocol establishes the agreement arrived at between the parties and the future formalisation of this agreement when the penal mediation is heard. In the event the penal mediation procedure should be discontinued, a form is available that is intended to be sent to the public prosecutor. As to community service sentences and work sentences, agreement models are available to be signed by the person sentenced, the justice assistant, the supervisory department manager and the manager in charge of the place where the work is to be performed. Other forms exist specifying rotas and recording the number of hours worked. Other agreement models exist relating to electronic monitoring and the assumption of responsibility over sex offenders by specialist services.

## **BULGARIA**

Some general documents of the Probation service:

1. Offender's personal record with contents: dossier form, court act, by which the penalty is determined and copies from all documents regarding the implementation of the probation sentence;
  2. Protocol for the rights and obligations of the offender during the implementation of the probation supervision;
  3. Informative letters towards different institutions;
  4. Report card which is sent to the GD "EP";
  5. Risk assessment form;
  6. Individual form for implementation of the probation measures imposed by the court;
  7. Report on the offender – initial and current;
  8. Diary of the meetings with the sentenced person;
  9. Constataion act – for registration of results from inquiries of the compliance with the probation measures imposed;
  10. Form for permission to leave the place of residence;
  11. Report book on the community service implemented concerning the duration, the place and the time;
  12. Diary of petitions, requests, signals and proposals;
  13. Individual program for execution of the imposed probation measures concerning sentenced juveniles;
  14. Corrective influence programs regarding adults and juvenile sentenced persons;
- Proposals to the probation council regarding changes in the offender's status.

## CATALONIA



Generalitat de Catalunya  
Departament de Justícia  
Secretaria de Serveis Penitenciaris,  
Rehabilitació i Justícia Juvenil

### OUTLINE AND CONTENTS OF TECHNICAL ADVISE REPORTS:

#### Structure of the reports

The reports depending on the demand of the judiciary, the type of program, and of the professionals that have to intervene according to the following formal structure:

#### **1 The social report**

This will include the following sections:

1. Judicial and personal data (using the data base)
2. Cause (Copy of the demand of the judiciary)
3. Methodology (explanation of the technical performances most important with a brief description the same ones and adding the date of realization. In the event of psychometric test they must have to be mentioned making a brief explanation of what they measure)
4. Family Area genograma and family history:
  - description of the family situation, up-to-date and antecedents of special significance at the same time of understanding the situation of the explored subject. Reproduction of the datum picked up without carrying out any appraisal;
  - description of the family structure; origin of the progenitors and of the explored one and brothers. Relevant family relationships. If necessary description of the roles of each member of the family, with indication of the situation (living together at home or independently, work, health, use of drugs and judicial records)
5. Personal Area:
  - first sight (who goes with him- physical aspect, punctuality, consciousness or not of the reason of the exploration, attitude during the interview etc.);
  - history of health and use of drugs (if necessary);
  - judicial situation;
  - penitentiary Situation (if necessary).
6. Assessment
7. Conclusions:
  - concise summary of the most relevant datum that can have direct incidence at judicial level from the social point of view. The contents of the conclusions have to have been explained along the report.
8. Proposal
  - proposal of alternative penal measures indicating the type of measure of the ones indicated in the Penal Code
  - proposals of treatment for victims, maintenance or modification of provisional measures.

## **2 The psychological report**

This will include the following sections:

1. Judicial and personal data
  2. Cause (Copy of the demand of the judiciary)
  3. Methodology, explanation of the more important technical performances with a brief description of the same ones and adding the date of realization)
  4. Family background:
    - description of the family situation up-to-date and antecedents of special significance at the same time of understanding the situation of the explored subject. Reproduction of the datum picked up without carrying out any appraisal;
    - description of the genograma (separations, new couples, death ages etc.). - origin of the family and changes of addresses - jobs of the members of the family and socioeconomic level of instruction – economical level (pensions, origin of the incomes etc) - family dynamics and relationship, basic features of personality of each one of the members;
    - medical antecedents (illnesses, accidents, handicaps), psychological, of consumption of substances and judicial records of the members of the family.
  5. Personal Area: biographical description since childhood till present without any appraisal:
    - birth date and age, datum of development (pregnancy, birth, attainment of evolutionary milestones, significant illnesses);
    - education (beginning, changes of school, adaptation, characteristics of the learning, problems of learning behavioral, especially with the colleagues and with the authority, attained level;
    - work history (beginning, changes, type of work, adaptation, characteristics, problems, especially with the colleagues and with the authority, unemployment, timetables, satisfaction, etc;
    - military service (adaptation, problems. causes of exclusion);
    - description on the part of relatives or professionals of the person explored;
    - personal relationships (activities of leisure, friends. sentimental relationships, sexual, adaptation and problems, thinking about the contrary sex);
    - own family (beginning of the couple relationship, characteristics, separations, new couples, sons, relationship with the sons, characteristics of the members of the family: work, studies of the same ones, illnesses or disabilities etc);
    - illnesses or disabilities;
    - judicial records (former entrances in prison, type of offense);
    - criminal fact which we are dealing with, (explanation of the explored one, other information about the facts);
- If necessary:
- clinical records. (Diagnoses former, treatments that he|she carries out or that he|she has carried out);
  - use of drugs history, chronicles of addictions, treatment carried out, up-to-date situation)
  - sexual history;
6. Psychological Exploration: description and appraisal of the clinical

observation made along the interviews, when it is possible with psychological diagnosis, according to the professional criterion. Interpretation and interaction of the clinical observations with the results of the psychometric test:

- first sight impression: (who goes with him|her, physical aspect, punctuality, consciousness or not of the motive of the exploration etc.);
- person orientation, time and space;
- general attitude, disposition, collaboration, emotional state, postural aspect, type of contact, etc);
- language: formal (expression and understanding, wealth of vocabulary, fluency) contents (coherence, course and contents of the thought, perception alterations);
- intelligence;
- personality: test results .

Clinical impression, diagnosis DSM IV

6.1 if necessary a section about credibility has to be included

7. Assessment

The analysis of results is made in accordance with the brought datum and with the datum of the scientific research.

8. Conclusions: concise summary of the most relevant datum that can have direct incidence at judicial level, from the psychological point of view. The contents of the conclusions have to have been explained along the report:

- family and social area ;
- intellectual area;
- personality. Diagnosis;
- drugs use history;

(Victims) - Credibility of the witness most clinical; concluding if there is or not, from the psychological point of view, sexual abuse;

- psychological consequences.

9. Proposal (optional)

- proposal of psychological treatment - Proposal of alternative penal measures – other;
- in case of minor victims/witnesses, it is necessary that the proposal picks up the need to avoid the visual confrontation.

### **3 The psychosocial report**

The interdisciplinary team will distribute by himself the writing of the report depending on the characteristics of the case. The appraisal and the conclusions will always be made together. The general writing corresponds to that one who is the "referent of the case"

The structure of the psychosocial report will be:

1. Judicial and personal data ( using the data base)
2. Cause (Copy of the demand of the judiciary)
3. Methodology (explanation of the technical performances most important with a brief description d the same ones and adding the date of realization
4. Family Area genograma and family history
5. Personal Area: Personal history
6. Psychological exploration
7. Assessment (if necessary)

8. Conclusions  
9. Proposal (if necessary)

| <i>Información de identificación</i>  |  |                          |
|---|--|--------------------------|
| Nombre:<br>DNI:<br>Fecha de nacimiento:<br>Fecha de llegada:                                  |  |                          |
| <i>Presencia y Relevancia de Factores de riesgo y protección más importantes</i>              |  |                          |
| <i>Factores de Riesgo Históricos</i>  | <i>Presencia</i>   | <i>Ítem crítico</i>      |
| 1: Violencia Previa<br>Descripción & motivación:  | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/> |
| 2: Historia de Actos delictivos no violentos<br>Descripción & motivación:                     | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/> |
| 3: Inicio temprano de la violencia<br>Descripción & motivación:                               | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/> |
| 4: Seguimiento en el pasado/Fracaso de intervenciones anteriores<br>Descripción & motivación: | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/> |
| <i>(continúa)</i>   | <i>Presencia</i>   | <i>Ítem crítico</i>      |
| 5: Intentos de autolesión o de suicidio anteriores<br>Descripción & motivación:               | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/> |
| 6: Exposición a violencia en el hogar<br>Descripción & motivación:                            | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/> |
| 7: Historia de maltrato infantil<br>Descripción & motivación:                                 | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/> |

|  |  |                          |
|--|--|--------------------------|
| 8: Delincuencia de los padres o cuidadores<br>Descripción & motivación:        | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/> |
| 9: Separación temprana de los padres o cuidadores<br>Descripción & motivación: | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/> |
| 10: Bajo rendimiento en la escuela<br>Descripción & motivación:                | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/> |

| <i>Factores de Riesgo Sociales/Contextuales</i>   | <i>Presencia</i>   | <i>Ítem crítico</i>      |
|---|--|--------------------------|
| 11: Delincuencia en el grupo de iguales<br>Descripción & motivación:                            | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/> |
| 12: Rechazo del grupo de iguales<br>Descripción & motivación:                                   | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/> |
| 13: Estrés experimentado e incapacidad para enfrentar dificultades<br>Descripción & motivación: | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/> |
| 14: Escasa habilidad para educar de los padres<br>Descripción & motivación:                     | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/> |
| 15: Falta de apoyo personal/social de otros adultos<br>Descripción & motivación:                | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/> |
| 16. Entorno marginal<br>Descripción & motivación:   | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/> |
| <i>Factores de Riesgo Individuales</i>  | <i>Presencia</i>   | <i>Ítem crítico</i>      |
| 17: Actitudes Negativas<br>Descripción & motivación:  | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/> |
| 18: Asunción de Riesgos/Impulsividad<br>Descripción & motivación:                               | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/> |

|  |  |                            |
|--|--|----------------------------|
| 19: Problemas de Consumo de Sustancias<br>Descripción & motivación:                        | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/>   |
| 20: Problemas con el manejo del enfado<br>Descripción & motivación:                        | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/>   |
| 21: Bajo nivel de empatía/remordimientos<br>Descripción & motivación:                      | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/>   |
| 22: Problemas de concentración/hiperactividad<br>Descripción & motivación:                 | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/>   |
| 23. Baja colaboración en las intervenciones<br>Descripción & motivación:                   | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/>   |
| 24. Bajo Interés/Compromiso escolar o laboral<br>Descripción & motivación:                 | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/>   |
| <b><i>Factores de Protección</i></b>   | <b><i>Presencia</i></b>  | <b><i>Ítem crítico</i></b> |
| P1: Implicación Prosocial<br>Descripción & motivación:                                     | <input type="checkbox"/> P<br><input type="checkbox"/> A                                   | <input type="checkbox"/>   |
| P2: Apoyo Social Fuerte<br>Descripción & motivación:                                       | <input type="checkbox"/> P<br><input type="checkbox"/> A                                   | <input type="checkbox"/>   |
| P3: Fuertes Vínculos y Lazos con al menos un adulto prosocial<br>Descripción & motivación: | <input type="checkbox"/> P<br><input type="checkbox"/> A                                   | <input type="checkbox"/>   |
| P4: Actitud positiva hacia las intervenciones y la autoridad<br>Descripción & motivación:  | <input type="checkbox"/> P<br><input type="checkbox"/> A                                   | <input type="checkbox"/>   |
| P5: Fuerte Compromiso con la Escuela o el Trabajo<br>Descripción & motivación:             | <input type="checkbox"/> P<br><input type="checkbox"/> A                                   | <input type="checkbox"/>   |
| P6: Resistencia como rasgo de personalidad<br>Descripción & motivación:                    | <input type="checkbox"/> P<br><input type="checkbox"/> A                                   | <input type="checkbox"/>   |
| <b><i>Factores de riesgo complementario</i></b>  | <b><i>Presencia</i></b>  | <b><i>Ítem crítico</i></b> |

|   |  |                          |
|---|--|--------------------------|
| Descripción & motivación:   | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al | <input type="checkbox"/> |
| Resumen riesgo final  |  |                          |
| Resumen de riesgo global<br>Motivación:   | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al |                          |
| Resumen de riesgo específico para violencia física<br>dentro el centro<br>Motivación: | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al |                          |
| Resumen de riesgo específico para salidas y permisos<br>de centros<br>Motivación:     | <input type="checkbox"/> Ba<br><input type="checkbox"/> Mod<br><input type="checkbox"/> Al |                          |
|   |  |                          |
|   |  |                          |
|   |  |                          |
|   |  |                          |
|   |  |                          |
|   |  |                          |
|   |  |                          |

## **CZECH REPUBLIC**

### **Form 1: Pre-sentence report**

File reference number T/PM:

Client's first name and surname date of birth, permanent residence, current contact address:

Client put on the PMS's file on:

Report prepared by, on:

Copy of the report sent by the PMS centre to, for their information:

Annexes: copies of documents are enclosed, to illustrate the client's situation, e.g.: employment contract, job centre registration, schedule of payments, report on complying with the Probation Resocialisation Programme conditions, medical report, sick note, etc.

### **1. Client's personal and social situation**

#### **1.1 Family**

Information on: how, with whom, in which environment the client lives (original family, current family), commitments and obligations (children, alimony, care of a person given in charge), social environment of the family, consequences of offending for the client, for the family environment, and relations

#### **1.2 Employment and financial situation**

This box should include information on, e.g.: qualification achieved, client's financial situation – earnings or income, chances to pay compensation for damage, repayments, employers and their addresses, type of work – seasonal, regular, temporary, long-term, short-term, information on job centre registration, unemployment benefits – level of co-operation with the job centre, name of the job centre officer, client's activities when seeking job, frequency of job changes and reasons, future employment and/or education plans (including qualification training or re-training organised by job centre)

#### **1.3 Social contacts and leisure time activities**

To be filled in if relevant to offending (not always necessary in case of, for example, traffic accidents), or otherwise linked to the case, what are the leisure time activities, hobbies, interests, what sort of social groups the client spends time in, is he/she in touch with the crime accessories, sources of support in the client's environment, who helps him/her, who supports him/her

### **2. Attitude to and solution of crime consequences**

#### **2.1 Attitude to the crime at hand, and solution of crime consequences**

What is the client's retrospective view of the crime, what were its circumstances, what are the consequences for victims and community, client's experience with previous offending, how was it resolved, what is the client's attitude to offending, and has there been a shift in attitude in course

of co-operation with PMS, solution to the crime consequences, steps undertaken, steps planned for future, client's financial possibilities in solving the crime consequences

#### 2.2 Victim's standpoint

Crime consequences for the victim, relation between the accused and the victim, contact of PMS centre with the victim or his/her agent, services offered by the PMS centre, the victim's attitude to the offer, the victim's ideas about solution and satisfaction, victim's contact with other professional services in relation to the crime consequences (psychologist, psychiatrist, counsellor, therapist)

### **3. Miscellaneous**

The box may contain other (specific) information (e.g. co-operation between PMS and the client on another, previous case).

### **4. Characteristics of contacts in the period**

#### 4.1 Client's co-operation with PMS

First contact with the client, what has brought him/her to co-operation, number of sessions, their contents, client's activity and involvement in course of co-operation with probation officer, evaluation and summary of the client – probation officer co-operation and relation level

#### 4.2 Client's participation in rehabilitation programmes (delivered by social services)

Client's view of his/her participation in a rehabilitation programme, client's willingness to participate in a programme, does the client attend a programme regularly, chances of his/her being placed in a programme, focus of the programme, justification of the client's suitability envisaged time frame, preliminary evaluation of the programme by client (positives, negatives), co-operation of the probation officer with the agency – evaluation of the client's involvement (may be annexed as a separate report)

#### 4.3 Co-operation with other individuals and agencies

Co-operation with the others engaged in the case, who were those contacted, method of contact, frequency of contacts, other ways of data control, to objectify the report

### **5. PMS' opinion – recommendation**

Evaluation of co-operation with the client: summary of strengths and potential risks (risk of reoffending, risk of harm to a concrete person) from the areas already covered in the report (concrete examples, justification), information given by the client must be verified from other resources, this is not to repeat information already provided, but to emphasise the most substantial things in relation to the case

Suggestions: suggestions made by the probation officer on how to resolve the case (suitability of diversion, alternative order, alternatives to order or protective measures, adequate level of obligations, limitations, supervision order

– including justification)

The client was personally notified of the contents of this report (date):

The client's view provided he/she wishes to express his/her opinion about the report:

The view of the client-the accused may be recorded in this box, or it may be annexed to the report (Client's signature)

The report was sent to the client on:

To be filled in provided the client was not personally present; reasons for his/her not being present should be given.

## **Form 2: Probation program / probation supervisory plan**

### 1. Name of probation program

Name and surname of client, date of birth

Name and surname of probation officer (assistant) + PMS centre

Reference to court ruling (decision)

### 2. Timeframe of probation program

Period for which the program has been agreed

### 3. Contact of PMS officer with client

Form, frequency – the probation program must contain a specific agreement on the form and frequency of the consultation, the method used to invite the client to consultations, the client's excuse for being absent, and the method used to document the reasons for the client's absence from consultations (confirmation of incapacity to work - doctor's note), confirmation of other serious reason.

### 4. Appropriate obligations and restrictions

In this part of the probation program, the PMS officer must always take into account the effective ruling (decision) of the state prosecutor or judge. The method used to check that the ruling is being carried and the course of action that the PMS officer will take if the imposed obligation or restriction is not being fulfilled should be specified

### 5. Other arrangements

Other arrangements relate to other important circumstances related to the client's person and his current life situation and that stem from the circumstances of the case.

**DENMARK**

KRIMINALFORSORGEN

PM/SA: Politidirektøren i  
PM/SA nr:  
Journalnummer:

UNDERSØGELSE

i medfør af  
RETSPLEJELOVENS § 808  
Vedrørende

*(fulde navn, ved navne forandring tillige fødenavn)*

Personnummer:

Statsborgerskab:

Erhverv:

Bopæl:

Aktuel opholdsadresse:

Telefon:

Folkeregisteradresse/  
kommune:

Sigtelse:

Resume og konklusion:

Eventuel tolk:

Konklusion:

Kriminalforsorgen, Afdelingen i København den .

---

Punkt 1

OPVÆKST OG FAMILIEFORHOLD

Forældre:

Søskende:

Opvækst og forhold i hjemmet:

Voksens tilværelse:

Fritidsanvendelse - omgangskreds:

---

Punkt 2

BOLIGFORHOLD

---

Punkt 3

HELBREDSFORHOLD

Somatisk helbredstilstand - evt. *egen læges navn og adresse*:

Psykisk helbredstilstand:

Forbrug/misbrug af alkohol:

Misbrug af euforiserende stoffer:

---

Punkt 4

UDDANNELSE, ERHVERVSFORHOLD (HERUNDER KØREKORT.)

---

Punkt 5

ØKONOMISKE FORHOLD

Indtægter/formue:

Udgifter/gæld:

A-kasseforhold:

Socialforvaltning:

---

Punkt 6

FREMTIDEN/UNDERSØGERENS INDTRYK:

Fremtidsplaner:

Tilsyn og andre særvilkår:

Undersøgerens indtryk:

|  |
|--|
|  |
|--|

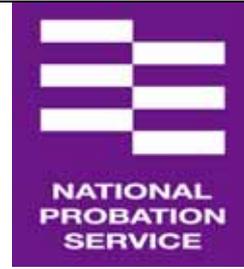
---

Punkt 7

DOKUMENTATION/UDTALELSER:

**ENGLAND AND WALES***Fast Delivery**Pre-Sentence Report*

This is a Pre-Sentence Report as defined in Section 158 of the Criminal Justice Act 2003 and has been prepared in accordance with the requirements of the National Standard for Pre-Sentence Reports.



West Mercia Probation  
Area

**THIS REPORT IS A CONFIDENTIAL DOCUMENT**

| <b>OFFENDER'S DETAILS:</b>                           |                                  |
|--|----------------------------------|
| <b>Name:</b><br><i>(First name then family name)</i> |                                  |
| <b>Date of Birth:</b>                                | <b>Age:</b>                      |
| <b>Address:</b>                                      |                                  |
| <b>Post Code:</b>                                    |                                  |
| <b>Telephone Number:</b>                             |                                  |
| <b>CRN Case Reference Number:</b>                    |                                  |
| <b>PNC ID Number:</b>                                |                                  |
| <b>COURT DETAILS:</b>                                |                                  |
| <b>Sentencing Court:</b>                             |                                  |
| <b>Date of Hearing:</b>                              |                                  |
| <b>Petty Sessional Area:</b>                         |                                  |
| <b>Date Report Requested:</b>                        |                                  |
| <b>OFFENCE DETAILS:</b>                              |                                  |
| <b>Offence(s) (dealt with in this PSR):</b>          | <b>Date of Offence(s):</b>       |
|  |                                  |
| <b>COURT DIRECTIONS</b>                              |                                  |
| <b>Seriousness:</b>                                  | <b>Low      Medium      High</b> |

|  |   |
|--|---|
|  | <b>N/A or not stated</b><br><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <b>Sentencing Purpose(s):</b>            |   |
| <b>PSR WRITER'S DETAILS</b>              |   |
| <b>Name:</b>                             |   |
| <b>Official Title:</b>                   |   |
| <b>Office Location:</b>                  |   |
| <b>Date report completed and signed:</b> |   |

### 1. Sources of Information

|                                  |                          |
|----------------------------------|--------------------------|
| <b>Interview</b>                 | <input type="checkbox"/> |
| <b>CPS Summary</b>               | <input type="checkbox"/> |
| <b>Previous convictions</b>      | <input type="checkbox"/> |
| <b>Service records</b>           | <input type="checkbox"/> |
| <b>Previous OASys Assessment</b> | <input type="checkbox"/> |
| <b>Other (please specify)</b>    | <input type="checkbox"/> |

### 2. Offence Analysis

Please provide a (very) brief outline of the offence(s):

Why did the offence(s) occur?

Offender accepts responsibility for offending?

Yes  No  Please provide details:

Offender recognises the impact and consequences of offence(s) on victim(s)?

Yes  No  In part  Please provide details:

Offender recognises the impact and consequences of offence(s) on the community?

Yes  No  In part  Please provide details:

Anti-social/discriminatory attitudes/behaviour associated with offending?

Yes  No  N/A  Please provide details:

Current offence(s) part of an established pattern of offending?

Yes  No  Please provide details:

Current offence(s) indicate escalation in seriousness of offending behaviour?

Yes  No  Please provide details:

### 3. Offender Assessment

**Accommodation**

Is accommodation relevant to the offending behaviour? Yes  No   
Please provide details, where appropriate:

**Education, training and employment**

Are education, training, employment and/or basic skills relevant to the offending behaviour? Yes  No   
Please provide details, where appropriate:

**Financial management and income**

Are finances relevant to the offending behaviour? Yes  No   
Please provide details, where appropriate:

**Drug/Alcohol Misuse:**

Is drug/alcohol misuse linked to offending behaviour? Yes  No

Is there lack of motivation to tackle drug/alcohol misuse? Yes  No

Is drug misuse and obtaining drugs a major activity? Yes  No

Is past drug/alcohol misuse history a relevant issue? Yes  No

If "yes" to any of above please provide details:

**Mental Health:**

Is mental health linked to offending behaviour? Yes  No

Does the offender have a history of mental health issues? Yes  No

Is a specialist report required? Yes  No

If "yes" to any of above please provide details:

**Additional Information about the Offender relevant to the offence(s) and the management of the offender:**

**4. Risk of Harm and Likelihood of Reconviction**

The Risk of Harm Screening assessment indicates no reason for undertaking a full Risk of Harm analysis. Yes  No

If there is a medium or high risk, state why an adjournment for a full assessment is NOT required

(e.g. if a recent and relevant OASys assessment is available):

The Likelihood of Re-Conviction is assessed as Low. Yes  No

If the likelihood is medium or high, state why an adjournment for a full assessment is NOT required:

**5.Sentencing Options and Proposal**

**Proposal and reasons, if a Community Order is proposed it will contain the following individual Requirements and their objectives:**

**Offender's Attitude to proposed community sentence:**

**Signature:** ..... **Date:**

**Name:**  
**Probation Officer**

**Outcome**

**Sentence of the court:**  
.....

**Comments:**

**ESTONIA**

**The form of supervision plan/Supervision plan NR.**

Probationer: .....  
Period of supervision: .....  
Dossier nr. ....  
Probation officer: .....

The general terms of supervision of conduct

- 1) to reside in a permanent place of residence;
- 2) to report at intervals determined by the probation officer at the probation department;
- 3) to submit, in his or her place of residence, to the supervision of the probation officer and provide the probation officer with information relating to the performance of the offender's obligations and his or her means of subsistence;
- 4) to obtain the permission of the probation officer before leaving the place of residence for longer than fifteen days;
- 5) to obtain the permission of the probation officer before changing residence, employment or place of study.

| <b>Obligation/risk factor</b> | <b>Aim</b> | <b>Activity</b> | <b>Resources</b> | <b>Outcome</b> | <b>Time</b> |
|-------------------------------|------------|-----------------|------------------|----------------|-------------|
|                               |            |                 |                  |                |             |
| 1. Alcohol consumption        |            |                 |                  |                |             |
| 2. Violence                   |            |                 |                  |                |             |
| ...                           |            |                 |                  |                |             |

**The interval between meeting of probationer and probation officer and terms of making house visits.**

.....  
**Probationer (name and signature)**

.....  
**Probation officer (name, signature and contacts)**

**Supervision plan approved by the head of division as at 22.01.2008**

## **FINLAND**

### **Personal History Report**

#### **Personal data**

Name:

Identity number:

Street address:

Postal code and post office:

Date of interview:

#### **Background Information**

Guardians of a minor:

Sources of information used in the report:

Family situation, financial situation, social relations, and hobbies:

Education, work experience, military or non-military service, and related plans:

Substance use and state of health:

Ongoing or planned care and support measures and other relevant information influencing the choice of the sanction. Assessment of the need for support and supervision:

#### **Statement**

Summary, information relevant to the choice of sanction, and comment on the necessity of supervision:

Date of statement:

Statement by:

Job title:

Telephone:

### **Risk and need Assessment Form**

#### **Personal data**

Name:

Identity number:

#### **Offences**

Current principal offence:

Other offences:

Prior registered offences:

Prior community service sentences:

Prior unconditional prison sentences:

Prior criminality and risk of recidivism:

Further information on the offence:

#### **Background information**

**SUBSTANCE USE****GENERAL INFORMATION**

Use of intoxicants in the past six months (no information/not at all/light/quite heavy/alarmingly heavy):

- Alcohol:
- Drugs:
- Medicines:

Possible treatment:

Committing offences mainly under the influence of substances or in order to get substances:

Further information:

**CLIENT'S SELF- ASSESSMENT**

Effects of use (no inconveniences/some inconveniences/considerable inconveniences):

- Work/education/free time:
- Health:
- Relationships with family/spouse or partner/friends:

Willingness to stop or reduce substance use:

Attitude to treatment if willing to stop or reduce substance use:

Further information:

**ASSESSMENT OF THE PROBATION OFFICER**

Assessment of substance use (no use or moderate use/problematic use/heavy use in treatment/not possible to assess):

Further information:

**SOCIAL BONDS AND USE OF TIME**

Social bonds in relation to the risk of recidivism:

Use of time in relation to the risk of recidivism:

Further information on social bonds and lifestyle:

**THINKING AND BEHAVIOUR**

General thinking and behaviour:

Thinking and behaviour in relation to the risk of recidivism:

**ATTITUDES AND MOTIVATION**

General attitudes and motivation:

Attitudes and motivation in relation to the risk of recidivism:

**HOUSING**

Current housing situation (permanent/temporary/institution/homeless no information):

Housing in relation to the risk of recidivism:

Further information on housing:

**LIVELIHOOD**

Main source of livelihood (wage/pension/social welfare benefit/unemployment allowance or labour market subsidy/student financial aid/relatives provide undefined/no information):

Fines to pay:

Compensations to pay:

Maintenance payments to pay:

Livelihood in relation to the risk of recidivism:

Further information on livelihood:

**WORK AND EDUCATION:**

Work or education situation (employed/unemployed/student/pupil/domestic work/pensioner or unable to work/in military service/no information):

Studies (basic education/upper secondary education/higher education/no education/no information):

Work and education in relation to the risk of recidivism:

Further information on work and education situation:

**HEALTH**

Information on the state of health:

**CO-OPERATION**

Type of co-operation (social services/substance abuse services/employment services/mental health services/other instances):

Further information:

Case manager:

Need for assistance in matter related to co-operation:

Further information on co-operation:

**CONCLUSIONS**

Main sections requiring action (offences / substances / social bonds and lifestyle / thinking and behaviour / attitudes / housing / work and education / health / co-operation):

Further information

Positive factors supporting life without crime and possible methods to promote them:

Client's opinion on the risk of recidivism and change:

Assessed risk of recidivism (high / moderate / low):

Assessed motivation to change:

Suitable programmes (Anger Management / substance abuse counselling / traffic safety programme / Cognitive Skills):

Other conclusions:

**PLAN**

Date of introducing the plan:

**GOALS**

Goal No. 1:

- Category:.....
- Date: .....
- Realisation: .....
- Date of issue: .....
- Methods: .....

Goal No. 2:

- Category: .....
- Date: .....
- Realisation: .....
- Date of issue: .....
- Methods: .....

Goal No. 3:

- Category: .....
- Date: .....
- Realisation: .....
- Date of issue: .....
- Methods: .....

Contracts:

- Contracting parties: .....
- Further information: .....
- No common goals: .....
- Goals of the probation officer: .....

**MONITORING THE REALISATION OF THE PLAN AND CHANGES**

- Changes in the client's situation: .....
- Assessment of the realisation of goals: .....
- Programme: .....
- Client's feedback or assessment: .....
- Further information: .....

**ASSESSMENT OF METHODS AND OWN WORK**

- Observations on chosen measures and used methods:  
.....

## **GERMANY**

### **Pre-sentence report – structure**

There is no stipulated form of a pre-trial or pre-sentence report (Gerichtshilfebericht), which a court assistant has to draw up. The report is related to the given problems in the individual case. When the court assistant decides on a detailed description, he or she should bear in mind that the described events or developments should have a connection with the offence. Depending on the circumstances the court assistant has to set priorities and/or will not discuss certain points. The Association German Court Assistance however, advises to follow a systematic detailed structure: one should start with the description of the received job, cite one's sources, inform about one's contacts (how many interviews and with whom) and that you have informed the offender of his or her rights. It follows the description of the offender's life development until his or her present situation. Depending on severity, problematic issues, addictions, huge debts, diseases etc. this should be discussed thoroughly in a special section. The report involves the complex of the current life situation and the offender's future prospects. It expresses the offender's attitude concerning the accusation and, if necessary, about his or her readiness to compensate for the damages they inflicted on a victim. The report ends with a social-pedagogic statement and, if possible, with a social prognosis.

### **Report on victims – essential components**

The Association German Court Assistance advises to follow these guidelines: reporting on victims is not about the credibility of a person but about his or her current life situation. The prosecutor and the court want to know whether there was a relationship between the offender and the victim and in which way the relationship had to do with the offence. In which way does the victim sum up the offender? Prominence should be given to describe the effects of the offence on the victim. Added should be the information if there was any professional assistance for the victim in the meantime or if relevant measures should be taken. The report continues to inform about the reactions of those around the victim and whether there is any interference or even pressure on the victim. Is the victim afraid of the trial and of the offender's presence? What about the victim's ability of expressing himself or herself? It is possible to reduce the strain of the victim by informing the court about these circumstances around the victim.

## **HUNGARY**

### **Pre-sentence report**

#### **Part I**

Case details (Requesting authority; Report due date; Classification of the act; Probation officer preparing the report; List of official documents acquired for the report, etc.)

Identification of the offender (name, ID card number, place and date of birth, mother's name, address, etc.)

#### **Part II**

Investigation methodology

(interviews, study of documents, data and document collection, family visits and dates)

#### **Part III**

Findings

(living circumstances, lifestyle, personality, any changes to these)

#### **Part IV**

Answers to targeted questions

(e.g. recommendations concerning behaviour rules, expected compliance to these rules; victim's opinion on compensation; necessity of healthcare or addiction treatment, etc.)

## **IRELAND**

### **Pre sanction report**

#### (Referral Data)

Name, address, date of birth of offender (phone no.).  
Offence of which guilty, Court and sitting.  
Garda (policeman) dealing with the case.

#### (Sources)

Who was interviewed, where and when?  
Additional contacts (e.g. addiction workers, staff in other agencies).

#### (Offence Analysis and Offending Behaviour)

Description of offences and attendant circumstances.  
If pleaded guilty or was found guilty after trial.  
Offenders explanation, attitude to the offence (has he insight into the seriousness, is he minimising, is he accepting responsibility?)  
Comment on variation between offenders description and statements of witnesses, police officers.  
Previous criminal record, analysis of offending pattern(s).

#### (Victim Issues)

Is offender aware of effect of offending, impact on victim(s) / the community? (particularly important where domestic violence or  
Has he made / willing to make apology.  
Has he made / is he willing to make some reparation?

#### (Personal and Social Circumstances)

N.B. only use information here that is relevant to the offence.  
Social functioning, family background (if relevant outline only of family, no names), attitude of family to offending.  
Community involvement and supports, peer influence (whether pro-social or pro-crime).

#### (Addiction, substance and alcohol misuse)

History of involvement, current dependence, whether has accessed treatment  
in the community, and if so with what results.  
Availability of treatment programme, referral protocols, likely response and outcome if (re)engages.

#### (Mental Health Issues)

If relevant.

#### (Conclusion and Proposal)

Summary and tying together of significant data.  
Application of risk assessment instrument(s), level of risk and risk factor

identified.

Changes needed in offenders attitude, behaviour, social functioning.

placed on What realistically could be achieved using available programmes if

supervision in the community, therefore suitable or not.

few If Court agrees, and offender is placed on supervision now or within next

years, Probation Service, in partnership with other agencies, can provide the following programme: (details)

Courts' decision is awaited.

**LATVIA**



**RIGA TERRITORIAL STRUCTURAL  
UNIT OF THE NATIONAL PROBATION SERVICE**

Reg. No. 90001625082, 91 Dzirnavu, Riga, LV-1011, Latvia

◆ Telephone 371 3124773 ◆ Fax 371 3124773 ◆ E-mail: [riga@vpdp.gov.lv](mailto:riga@vpdp.gov.lv)

No. \_\_\_\_\_

**Pre-sentence Report**

Riga

**1. Information on authority requesting and compiler of Report**

Name of Court /Prosecutor's

Office: \_\_\_\_\_

Judge: \_\_\_\_\_

Prosecutor: \_\_\_\_\_

Date request received: \_\_\_\_\_

Case No. \_\_\_\_\_

Report compiled by: \_\_\_\_\_

**2. Information on Client**

Address given: \_\_\_\_\_

Citizenship: \_\_\_\_\_

**3. Information on Offence**

Number of Article: \_\_\_\_\_

**4. Purpose of Evaluation Report**

Alternative sentence  other \_\_\_\_\_

**5. Sources of information used in preparing Report**

**Interviewed during the process of preparation:**

**Documents examined during the process of preparation:**

**6. Present circumstances**

**Client's family history and social circumstances:**

**Education, employment history, income and financial management:**

**Interests, hobbies, free time activities:**

**Friends, acquaintances:**

**Behaviour, emotional stability:**

**Physical and mental health, use of narcotics or alcohol, other dependencies:**

7. Information provided by the victim

8. Previous offences and the sentence serving process

**History of previous offences:**

**Information on time spent in prison:**

**Information on supervision time:**

**Client's attitude concerning previously committed offences:**

**Client's attitude to the offence presently under investigation:**

9. Summary

**Conclusions and recommended conditions if under supervision**

Head of Office

Name, surname

Criminal Code, adopted on 17 June 1998, entered into force on 1 April 1999  
Code of Criminal Procedure, adopted on 21 April 2005, entered into force on 1 October 2005.

**LITHUANIA**

.....  
**(Name of correction inspection)**

**INDIVIDUAL PLAN  
OF WORK WITH PERSONS CONDITIONALLY RELEASED FROM PENITENTIARY INSTITUTIONS AND CONDITIONALLY DISCHARGED BEFORE THE END OF**

\_\_\_\_\_ 200. No. \_\_\_\_\_  
Vilnius

Name and surname of the convict, date of birth \_\_\_\_\_

Term of individual work: from 200 \_\_\_\_ - \_\_\_\_ - \_\_\_\_ to 200 \_\_\_\_ - \_\_\_\_ - \_\_\_\_.

**1. Obligations of the conditionally released and conditionally discharged**

**2. Personal documents.** \_\_\_\_\_

possible ways to deal with it, term) \_\_\_\_\_

**3. Residence place.** \_\_\_\_\_

possible ways to deal with it, term) \_\_\_\_\_

**4. Employment.** \_\_\_\_\_

possible ways to deal with it, term) \_\_\_\_\_

**5. Family. Friends.** \_\_\_\_\_

(problem, possible ways to deal with it, term)

**6. Leisure.** \_\_\_\_\_

possible ways to deal with it, term) \_\_\_\_\_

**7. Social support. Non-governmental (confessional) organizations.**

possible ways to deal with it, term) \_\_\_\_\_

**8. Other.** \_\_\_\_\_

possible ways to deal with it, term) \_\_\_\_\_

**9. Implementation of measures as per plan of individual work** \_\_\_\_\_

\_\_\_\_\_ (position)

\_\_\_\_\_ (signature)

\_\_\_\_\_ (name, surn)

I was informed.

\_\_\_\_\_  
(convict's signature)

\_\_\_\_\_  
(name and surname)

\_\_\_\_\_ 200\_\_\_\_\_

**MALTA**

**1 Pre-sentencing report format in English**

Full name: \_\_\_\_\_  
Alias/Nickname: \_\_\_\_\_  
Current address: \_\_\_\_\_  
Other recent addresses: \_\_\_\_\_  
Tel. No.: \_\_\_\_\_ (H) \_\_\_\_\_ (W)  
Age: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
ID Card No.: \_\_\_\_\_ Gender: \_\_\_\_\_  
Nationality: \_\_\_\_\_  
Height: \_\_\_\_\_ Weight: \_\_\_\_\_  
Eyes: \_\_\_\_\_ Hair: \_\_\_\_\_  
Other distinguishable physical traits: \_\_\_\_\_  
Place of birth: \_\_\_\_\_  
Religion: \_\_\_\_\_  
Education: \_\_\_\_\_  
Occupation: \_\_\_\_\_  
Status: \_\_\_\_\_ Dependants: \_\_\_\_\_

Judge/Magistrate: \_\_\_\_\_  
Court: \_\_\_\_\_  
Probation Officer: \_\_\_\_\_  
Reference No.: \_\_\_\_\_  
Current charges: \_\_\_\_\_  
Other legal impediments: \_\_\_\_\_  
Time spent in prison awaiting trial: \_\_\_\_\_  
Prosecuting Officer: \_\_\_\_\_  
Tel. No.: \_\_\_\_\_  
Defence Lawyer: \_\_\_\_\_  
Tel. No.: \_\_\_\_\_  
Co-defendants: \_\_\_\_\_

**Victim 1:**

Name & Surname: \_\_\_\_\_

**Victim 2:**

Name & Surname: \_\_\_\_\_

Partner/Closest Relative: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Tel. No.: \_\_\_\_\_(H) \_\_\_\_\_(W) Father: \_\_\_\_\_  
Address: \_\_\_\_\_  
Tel. No.: \_\_\_\_\_(H) \_\_\_\_\_(W)  
Mother: \_\_\_\_\_  
Address: \_\_\_\_\_  
Tel. No.: \_\_\_\_\_(H) \_\_\_\_\_(W)  
Employer: \_\_\_\_\_  
Address: \_\_\_\_\_  
Tel. No.: \_\_\_\_\_(H) / \_\_\_\_\_(W)  
Monthly Salary: \_\_\_\_\_  
Percentage of work during the past 12 months: \_\_\_\_\_  
Other relevant contacts: \_\_\_\_\_

**A Criminal Charges**

1. Official version
2. Defendant's version
3. Defendant's attitude towards offence, Criminal Justice System, and victim
4. Victim's version
5. Victim's attitude towards offence, Criminal Justice System and defendant

**B. Criminal Record**

1. Juvenile
2. Adult
3. Pending charges

**C. Institutional History**

1. Juvenile
2. Adult
  - a) Incarceration (behaviour)
  - b) Detention (behaviour)
  - c) Other institutions (behaviour)

**A. Family**

1. Family of origin
2. Conjugal family/other

**B. Occupational History**

1. Current
2. Previous occupations

**C. Education**

1. Schools
2. Trade interests

**D. Health**

1. Childhood
2. Adulthood
3. Family doctor

**E. Spiritual Life**

**F. Hobbies and Social Relations**

**G. Other Professional Evaluations**

**Summary:**

**Recommendations:**

**Submitted by:**

\_\_\_\_\_

**Probation Officer**

**Date:** \_\_\_\_\_

**I. Sources of Information**

- a. Personal interviews
- b. Home & field visits

**II. Other Relevant Documents**

**2.2 First Contact Sheet in English**

**Full name:** \_\_\_\_\_



|  |  |  |
|--|--|--|
|  |  |  |
|--|--|--|

**Comments and proposed plan:**

\_\_\_\_\_

\_\_\_\_\_

**Current charges:** \_\_\_\_\_

\_\_\_\_\_

**Court:** \_\_\_\_\_

**Judge/Magistrate:** \_\_\_\_\_

**Prosecuting Officer:** \_\_\_\_\_

**Tel. No.:** \_\_\_\_\_

**Defence Lawyer:** \_\_\_\_\_

**Tel. No.:** \_\_\_\_\_

**Other legal impediments:** \_\_\_\_\_

\_\_\_\_\_

**Other pending cases** : \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Signature of officer:** \_\_\_\_\_

**Data** \_\_\_\_\_

\_\_\_\_\_

## **MOLDOVA**

### **Pre-sentence psychosocial personality evaluation report on suspect, accused or culprit**

The evaluation report is a written document of consulting and guiding nature, having the role of providing data on the suspect, the accused or the culprit, about the education level, the behaviour, family environment, friends, factors influencing or which can influence the general behaviour, the prospects of reintegration into society as well as other required information to the criminal prosecution body, the prosecutor and the court. In the development of the evaluation report, the probation counsellor shall contact the following sources of information: psychologists, teachers, sociologists, doctors, other experts, as well as family members, friends, colleagues and other people who can help making the psychosocial portrait of the personality of the suspect, of the accused or the culprit.

### **Personal file**

After receipt of the document for execution, the personal file is developed. All the documents related to the supervised person are introduced in the file. The personal file must include:

- the supervision plan;
- quarterly reports on probation measures, describing the manner in which the supervised person participates in all measures and fulfils the established obligations, the behaviour of the supervised person;
- final report developed at the end of the probation period that will contain conclusions regarding the fulfilment of the established obligations by the person.

### **Supervision plan**

For activity during the probation period, the plan on probation measures and the schedule for the person to come to the probation officer is developed. The supervision plan is developed in order to set the main working objectives with the supervised person. The supervised person is notified about the supervision plan under signature. Every time it is necessary, the competent authorities are asked to assign specialists to develop and carry out the supervision plan. The probation methods are determined based on needs, level of identified risk and on the number or nature of measures and/or obligations established by court, identified needs or problems of the supervised person and duration of supervision. In addition, consideration is given to collaboration with the family, community volunteers and civil society representatives, as well as with governmental and non-governmental organizations with a view to initiate and implement re-socialization programs, home visits, permanent relation with persons and institutions that could provide useful data to identify available vacancies, training courses, and professional qualification/re-qualification courses.

## The NETHERLANDS

### Appendix: format Comprehensive Advice

#### Comprehensive advice

##### Commissioning authority details

Organization: *Name*  
Contact: *Name*  
Address: *Address*  
Town: *Town*

##### Commissioned assignment details

Date of commission: *Date*  
Planned realization date: *Date*  
Realization date: *Date*  
Reason for exceeding planned realization date: *Reason*

##### Recommendation concerning hearing in chambers

##### Recommendation concerning court hearing

##### Recommendation concerning Public Prosecution Service settlement

##### Recommendation concerning Public Prosecution task penalty hearing

##### Recommendation concerning recidivism reduction reintegration plan

##### Recommendation concerning Penitentiary Programme

##### Recommendation concerning conditional release

##### Recommendation concerning Education and Training Programme

##### Recommendation concerning conditional hospital order

##### Recommendation concerning preparation of trial leave from placement in a institution for juvenile offenders

##### Recommendation concerning [*other*]

##### Details of convicted/accused person

Surname: *Name*  
First names: *First name/first names*  
Date of birth: *Date*  
Country and town of birth: *Country and town*  
Nationality: *Nationality*  
Address: *Address*  
Postal code and town: *Postal code and town*  
Detained in: *Town and name*  
Public Prosecutor's office number: *Public Prosecutor's office number*  
Client Tracking System (CVS) number: *Number*  
Prison service registration system number (TULP GW): *Number*  
Conditional release case number: *Number*

Application number: *Number*  
**Executive organization**  
Organization: *Name*  
Address: *Address*  
Town: *Town*

**Probation officer** **Manager**  
Name:  
Signature:

**Approved for H6-H8 recidivism reduction reintegration plan**

**Process supervisor** **Head of Coordination Of  
for Reintegration  
Prisoners (CBTR)**  
Name:  
Signature:

**1. Basis of the report**

**RISc diagnostic instrument**

- The report was created using a newly conducted RISc on *date*.
- The report was created using a RISc conducted previously on *date*.  
*Explanation if a previously conducted RISc was used.*

**Sources consulted**

- Conversation(s) with convicted/accused *Date*  
person:
- References: *Name, role/function, date*
- Consultants/behavioural experts: *Name, institution, date*
- Behavioural expert's report: *Date*
- Charge: *Date*
- Abstract of the court documentation: *Date*
- CVS (probation file):
- Assessment of addictions for indication *Date, executor*  
and evaluation (*Mate Crimi*):
- Other:

**2. Offence and risk**

**Charge/conviction**

Charge:

Conviction:

**Confession/denial**

The convicted/accused person confesses to the offence during the investigation.

The convicted/accused person confesses to the offence partly during the investigation.

The convicted/accused person denies the offence during the investigation.

*Explanation (optional)***Analysis of the current offence and perception of convicted/accused person****History of offences and the extent to which the current offence is part of a pattern****Estimation of possibility of recidivism**

The risk of recidivism is estimated as low.

The risk of recidivism is estimated as average.

The risk of recidivism is estimated as high.

It is not possible to estimate the risk of recidivism.

*Explanation***Estimation of risk of harm**

1. The current offence was not violent / violent with reasonably serious injury / violent with injury.
2. In the history of offences, there are no violent offences / violent offences with reasonably injury / violent offences with serious injury.
3. The convicted/accused person is self-destructive/suicidal / not self-destructive/suicidal.
4. There is a low / medium / high risk of not complying with the conditions.

*Explanation of estimation of risk of harm***3. Diagnosis****Overview of criminogenic factors from RISC related to delinquent behaviour**

|                                 |      |        |        |
|---------------------------------|------|--------|--------|
| <b>Accommodation and living</b> | None | Medium | Strong |
|---------------------------------|------|--------|--------|

*Optional: explanation*

|                                     |      |        |        |
|-------------------------------------|------|--------|--------|
| <b>Education, work and learning</b> | None | Medium | Strong |
|-------------------------------------|------|--------|--------|

*Optional: explanation*

|                                  |      |        |        |
|----------------------------------|------|--------|--------|
| <b>Income and handling money</b> | None | Medium | Strong |
|----------------------------------|------|--------|--------|

*Optional: explanation*

|  |      |        |        |
|--|------|--------|--------|
| <b>Relationship with partner, family members and other relatives</b> | None | Medium | Strong |
|--|------|--------|--------|

*Optional: explanation*

|  |      |        |        |
|--|------|--------|--------|
| <b>Relationship with friends and acquaintances</b> | None | Medium | Strong |
|--|------|--------|--------|

*Optional: explanation*

|                 |      |        |        |
|-----------------|------|--------|--------|
| <b>Drug use</b> | None | Medium | Strong |
|-----------------|------|--------|--------|

*Optional: explanation*

|                            |      |        |        |
|----------------------------|------|--------|--------|
| <b>Alcohol consumption</b> | None | Medium | Strong |
|----------------------------|------|--------|--------|

*Optional: explanation*

|                            |      |        |        |
|----------------------------|------|--------|--------|
| <b>Emotional wellbeing</b> | None | Medium | Strong |
|----------------------------|------|--------|--------|

*Optional: explanation*

|  |  |      |  |        |  |        |
|--|--|------|--|--------|--|--------|
| <b>Thinking patterns, behaviour and skills</b> |  | None |  | Medium |  | Strong |
|--|--|------|--|--------|--|--------|

*Optional: explanation*

|                 |  |      |  |        |  |        |
|-----------------|--|------|--|--------|--|--------|
| <b>Attitude</b> |  | None |  | Medium |  | Strong |
|-----------------|--|------|--|--------|--|--------|

*Optional: explanation*

**Summary based on RISC**

*Only if no criminogenic factor/living area at all is explained.*

**Deepening diagnostics**

*Optional*

**Previous interventions**

*Optional*

**Previous assistance**

*Optional*

**Previous treatment**

*Optional*

**References information**

**Other relevant factors**

*Optional*

**4. Responsiveness**

On the basis of the diagnosis, there are no possibilities for influencing behaviour.

On the basis of the diagnosis, there are some possibilities for influencing behaviour.

On the basis of the diagnosis, there are many possibilities for influencing behaviour.

*Explanation of possibilities of influencing behaviour*

**Limitations for participation in interventions**

*Optional*

**5. Overall conclusion**

*Overall conclusion based on H2-H4*

**6. Action plan**

***Only for recidivism reduction reintegration plan:***

**Dual consultation of probation officer and process supervisor**

The dual consultation between the probation officer and the process supervisor took place. The interventions and action plan below were established in joint consultation.

No decision is given in this report about the granting or rejection of detention phasing. N can be derived from this report with respect to detention phasing. Below is a representative theoretical phasing dates (plus any limitations, fines, drugs discouragement policy (DOB), et

The convicted/accused person must not undergo intervention/treatment.

On the basis of the possibility of recidivism, the criminogenic factors and the interventional past, the following (behavioural) interventions and/or treatments are proposed:

|                        |  |
|------------------------|--|
| Intervention/treatment |  |
|------------------------|--|

|  |  |
|--|--|
| Linked to criminogenic factor/living area                      |  |
| Purpose  |  |
| In the event of detention: possible setting for implementation | Only intramural  |
|  | Only extramural during Penitentiary Programme / conditional release                |
|  | Both intramural and extramural during Penitentiary Programme / conditional release |
| Intensity  |  |
| Target date of implementation                                  |  |
| Feasibility  | Certain  |
|  | Uncertain  |
| Explanation  |  |
| Executor   |  |
| Willingness of convicted/accused person                        | Good   |
|  | Moderate   |

**Criminogenic factors that are present but for which no (behavioural) intervention and/or treatment is proposed.**

*Criminogenic factors and substantiation (optional)*

**7. Recommendation and conditions**

*7A. Recommendation concerning hearing in chambers*

It is recommended that the pre-trial detention is suspended.

It is recommended that the pre-trial detention is not suspended.

No recommendation about suspension is possible.

*Explanation of recommendation*

**Special conditions**

No special conditions are recommended.

*Explanation why no special conditions are recommended*

The following special conditions are recommended:

1. Duty to report: The convicted person or accused person must report within .. days of [date if possible] at [time if possible] to [institution] at the following address [address]. Hereafter, he must continue to report during periods set by [institution] as frequently [institution] deems necessary during these periods.
- 2.
- 3.

*If special conditions are recommended, the text below is also included in the recommendation.*

The convicted person must follow the instructions that the Probation Service gives him or her. This means that the supervisor gives the convicted person instructions that relate to his or her compliance with the special conditions. The aim is to supervise him or her in complying with the special conditions, as well as to monitor whether he or she is observing compliance with the special conditions.

Given the nature of the risks identified, criminogenic factors and responsiveness, no compliance with the special conditions stated [numbers] will be supported by the following of checking: [means of checking].

**Recommendation concerning implementation of supervision**

Manner in which checking is carried out

Manner in which supervision is carried out

Frequency of contact with the Probation Service

Other remarks about implementation of supervision

**Recommendation concerning application for a report/consultation to the Netherlands Institute for Forensic Psychiatry and Psychology (NIFP)**

It is recommended to request an NIFP consultation for the purpose of the investigation necessity for a behavioural expert report.

It is recommended to request comprehensive advice with more specific information.

No supplementary report / NIFP consultation is recommended.

*Explanation if a NIFP consultation / specific report is recommended*

**7B. Recommendation concerning court hearing / Public Prosecution Service settlement  
Prosecution task penalty hearing**

The Probation Service refrains from giving advice about a sanction.

Detention is recommended.

A conditional hospital order is recommended.

A hospital order with compulsory treatment is recommended.

A suspended prison sentence is recommended.

A labour penalty is recommended.

Home detention is recommended.

A conditional waiver is recommended.

*Other* is recommended.

*Explanation of recommendation*

**Special conditions**

No special conditions are recommended.

*Explanation why no special conditions are recommended.*

The following special conditions are recommended:

1. Duty to report: The convicted person or accused person must report within .. days of [date if possible] at [time if possible] to [institution] at the following address [address]. Hereafter, he must continue to report during periods set by [institution] as frequently [institution] deems necessary during these periods.
- 2.
- 3.

*If special conditions are recommended, the text below is also included in the advice:*

The convicted person must follow the instructions that the Probation Service gives him or her. This means that the supervisor gives the convicted person instructions that relate to his or her compliance. The aim is to supervise him or her in complying with the special conditions, as well as to monitor whether he or she is observing compliance with the special conditions.

Given the nature of the risks identified, criminogenic factors and responsiveness, no compliance with the special conditions stated [numbers] will be supported by the following of checking: [means of checking].

**Recommendation concerning implementation of supervision**

Manner in which checking is carried out

Manner in which supervision is carried out

Frequency of contact with the Probation Service

Other remarks about implementation of supervision

***Only if a labour penalty is recommended or if the Public Prosecution Service is considering a labour penalty as a sanction:***

**Labour penalty: presence of contra-indications<sup>1</sup>**

- None
- Suspected of serious violent or sexual offences
- Suspect has already had a labour penalty imposed or offered more than once
- Suspect refuses to compensate the damage inflicted or to cooperate in arrangement compensation
- Suspect is not capable of performing the labour penalty properly because of a psychological or psychiatric problem
- Suspect does not agree to a labour penalty
- Suspect has no valid proof of identity
- Suspect has no medical insurance

**Other hindering factors**

- None
- Physical complaints
- Because of addiction, not capable of performing the labour penalty properly
- Responsibility of care for which no alternative can be organized
- Danger of eviction

**Explanation of contra-indications and hindering factors for labour penalty**

*Explanation*

*7C. Recommendation concerning recidivism reduction reintegration plan / Penitentiary Programme / conditional release / Education and Training Programme*

**Recidivism reduction reintegration plan**

It is recommended the detainee be eligible for a recidivism reduction reintegration plan.

It is recommended the detainee not be eligible for a recidivism reduction reintegration plan.

No recommendation about a recidivism reduction reintegration plan is possible.

*Explanation of recommendation*

**Penitentiary Programme**

It is recommended the detainee be eligible for a Penitentiary Programme.

It is recommended the detainee not be eligible for a Penitentiary Programme.

No recommendation about participation in a Penitentiary Programme is possible.

---

<sup>1</sup> Partly on the basis of instruction from the Public Prosecution Service

*Explanation of recommendation*

**Conditional release**

It is recommended the detainee be eligible for conditional release.

It is recommended conditional release be postponed.

It is recommended the detainee not be eligible for conditional release.

No recommendation about conditional release is possible.

*Explanation of recommendation*

**Education and Training Programme**

It is recommended the detainee be eligible for an Education and Training Programme.

It is recommended the detainee not be eligible for an Education and Training Programme.

No recommendation about participation in an Education and Training Programme is possible.

*Explanation of recommendation*

**Special conditions**

No special conditions are recommended.

*Explanation why no special conditions are recommended.*

The following special conditions are recommended:

1. Duty to report: The convicted person or accused person must report within .. days from [date if possible] at [time if possible] to [institution] at the following address [address]. Hereafter, he must continue to report during periods set by [institution] as frequently [institution] deems necessary during these periods.

2.

3.

*If special conditions are recommended, the text below is also included in the advice:*

The convicted person must follow the instructions that the Probation Service gives him or her. This means that the supervisor gives the convicted person instructions that relate to his or her compliance with the special conditions. The aim is to supervise him or her in complying with the special conditions, as well as to monitor whether he or she is observing compliance with the special conditions.

Given the nature of the risks identified, criminogenic factors and responsiveness, monitoring compliance with the special conditions stated [numbers] will be supported by the following means of checking: [means of checking].

**Recommendation concerning implementation of supervision**

Manner in which checking is carried out

Manner in which supervision is carried out

Frequency of contact with the Probation Service

Other remarks about implementation of supervision

**Implementation of the Penitentiary Programme**

|  |  |
|--|--|
| Intended starting and ending dates of Penitentiary Programme |  |
| Address for Penitentiary Programme and electronic monitoring |  |
| Consent of any household members                             |  |
| Ending date of electronic monitoring                         |  |
| The various parts of the daily programme                     |  |

|  |  |
|--|--|
| Contra-indications for use of electronic monitoring                                  |  |
| Contents of the liberties policy   |  |
| Activities outside of the obligatory programme                                       |  |
| In the event of a fines scheme: feasibility in relation to income and possible debts |  |
| Name of permanent supervisor and probation organization                              |  |
| Organization implementing electronic monitoring                                      |  |

**Conditional release**

|  |  |
|--|--|
| Expected starting date of conditional release                                  |  |
| Intended probation organization implementing supervision of special conditions |  |
| Address for conditional release  |  |

**Implementation of Education and Training Programme**

|  |  |
|--|--|
| Intended starting and ending dates of Education and Training Programme |  |
| Address for Education and Training Programme                           |  |
| Consent of any household members                                       |  |
| The various parts of the daily programme                               |  |
| Activities outside of the obligatory programme                         |  |
| Name of permanent supervisor and probation organization                |  |

*7D. Recommendation concerning preparation of trial leave from placement in a institution for juvenile offenders / conditional hospital order*

**Conditional hospital order**

It is recommended the convicted/accused person be eligible for a conditional hospital order.

It is recommended the convicted/accused person not be eligible for a conditional hospital or

*Explanation of recommendation*

**Preparation of trial leave from placement in a judicial institution for j offenders**

It is recommended the convicted/accused person be eligible for trial leave.

It is recommended the convicted/accused person not be eligible for trial leave.

*Explanation of recommendation*

**Special conditions**

No special conditions are recommended.

*Explanation why no special conditions are recommended.*

The following special conditions are recommended:

1. Duty to report: The convicted person or accused person must report within .. days from [date if possible] at [time if possible] to [institution] at the following address [address]. Hereafter, he must continue to report during periods set by [institution] as frequently as [institution] deems necessary during these periods.

2.

3.

*If special conditions are recommended, the text below is also included in the recommendation.*

The convicted person must follow the instructions that the Probation Service gives him or her. This means that the supervisor gives the convicted person instructions that relate to his or her compliance with the special conditions, as well as to whether he or she is observing compliance with the special conditions.

Given the nature of the risks identified, criminogenic factors and responsiveness, monitoring compliance with the special conditions stated [numbers] will be supported by the following means of checking: [means of checking].

**Recommendation concerning implementation of supervision**

Manner in which checking is carried out

Manner in which supervision is carried out

Frequency of contact with the Probation Service

Other remarks about implementation of supervision

**Implementation of trial leave from placement in a judicial institution for juvenile offenders**

|   |  |     |
|---|--|-----|
| Intended starting date                                  |  |     |
| Intended ending date                                    |  |     |
| Trial leave extendable?                                 |  | Yes |
|   |  | No  |
| Explanation of extension of trial leave                 |  |     |
| Address during trial leave                              |  |     |
| Consent of any household members                        |  |     |
| The various parts of the daily programme                |  |     |
| Contents of the liberties policy                        |  |     |
| Activities outside of the obligatory programme          |  |     |
| Name of permanent supervisor and probation organization |  |     |

7E. Specific question and other remarks

**Specific question from commissioning authority**

*Optional*

Question

Answer

**Other remarks**

*Optional*

**8. Cooperation of convicted/accused person**

The recommendation has been discussed with the convicted/accused person.

*The opinion of the convicted/accused person about the contents of the recommendation  
date on which the recommendation was discussed with the convicted/accused person*

The recommendation has not been discussed with the convicted/accused person.

*Explanation why the recommendation has not been discussed with the convicted/accused p*

---

**NORTHERN IRELAND**

|   |   |  |  |
|---|---|--|--|
|  | A C E<br>Assessment, Case<br>Management<br>and Evaluation System© |  | <b>Probation<br/>                 Studies Unit</b> |
|---|---|--|--|

Police URN: \_\_\_\_\_

**PBNI Ref. No:** \_\_\_\_\_

**PROBATION BOARD FOR NORTHERN IRELAND**

|                  |  |            |  |                |  |
|------------------|--|------------|--|----------------|--|
| Offender Surname |  | First Name |  | Alias (if any) |  |
|------------------|--|------------|--|----------------|--|

Date Of Birth \_\_\_\_\_

Address \_\_\_\_\_

Supervising \_\_\_\_\_

PSR Writer \_\_\_\_\_

Date ACE Completed

|                         |                         |
|-------------------------|-------------------------|
| PSR/Initial Assessment: | 1st Review:             |
| 2nd Review:             | 3 <sup>rd</sup> Review: |

**Instructions for use**

Please complete as follows:

Section A (Social) and Section B (Personal) are scored in the following way:

Problem Score:

Offending Related Score:

Not a problem 0

Medium problem 2

Not a problem 0

Medium problem 2

Small problem 1

Large problem 3

Small problem 1

Large problem 3

Protective factors: Yes / No

Enter Yes/No according to whether any strengths/positives exist in relation to each factor.

Record relevant information in evidence box.

**Section C (Offending)**

Please circle the number next to the appropriate response.

Evidence Score:

Not at all 0

Moderately 2

Slightly 1

Very 3

Space is provided for you write notes where scores of 2 or 3 occur. You will need to indicate 1 for high scores as well as any important information which illustrates the nature of the concern.

**Significant/Traumatic Experiences:**

Record in this section whether any previous significant or traumatic experiences exists for each section - eg experience of domestic violence/sexual abuse when young.

**Conclusions of Risk Assessment**

**RA1: Risk of Harm Assessment**

Offender:

Assessed by:

Date:

**Having gathered all the relevant information, completed sections 1 to 3 of this form and considered the information in each section, please specify the risks of harm others posed by this offender.**

The tick boxes on the right and comments box at the end of this sheet provide information to database. (You can tick as many boxes as necessary in each section.)

What is the nature of the potential harm?

- Physical
- Sexual
- Psychological
- Use of weapons
- Threats/intimidation
- Car Crime

Who is at risk of harm?

- Family / partner
- Acquaintances
- Public
- PBNI employees
- Other professionals
- Children
- Vulnerable adults\*
- Named individuals\*

When and in what circumstances will the risk of harm be greatest?

- Alcohol / drug use
- When challenged
- In company of others\*
- Assoc. with mental health problems
- Assoc. with personal problems
- Other\*

What actions can be taken to reduce the risk of harm?

\* Give details in comments box overleaf.

**Do you consider the risk of harm to others in this case is HIGH**

**YES/NO**

Other issues highlighted during assessment:

Risk of self-harm / suicide? YES/NO

Mental health problems? YES/NO

(If yes, refer to relevant procedures)

**Signature of probation officer:** \_\_\_\_\_  
**Date:** \_\_\_\_\_

**Monitoring Form for Probation Orders, CPOs and Combination Orders**

**Name of Supervisee:** ..... (*Block capitals*) **Index No:** .....  
**Name of Supervising Officer:** ..... (*Block capitals*)

**Part A**

*All sections in Part A are to be completed by the supervising officer.*

**Part A1: To be completed by the supervising officer before commencing preparation work plans.**

I affirm that the risk assessments (ACE & RA1\*) received by me or, initiated/updated by me, have been completed in accord with all of the quality indicators which are set out in the Requirements section of the Standards for Risk Management. (*\*Delete as applicable*)  
If risk assessment(s) have been delayed please explain why below.

.....  
**Signature of supervising Officer:** ..... **Date:** .....

**Part A2: To be completed by the supervising officer no later than the date required by the Standards for completion of initial supervision plans.**

I affirm that the initial work plan for the supervision of this case has been completed in accordance with all of the quality indicators which are set out in the planning section of the Service Requirements section of the Standards relevant to the court Order which applies to this case. If the initial work plan has been delayed please explain why below.

.....  
**Signature of supervising Officer:** ..... **Date:** .....

## **NORWAY**

### **Requirements for the execution of community sentences**

(UNAUTHORISED TRANSLATION – NO RIGHTS MAY BE DERIVED FROM THIS TEXT)

#### Requirements for the offender

According to the Execution of Sentences Act § 54 the offender must carry out the community sentence as indicated by the probation service.

The offender must:

- Meet at the specified time and place. In case the offender is unable to keep the appointment because of illness, a doctor must document this by means of a formal declaration. This declaration must be delivered no later than two days after the absence.
- Not be under the influence of alcohol, narcotics or other drugs at the time of the meeting.
- Provide information that is important for the execution of the sentence.
- Comply with the conditions that the court has set in connection with § 28a, 3rd article of the Penal Law.
- Remain within the country during the period of execution unless the probation service allows otherwise.

The offender must not:

- Endanger the safety of persons who participate in the execution process.
- Influence the atmosphere in a negative way.
- Commit a new offence during the period of execution.

According to the Execution of Sentences Act § 55, the probation service may prohibit the offender the use of intoxicating substances. Such a prohibition may be announced when it appears necessary in order to prevent a new criminal offence towards a person's life, his health or his freedom. The prohibition may also be announced according to the Execution of Sentences Act §58 as a consequence of the breach of other decisions made by the court or by the probation service.

#### **Monitoring**

According to the Execution of Sentences Act § 56, the probation service must monitor the conditions set by the court in connection with § 28a, 3<sup>rd</sup> article of the Penal Law, or the Execution of Sentences Act §§ 55 and 58. This may include unannounced home visits. In case of a prohibition to use intoxicating substances the probation service may prescribe the offender to undergo a urine test, a breath test, a blood test or another test that may be taken without danger or specific inconvenience.

In case the offender is suspected of being under the influence of intoxicating substances, he may be prescribed to take the same types of test.

The time used for taking such tests will not be subtracted from total the number of hours in the court decision.

#### **Consequences of breach:**

If the offender breaches the conditions for the execution of the sentence, the

following reactions may be set into action according to the Execution of Sentences Act § 58:

- Verbal warning.
- Corrective conversation, where the offender is informed about the consequences of possible additional breaches.
- The probation service may also set other conditions for the offender to:
  - o Comply with decisions with respect to whereabouts
  - o Avoid contact with specific persons
  - o Avoid using intoxicating substances
  - o Comply with decisions with respect to a duty to report to the police or to the probation service.

In case of additional breaches the correctional service can decide to bring the case to court in order to have the subsidiary imprisonment carried out. The probation service may request the police to collect the offender according to § 461, 3<sup>rd</sup> article if this should be necessary in order to carry out a reaction. The time used for carrying out these reactions will not be subtracted from total the number of hours in the court decision.

I am aware of the abovementioned requirements and obligations for the execution of a community sentence and I am aware of the fact that breach may lead to the termination of the community sentence.

Place, date

.....

(on behalf of the Correctional service)

I have been informed about the consequences of a community sentence and I agree / do not agree with the conditions (*strike out which is not applicable*)

.....

(offender's signature)

**Contents of PRE-TRIAL REPORT<sup>2</sup>**

*(UNAUTHORISED TRANSLATION – NO RIGHTS MAY BE DERIVED FROM THIS TEXT)*

**Correctional services (Place-name) Probation service**

On requisition of:

P.O. box

0000 City

Date:

Requisition received:

Case number:

Name:

Personal identification number:

Nationality:

Sex:

Address:

Telephone – private, work, mobile:

Guardian:

Guardian's address:

1. Accommodation
2. Daily activity (work, education, job training, courses etc.)
3. Finances (income, expenses, debts, fortune)
4. Network (family, friends, public network)
5. Health condition (physical and mental)
6. Use of intoxicants (type, extent, possible treatment)
7. Possible other relevant conditions
8. The suspect's own view on his situation
9. Which changes does the suspect wish to achieve while serving the possible sentence
10. Summarised source referrals
11. Process of drawing up the pre-trial report
12. Reporter's own assessment

Signatures by the probation unit manager and the reporter

Suspect's own statement:

I have been informed on the contents of the pre-trial report

I have been informed on what a community sentence entails and have consented to participate (viz. enclosed form)

I do not consent to participate in a community sentence

I have not been informed on what a community sentence entails

Place/date:

Signature

**POLAND**

The appendix to the Ministry of Justice Decree of 11 June 2003 (Journal of Laws, 2003, No. 108, pos. 1018)

**The model of social inquiry questionnaire**

Designation of a party, which was ordered to conduct the social inquiry

.....  
Name and family name of a person conducting the inquiry

.....  
Case-file signature, in which the inquiry was ordered as well as the date and the place of inquiry conduction

.....  
I. The defendant's personal data:

1. The name and family name

.....  
2. Parents' names

.....  
3. Date and place of birth

.....  
4. Marital status

.....  
5. Education

.....  
6. Occupation (traded, practiced)

.....  
7. Occupational work (works, works casually, does not work)

.....  
II. The characteristic of family environment of the defendant, with regard to his/her behaviour and family living conditions

.....  
III. The characteristic of school environment of the defendant, with regard to his/her learning results and eventual educational difficulties (regards to the defendant of a school age or studying.

.....  
IV. The characteristic of occupational environment of the defendant, with regard to his/her work attitude

.....  
V. The characteristic of the defendant's health status, with regard to known in his/her environment information regarding his/her health status, especially mental disability, drug or alcohol dependency (the degree of work ability limitation, a disability pension)

.....  
VI. Own observations and conclusions of a person conducting the inquiry .....

.....  
(signature of a person conducting the inquiry)

**PORTUGAL**

**SOCIAL REPORT**  
*To determine the Sanction*

Court  
Process n°

° Division/ Court, Section

**IDENTIFICATION**

Name:

Affiliation:

Date of Birth: Age

Place of Birth: Nationality (if foreigner):

Civil status:  Single  Married  Divorced  Widow

Address:

Date

DGRS Probation Officer:

Delegation Team

Telephone:

Fax:

---

Mod. 205/DGRS

---

Introduction

**I - Relevant data of the process of socialization**

**II - Social and personal conditions**

**III - Impact of the judicial and penal situation**

**IV - Conclusion**

The Probation Officer

The Coordinator

## SOCIAL REPORT

### *To Provisory Suspension of the Process*

Public Ministry Services

Process nr

<sup>a</sup> Section

#### **Identification**

Name:

Affiliation:

Date of birth:                      Age:

Nationality:                      Nacionality (if foreigner):

Civil Status:  Single  Married  Divorced  Widow

Address:

Data:

DGRS Probation Officer

Delegation                      Team

Telephone:    Fax:

Mod. 205-D/DGRS

**I – Relevant data of the socialisation process**

**II – Social and Personal conditions**

**III – Impact of the judicial situation**

**IV - Conclusion**

The Probation Officer

Reviewed:

The Co-ordinator

## SOCIAL REPORT

### *To decide on the measure of coercion*

Court

Process n.º

<sup>o</sup> Division/

<sup>a</sup> Court,

<sup>a</sup> Section

#### **Identification**

Name:



2.2. Socio-familiar integration

2.3. Evaluation

Are there favourable/unfavourable conditions to apply the electronic monitoring

**3. Work/occupations**

3.1. Activities to develop outside, places and schedules

|           | morning | afternoon | evening | obs. |
|-----------|---------|-----------|---------|------|
| Monday    |         |           |         |      |
| Tuesday   |         |           |         |      |
| Wednesday |         |           |         |      |
| Thursday  |         |           |         |      |
| Friday    |         |           |         |      |
| Saturday  |         |           |         |      |
| Sunday    |         |           |         |      |

3.2. Evaluation

Are there favourable/unfavourable conditions to apply the electronic monitoring

**4. Economical situation**

4.1. economical conditions of the offender

Are the needs of the offender fulfilled?

[ ] - yes [ ] - no

[ ] - with his own resources [ ] - with other's support

Are there favourable/unfavourable conditions to apply the electronic monitoring

**5. Health**

5.1. Relevant health's problems

5.2. Time table for health care

5.3. Evaluation

Are there favourable/unfavourable conditions to apply the electronic monitoring

**6. Other data**

**7. Global Evaluation**

The Probation Officer

reviewed:  
The co-ordinator

telephone 2XX XXX XXX

## **ROMANIA**

### **The main chapters of the evaluation report\***

1. Introduction: name and surname of the defendant, date and birth place, address, the offence/s, the court judging the cause, number of the criminal file,
2. The sources of information
3. Information regarding the individual
4. The factors which influence or could influence the general behaviour of the defendant
5. Perspectives of social reintegration

Date of elaboration

Signatures of the probation counsellor and of the probation service head

### **The sections of the supervision plan**

1. Introduction: name and surname, date and place of birth, the offence, the number of the sentence, the sanction imposed on the convicted person, the measures and obligations imposed, probation period, date of beginning and of the end of probation period, name and surname of the probation counsellor responsible.
2. The needs and the problems of the convicted person
3. The risk of reoffending
4. The description of the activity, the place and of the working schedule in case of community service
5. The nature and the frequency of the meetings probation counsellor/client
6. The methods used for ensure the full filling of the obligations imposed by the court.

The convicted person is well aware of the content of this supervision plan and is willing to co-operate.

Date of completion

Signatures of the probation counsellor and the convicted person

## **SLOVENIA**

The Code of Criminal Procedure, Official Gazette, RS, No.63/1994, (Zakon o kazenskem postopku), consolidating text No. 32/2007 (UPB4), amendment No.40/2007;

Penal Code, Official Gazette, RS, No. 63/94, 23/99, 60/99, 95/2004 (Kazenski zakonik);

Enforcement of Penal Sanctions Act, Official Gazette RS, No.22/00 (Zakon o izvrševanju kazenskih sankcij);

Misdemeanour Act, Official Gazette, RS, No. 7/2003, which took effect in 2005 (Zakon o prekrških), and MA-1- Consolidating text No.139/2006;

The Rules on mediation in Criminal Matters, Official Gazette, RS, No. 114/2004 (Pravilnik o poravnavanju v kazenskih zadevah);

Rules concerning the enforcement of prison sentences, Official Gazette, RS, No. 102/2000

(Pravilnik o izvrševanju kazni zapora );

General Instructions on the uniform use of provisions of Article 162 of the Criminal Procedure Act on the suspension of criminal prosecution (Splošno navodilo za enotno uporabo določb 162. člena Zakona o kazenskem postopku o odložitvi kazenskega pregona), Official Gazette of RS No. 128/2004;

Instructions on the procedures and competencies of individual institutions – community service, No. 710-4/2005, date: 5 September 2005 (Navodilo o organiziranju in opravljanju splošno koristnega dela);

Annual Report by Supreme State Prosecutor's Office of RS, 2005, 2006, Ljubljana;

Annual Report by Prison Administration of RS, 2004, 2005, 2006, Ljubljana;

Annual Report by Social Work Centres, 2006, Ljubljana;

Jobs systematisation for community service coordinators, list of coordinators, The Community of Centres for Social Work (CCSW);

Pre-sentence Report – scheme, Centre for social work, Ljubljana, Šiška (Socialno poročilo – shema, Center za socialno delo Ljubljana Šiška)

Pre-sentence Report – scheme, Centre for social work, Ljubljana, Vič-Rudnik (Socialno poročilo – shema, Center za socialno delo Ljubljana Vič- Rudnik)

**SPAIN**

**Conditional Release Slip**

N.I.S. \_\_\_\_\_

PENITENTIARY SOCIAL SERVICE

N.I.E. \_\_\_\_\_

**1.- IDENTIFICATION.**

Last Name: ..... Name:  
.....  
Date of Birth: ..... Place: ..... Male/Female .....  
ID./ Passport: ..... Nationality: ..... Marital status: .....  
Address: ..... City: .....  
Phone Number: ..... Profession: .....  
Occupation:.....

**2.- FOSTERING DURING CONDITIONAL RELEASE.**

Type of fostering: ..... Fostering person: .....  
(Family or Institution)  
(Name and Last Name/ Kinship or Relation)  
Institution: ..... Phone Number:.....  
(Fill in case of institutional shelter)  
Address: .....

**3.- CRIMINAL SUMMARY.**

Cause/s ..... Sentencing Court/s .....  
Offence ..... Sentence/s ..... Imprisonment  
Date.....  
Date 3rd Degree ..... Conditional Release advancement date.....  
Date 3/4 .....  
Definite Release Date (foreseen) .....

**4.- CONDITIONAL RELEASE.**

Released from (centre): ..... Date of the Conditional Release  
.....

**4.1. APPLICATION REASONS :**

Art.90 P.C. (3/4)  Art.91.1 P.C. (2/3)  Art.91.2  
P.C. (advancement)  
 Art. 92.1 P.C. (septuagenarians)  Art. 92.1 P.C. (serious illness):   
AIDS /  Other .....  
 Art. 92.3 P.C. (emergency)  Art. 197.1 P.R. (serving in another  
country)

Kind of released person (with specific supervision): 1.A / 1.B / 1.C / 2 / 3 / 4 /

**4.2. FINISHING REASONS:**

Definite Release.  Suspension: 1/ Offending 2/ Breaking behaviour  
rules or measures  Death  
 Transfer to another Service (fill date and Social Service of destiny) .....  
Finishing Date: .....

**4.3. OTHER SITUATIONS:**

Suspension.  Re-admission in prison (without revocation)   
Others (specify).....  
Date: .....

**5.- INDIVIDUAL SUPERVISION PROGRAMME.**

**5.1. ENFORCEMENT CONDITIONS:**

- Behaviour rules or measures foreseen in the Articles 83 or 96.3 of the Penal Code, included in the Sentence:

.....  
Individual Programme and Supervision Plan Fulfilment  
Conditions:.....

**5.2. CHANGES IN RULES OR MEASURES/ CONDITIONS (Specify date and reason):**

**COMMENTS:**

**INDIVIDUAL PROGRAMME AND CONDITIONAL RELEASE SUPERVISION PLAN**

ID / PASSPORT \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

N.I.E.  
N.I.S.

PRISON: \_\_\_\_\_ DATE: \_\_\_\_\_

**IDENTIFICATION**

Last Name: \_\_\_\_\_ Name: \_\_\_\_\_

Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_ Place: \_\_\_\_\_

Nationality: \_\_\_\_\_ Marital Status \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Profession: \_\_\_\_\_ Occupation: \_\_\_\_\_

**DIAGNÓSTICO**

**1.- PROBLEMS AND NEEDS**

- 1.1. Personal/Family coexistence:
- 1.2. Education/training:
- 1.3. Health/therapy:
- 1.4. Social:
- 1.5. Labour:

**2.- REQUIRED RESOURCES AND ITS USE**

**3.- ANSWERS AND PRIORITIES**

- 4.- SOCIAL REHABILITATION PROGNOSIS:
- 5.- CIVIL LIABILITY: YES / NO
- 6.- PAYEMENT, IN ITS CASE, OR GUARANTEES THAT ENSURE A FUTURE PAYEMENT:
- 7.- PROPOSALS OF BEHAVIOUR RULES OR MEASURES FORESEEN IN THE ARTICLES 83 or 96.3 OF THE PENAL CODE:

**INTERVENTIONS**

**SUPERVISION PLAN**

- 1.- SPECIFIC SUPERVISION: TYPE 1.A/ TYPE 1.B / TYPE 1.C / TYPE 2 / TYPE 3 / TYPE 4
- 2.-TECHNIQUES AND ACTIVITIES.
- 3.-FREQUENCY.
- 4.-REPORTS TO THE JUDGE/ COURT, DATES.

In ..... the ..... of ....., .....

Signed: President

Signed: Secretary

**BEHAVIOUR RULES OR MEASURES FIXED BY THE CONDITIONAL RELEASE ORDER:**

**SENTENCE SUSPENSION SLIP**

PENITENTIARY SOCIAL SERVICE \_\_\_\_\_

DOSSIER N° \_\_\_\_\_

**1.- IDENTIFICATION**

Last Name: ..... Name: .....  
 Date of Birth: ..... Place:.....  
 Male/Female .....

ID./ Passport: ..... Nationality: ..... ‘  
 Marital status: .....  
 Address: ..... City: .....  
 Phone Number: .....Profession: .....  
 Occupation:.....

**2.- CRIMINAL SUMMARY**

Cause/s: ..... Sentencing Court/s: .....  
 Offence/s: ..... Sentence/s: .....  
 Recidivist .....Fulfilment Date .....

**3.- SENTENCE SUSPENSION**

**3.1. APPLICATION:**

Date of Court Order: ..... Application date: .....  
 Suspension period: .....

**3.2. TYPE OF SUSPENSION:**

**With obligations and duties (art. 83.1 P.C.), specify**  
 As a consequence of drug dependency (art. 87 P.C.)

3.3. REVISIONS:  
 Substitution       Extension      Date: .....

3.4. FINISHING:  
 Revocation       Fulfilment       Others (specify): ....  
 Finishing Date .....

**4. MONITORING AND INCIDENTS REPORTS (specify the dates)**

**5.- RESOURCE**

**5.1. OBLIGATIONS AND DUTIES (specify from art. 83 P.C.):**

**5.2. SERVICE OR THERAPY CENTRE:**

Address ..... Phone Number.....

Contact Practitioner ... Treatment starting date .....

Type of treatment ..... Funding .....

**5.3. PERSONAL SUPPORT:**

Family of origin       Acquired family

Volunteers       Other relatives or friends

**OTHER DETAILS OF INTEREST:**

**COMMENTS:**

**INDIVIDUAL SUPERVISION PLAN**

PENITENTIARY SOCIAL SERVICE .....

DOSSIER N° .....

APPLICATION DATE ..... DATE OF THE PLAN .....

IDENTIFICATION.

Last Name: \_\_\_\_\_ Name:

Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_

ID./Passport: \_\_\_\_\_

**PROGNOSIS**

1.- PROBLEMS AND NEEDS

1.1. Personal/Family coexistence:

1.2. Education/training:

1.3. Health/therapy:

1.4. Social:

2.- REQUIRED RESOURCES

3.- ANSWERS AND PRIORITIES

**SPECIFIC AIMS**

**INTERVENTIONS**

**SUPERVISION PLAN**

- 1.- TECHNIQUES AND ACTIVITIES.
- 2.- FREQUENCY.

In ..... the ..... of ....., .....

THE HEAD OF THE SOCIAL SERVICE  
THE SOCIAL WORKER

## **SWITZERLAND**

### **Swiss Penal Code 13.12.2002, General Part, in force 01.01.2007**

#### Section 5. Probation Assistance, Directives, and voluntary Assistance

##### Article 93

##### Probation Assistance

1 Probation service shall prevent recidivism and socially integrate the supervised person. The agency responsible for probation services renders and provides the necessary social and professional aid.

2 Employees in probation services have to keep confidentiality. Only with prior written permission by the client they shall provide information about the personal circumstances or communicate those to third parties. Judicial agencies may apply for a report of good conduct of the client.

##### Article 94

##### Directives

Possible directives of the judicial system or court orders for the period of probation involve the right to exercise the profession, residency, to drive a car, redress as well as medical and psychological support.

##### Article 95

##### Common Provisions

1 The court and the judicial service may request a report from the agency responsible for probation services and directives before decreeing probation service and directives. The person affected may respond to the report. Dissenting comments shall be recorded in the report.

2 The order of probation and the directives shall be included and justified in the court order or the decree.

3 If the convict doesn't accept probation services or disregards the directives, or if the directives cannot be carried out, or are no longer necessary, then the appropriate authority shall send a report to the court or the sentencing authority.

4 In the cases pursuant to paragraph 3 the court or sentencing authority may:

- a. Prolong the probationary term by half;
- b. Nullify probation service or re-order it;
- c. Change or nullify the directives or order new directives.

5 In cases pursuant to paragraph 3 the court may revoke the sentence or conditional imprisonment, or if there is serious doubt that the convict will not

commit a new offence, it may order remand to a prison facility or impose sanctions.

Article 96

Voluntary Social Service

**For the duration of the criminal proceedings and the execution of the punishment the cantons guarantee social assistance, which is offered on a voluntary basis.**

