

PROBATION SERVICE IN REPUBLIC OF CROATIA



FIRST CONFERENCE ON COMMUNITY SANCTIONS IN CENTRAL AND EAST EUROPEAN COUNTRIES

Chisinau, Moldova

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Ministry of Justice of the RoC

- The Probation Service in the Republic of Croatia is a young service
 - Croatian Criminal Justice System was engaged in a series of reforms within the Republic of Croatia Accession to the European Union (1st July 2013)
 - The judicial reform carried out has provided a strong support to the development of the Probation System in Republic of Croatia
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- Today in Republic of Croatia we have professional Probation System
- It was built using the best European and international practices
- Development of the Probation System complies with several recommendations made by the Council of Europe

PROBATION SERVICE

The main task is to protect the community from criminal offenders by resocialising criminal offenders and reintegrating them into the community

Key benefits from Probation service

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graph TD; A([Key benefits from Probation service]) --> B[Compatibility with COE/EU regulations]; A --> C[Reduce the pressure on the prison population]; A --> D[Enhancing credibility, efficiency and effectiveness of the criminal justice system];
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**Compatibility with
COE/EU regulations**

**Enhancing credibility,
efficiency and effectiveness
of the criminal justice system**

**Reduce the pressure on
the prison population**

PROBATION VS. PRISON



- Financial benefit
- Short term prison sentences as exception
- In 2013 Croatia reduced the number of inmates

Croatian Probation Service is an administrative organization under the Ministry of Justice of the Republic of Croatia



- All the tasks within the scope of the **Sector for Probation** are conducted in the Central Office and 12 Probation Offices
 - The Central Office carries out the administrative and technical tasks related to probation duties, human resources, planning and scheduling of equipment and funds required for work, planning, investments, international co-operation, drafting of regulations, enforcement and administrative inspection
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There are 12 Probation Offices in the Republic of Croatia:



- **Probation offices:**

- Started opening across the Republic of Croatia in June 2011 (last Probation office in Dubrovnik was opened in January 2013!)
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LEGISLATION TODAY:

Further to the new Criminal Code that entered into force on 01 January 2013



Law on probation
(entered into force 01/01/2013)

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Ordinance on the manner of enforcement of the probation tasks

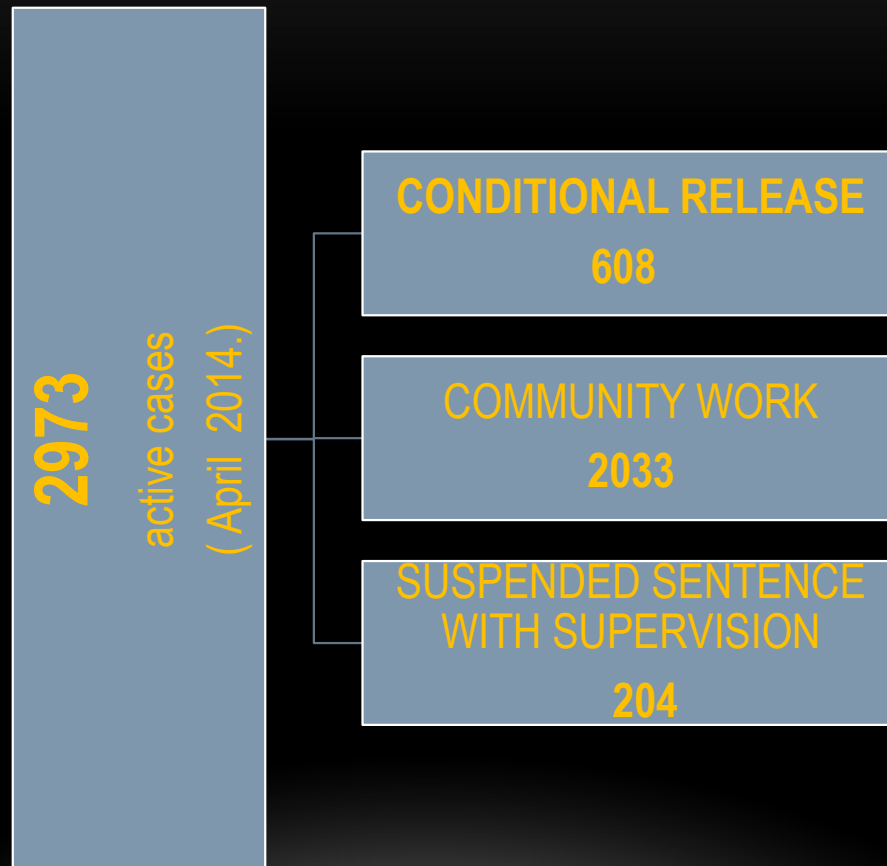
PROBATION TASKS IN REPUBLIC OF CROATIA

Pre-trial	Criminal trial	Enforcement of “alternative sanctions”	Enforcement of sanction
Supervision of fulfilling obligations arising from the Decisions issued by the State Attorney (when deciding on criminal proceedings in accordance with the principle of opportunity)	Pre-sentence reports to the Court	Protective supervision ordered with: <ul style="list-style-type: none"> -Suspended sentence -Community work 	Protective supervision ordered with: <ul style="list-style-type: none"> -conditional release -upon the end of the prison sentence
Reports to the Prosecutor (State Attorney)		Community service: <ul style="list-style-type: none"> -acquiring consent for replacing a prison sentence with community work - organization of the community work -supervision of the community work 	Reports for prisons or penitentiaries
Reports required for deciding on the measures of supervision and protection during pre- trial		(CW:1d=2h)	Reports for courts when deciding on the termination of sentence and conditional release

Probation tasks:

1. SUPERVISION OF FULFILLING OBLIGATIONS ARISING FROM THE DECISION ISSUED BY THE STATE ATTORNEY WHEN DECIDING ON CRIMINAL PROCEEDINGS IN ACCORDANCE WITH THE PRINCIPLE OF OPPORTUNITY
2. DRAFTING REPORTS REQUESTED BY THE STATE ATTORNEY
3. DRAFTING REPORTS REQUIRED FOR DECIDING ON THE MEASURES OF SUPERVISION AND PROTECTION, AND DRAFTING PRE SENTENCE REPORTS
4. CONDUCTING PROTECTIVE SUPERVISION ORDERED WITH THE SUSPENDED SENTENCE, COMMUNITY WORK AND CONDITIONAL RELEASE, AND UPON THE END OF THE PRISON SENTENCE
5. ACQUIRING CONSENT FOR REPLACING A PRISON SENTENCE WITH COMMUNITY WORK AND ORGANIZATION AND SUPERVISION OF THE COMMUNITY WORK
6. DRAFTING REPORTS FOR PRISONS, THAT IS, PENITENTIARIES, WHEN REQUIRED
7. DRAFTING REPORTS FOR COURTS WHEN REACHING DECISIONS ON THE TERMINATION OF SENTENCE AND CONDITIONAL RELEASE
8. SUPERVISION OF CONDITIONALLY RELEASED OFFENDER
9. ORGANIZATION AND SUPERVISION OF SPECIAL OBLIGATIONS ARISING FROM THE PENAL CODE AND CRIMINAL PROCEEDINGS ACT

STATISTICS:



Probation officer....

iz watching me..

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- **Some more probation tasks:**

- Assessment of risk/needs for offenders (special tool was developed!)
 - Development of the individual treatment program
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WORKING WITH OFFENDERS ON COMMUNITY SANCTIONS:

Assess

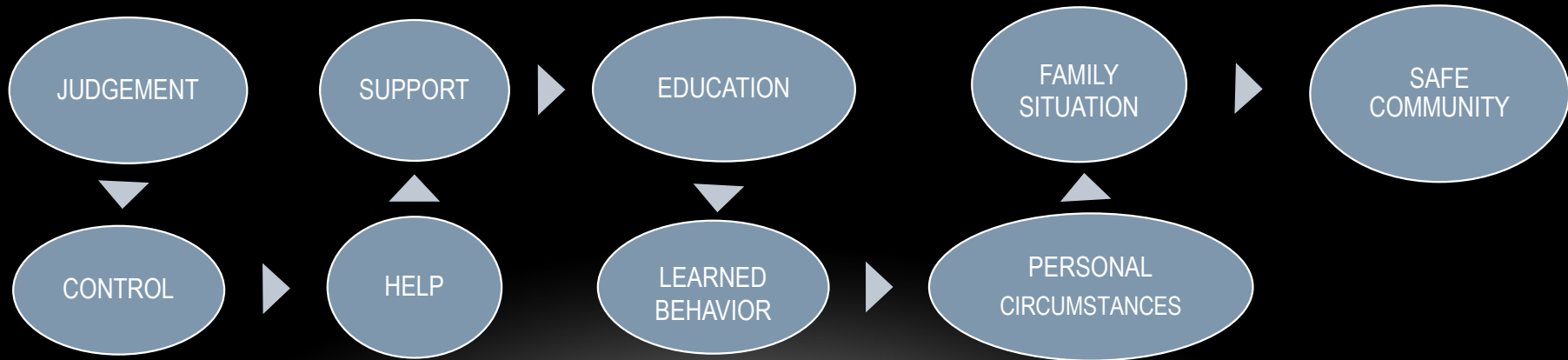
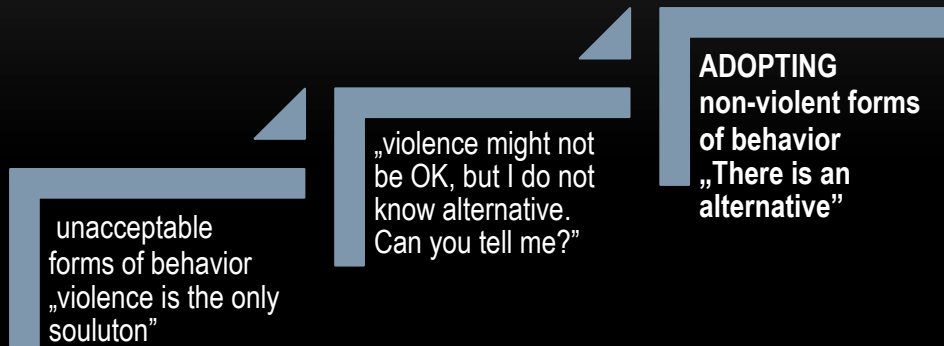
Sentence Plan

Implement

Review

Evaluate

PROBATION AS TREATMENT SERVICE



CHALLENGES

with community sanctions

- Health problems
 - Offenders with addictions
 - Recidivists
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Health problems

- Problem with community work
- Offenders with reduced business capacity
- Disability / invalidity
- PTSD
- Age of offenders (81 years old offender)

Offenders with addictions

- offenders addicted to drugs
 - offenders addicted to alcohol
 - offenders addicted to gambling
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Recidivists

- Law does not prohibit community sanctions for recidivists
- In probation service 52% offenders are recidivists
- Out of that, 73% offenders have been convicted several times
- 30% have been convicted more than 6 times

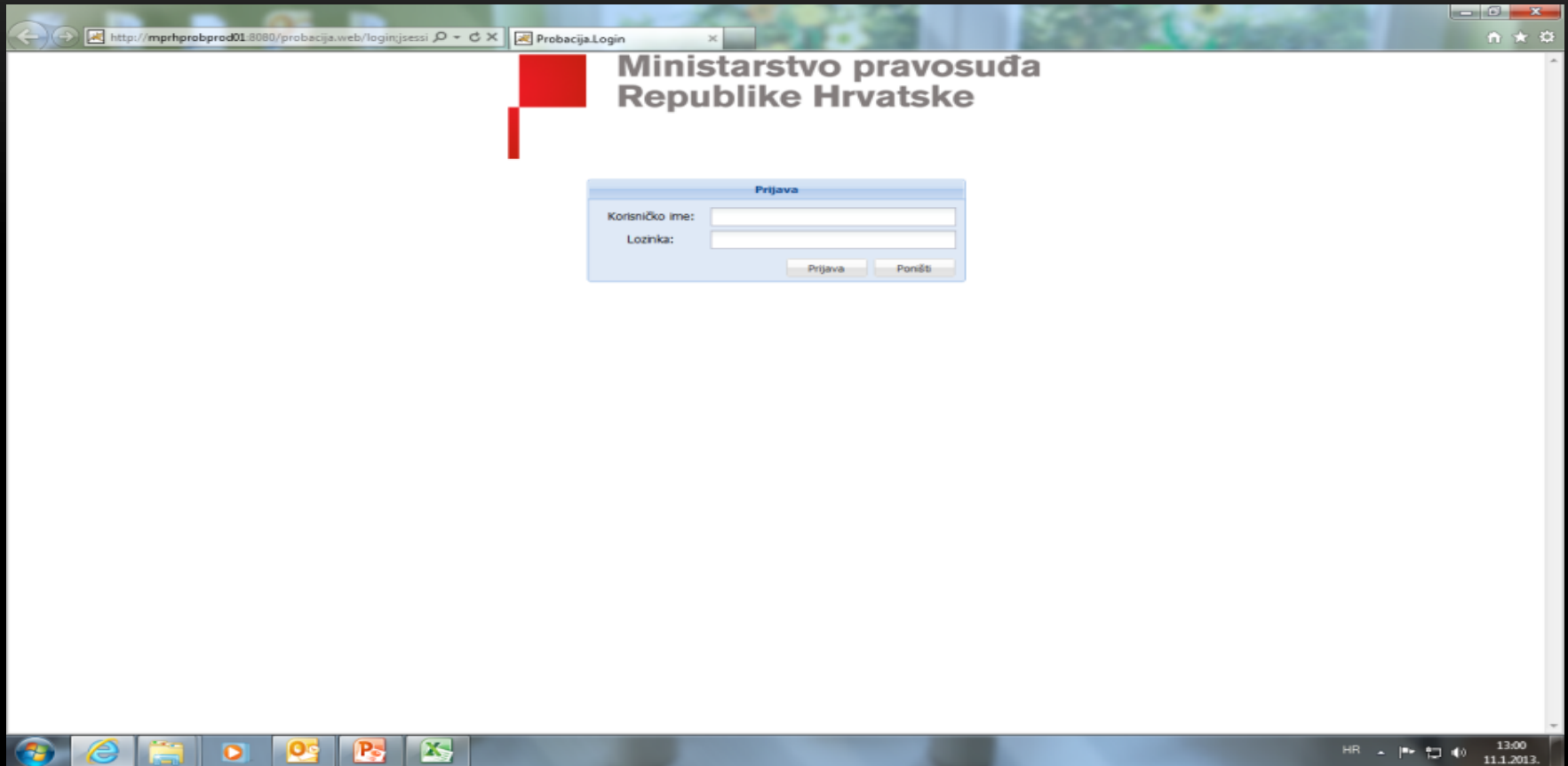
GOOD PROBATION PRACTICE:

- SUPERVISION IN „REAL LIFE” CIRCUMSTANCES
 - EMPLOYMENT
 - FAMILY RELATIONS
 - VOLUNTEERING
 - developing awareness of the obligation
 - ...
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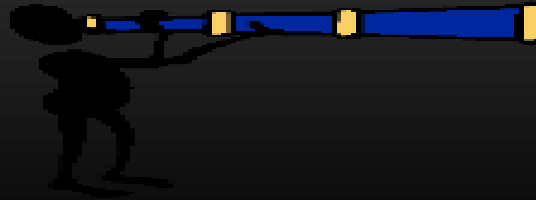
CROATIAN PROBATION SERVICE DURING 2013

- DOUBLED NUMBER OF CASES (from 2012)
 - RECEIVED 3304 NEW CASES
 - FINISHED 3313 CASES (87,62% SUCCESSFULLY)
 - 436.619 HOURS OF COMMUNITY WORK WAS CARRIED OUT
-

PROBATION INFORMATION SYSTEM



-database available to all probation officers!



- **FUTURE:**

- New employment
- New Strategy planning (*Aspiring to excellence*)
- Further strengthening and professionalization of service

LOOKING FORWARD TO FUTURE COOPERATION

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