

Czech Experience
Conference for Directors General of Probation
11.-12. April 2013
Oslo

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BASIC OVERVIEW

- **Governmental Organization, founded 2001**
- **Act on Probation and Mediation Service, No. 257/2000 Coll.**
- **448 Employees: 405 Probation officers, 26 staff national HQ, 17 staff in new projects**
- **Org. structure: HQ (Prague), 8 Judicial Regions, 8 Chiefs of regions),**
- **78 Probation and Mediation Centers, in each court district city – one PM Center**

BASIC OVERVIEW

- Annual budget – 10 423 273 EUR
- Projects funded by EU mechanism – ca 5 600 000 EUR
- Number of cases in 2012 - 31 156, of which 3 502 juveniles, (11,2 % from whole agenda). Average of number of cases per one PO – ca 80, Prison index ca 220 prisoners for 100 000 inhabitants, before presidential pardon since 1.1. 2013, currently ca 170 prisoners, 6500 prisoners were released.
- Main reasons for reoffending – debts, absence of job, addictions

Basic principles of the Czech Probation and Mediation Service

- Integration of Offenders, *law-abiding behavior and no further offending*
- Participation of Victims, *support, reparation, trust and security*
- Protection of the Community, *prevention of any future offending behavior*



PMS Work in Criminal Proceedings

- **Victim/Offender Mediation** and activities leading to conflicts resolution, i.e. restorative activities;
- **Probation** – preparation, organization and enforcement of supervision in community sanctions and measures and other alternatives to imprisonment; (community service, home detention, etc.)
- Preparation, organization and enforcement of measures based on the **Youth Justice Act.**

Activities in the Pre-trial Stage – some figures

- Victim-Offender Mediation, (VOM), (2012 PMS realized 1200 direct VOM) Indirect mediation more than 3000 cases, (and other restorative activities – e.g. individual interview with victims. More than 8000 VOM was realized trough 12 years.
- Pre-sentence reports,(2012 PMS elaborated 902 reports before imposing Home detention-501 cases were imposed,
- 5785 reports before imposing Community Service, (81-83 % of cases were successfully accomplished from ca 7500 cases of CS). These reports include description of situation of victim including possibilities and will of offender for reparation and related risks factors too.

Activities in the Pre-trial Stage – some figures

- In 2012 pre trial activities created 40,6 % of all agenda of PMS.
- Example:
PMS negotiated through the institution of settlement a total amount of 64 200 EUR for charitable purposes and 2 280 000 EUR as compensation of damages for victims of crimes. In the frame of probation, clients-offenders paid almost 813 000 EUR for compensation of damages etc.

Example of practice together with NGOs

Victims projects:

„Restorative justice – „Victim support and counseling“, project funded by EU. (in 10 cities we had 20 centers for victim support and counseling) www.restorativnijustice.cz or link www.pmscr.cz

„Best Practice Manual“, one of the most important output of project

Currently PMS follows on previous project by new one, which is call **Why Me?** This project is running in **30 cities** and for victims of crime we will arrange **60 counseling centers.**

Probation work – restorative practice

Standard component of PMS case work within probation supervision performance - include the **situation of the victim's** in the frame of probation supervision plan; for example:

- ❖ to assess risks of **reoffending**
- ❖ to focus on **victim's** needs and harms
- ❖ to lead offenders in taking **their responsibility** for criminal behavior and damage compensation indirectly or by a direct **victim/offender meeting**.

Probation work – restorative practice

- Assessment of risks of reoffending and for the victims too...within the preparation for parole; Within parole supervision: considering the situation of the victim's), including elaborating into the parole supervision plan.
- In 2012 PMS developed ca 800 pre release reports and received 1540 new parole cases
- Pilot project of parole boards, (currently in 9 courts districts and prisons) where victims have the right to participate on parole hearing, including involvement of assistance for victim – better consideration of their needs.



Case study

- In this case, **Peter 22 years old** robbed an **older woman (Jane)** and stole her handbag with money and other personal things. Peter had conflict with the criminal law in previous time too. He was under the suspended sentence. On the base of reoffend, he was convicted by court to imprisonment.
- Before serving of half of his sentence he apply for parole and he was contacted by **probation officer**, who started work of pre release report about Peter.
- Besides other information, Peter told PO, he did it just because he would to prove his talent among his friends. Based on the pre-release report **Peter was release under the parole.**
- In the frame of preparing of parole supervision plan PO worked with **Peter's** situation, risks factors, his needs. PO also **pay attention situation of Victim.** As part of supervision plan, he contacted the Victim, **(Jane)** and arranged personal interview. PO informed Jane, about act, that Peter was released from the prison and probation officer enforcing the parole supervision.
- PO putted the questions on her personal situation, needs and impact of crime into her life. Jane was telling PO her story - what happened, how the offence has changed her life and as well she was talking about her emotions.

Case study .

- PO supported Jane, inform her about the frame of parole supervision role of PO and suggested for Jane specific program - therapy for improving her emotional well being.
- PO were leading and helping Peter assuming his responsibility for his own action. That was a part of probation work! During this time PO still working with Jane, after 3 meetings with PO she decided that she would meet Peter. Peter accepted this offer and he was keen to personal meet with Jane.
- Thanks to such Victim Offender Mediation in the frame of parole work, Jane got answers to her burning question about the offence. Peter got chance to explain the reason for the offence and to make an apology. At the end of M. they agreed on reparation, which was paid in quite a short period. Because as Peter said, for the first time he did realize what he had done and all the consequences.

Reflection – our experience

- Probation case work with the **offenders and victims** is possible in any stage of criminal procedure and in any agenda of probation agencies.
- Probation officer is not defender of offender, not provider of social services, probation is not helping profession, probation officer is or should be as **mentor for offenders.**
- Integration of offender is not completed, if he/she not aware all impacts of his/her criminal behavior **for victims and for community.**

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Reflection – our experience

- Working with victims is **not privilege** of VOM or other „traditional“ RJ programs
- Victims are not **untouchable** persons
- POs do not need special legal, clinical psychological and other training for **work with victims**, (it means, is not necessary to be a lawyer or psychologist e.g.)
- They need idea, vision, positive experience, courage to put a questionand **not to be too formal.....**
- **Two stories are better than one!**



THANK YOU FOR YOUR ATTENTION

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www.pmscr.cz

also see: www.restorativnijustice.cz
Victim Support and Counseling Project

