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## 1356<sup>th</sup> meeting, 9 October 2019

10 Legal questions

10.3.b European Committee on Crime Problems (CDPC)

### Guidelines regarding recruitment, selection, education, training and professional development of prison and probation staff

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#### Background

The Guidelines were developed as a follow-up to the 22<sup>nd</sup> Council of Europe Conference of Directors of Prison and Probation Services (Norway, June 2017). The text was drafted by the Council for Penological Co-operation (PC-CP) between 2018 and 2019. The elected members of the PC-CP Working Group who took part in this work were Martina BARIĆ (Croatia); Nathalie BOISSOU (France); Annie DEVOS (Belgium); Anna FERRARI (Italy); Robert FRIŠKOVEC (Slovenia); Attila JUHÁSZ, Vice-Chair of the PC-CP (Hungary); Nikolaos KOULOURIS (Greece); Dominik LEHNER, Chair of the PC CP (Switzerland); Nadya RADKOVSKA (Bulgaria). The PC-CP was assisted by two scientific experts: Torben ADAMS, Head of Division, Regional Ministry of Justice and Constitutional Affairs, Bremen (Germany) and Nicola CARR, Associate Professor in Criminology, School of Sociology and Social Policy, University of Nottingham (United Kingdom). In the meetings took part also representatives of the Confederation of European Probation (CEP) and of the European Organisation of Prison and Correctional Services (EuroPris).

The Guidelines were adopted by the European Committee on Crime Problems (CDPC) at its 76<sup>th</sup> plenary meeting (25 April 2019).

#### 1. Definitions used for the purpose of these Guidelines

**Prison service:** A public body designated by law to deal with persons remanded in custody or deprived of their liberty following a conviction made by a judicial authority. Its tasks include ensuring safety and security and organising everyday life in prison, ensuring treatment, which does not infringe the human dignity of prisoners, offering meaningful occupational activities, interventions, thus preparing them for release and reintegration into society.

**Prisons** are facilities reserved for holding persons who have been remanded in custody by a judicial authority or who have been deprived of their liberty following conviction.

**Probation:** relates to the implementation of community sanctions and measures, defined by law and imposed on a suspect or an offender under their responsibility. It includes a range of activities and interventions, which involve supervision, guidance and assistance aiming at the social inclusion of a suspect or an offender, as well as at contributing to community safety.

**Probation agency:** means any body designated by law to implement the above tasks and responsibilities. Depending on the national system, the work of a probation agency may also include providing information and advice to judicial and other deciding authorities to help them reach informed and just decisions; providing guidance and support to offenders while in custody in order to prepare their release and resettlement; monitoring and assistance to persons subject to early release; restorative justice interventions; and offering assistance to victims of crime.

The competent authorities have the task of selecting and recruiting sufficient staff of best possible quality, of ensuring they receive adequate training and facilitate professional development to enable them to work in a high ethical manner in order to provide just and effective supervision, positive care and assistance to suspects and offenders that can enhance their prospects of reintegration and social inclusion on which desistance from crime usually depends.

#### 2. Key principles

**Mission:** Within the criminal justice process the prison services and probation agencies are entrusted with the execution of penal sanctions and measures. The mission of staff of prison services and probation agencies is to significantly contribute to public safety through the safe, secure and humane management of suspects and offenders and the provision of opportunities for rehabilitation and reintegration. Their role and functions should be defined by law.

**Status:** Prison services and probation agencies are the responsibility of the public authorities. They should be separate from the military, the police and the criminal investigation services.

Prison services and probation agencies should have a formally approved statement of the purpose of their work and of their main tasks and duties. They should have an allocated budget, which allows them to fulfil their work in the best possible professional manner.

Staff: Staffing levels of prison services and probation agencies should be sufficient, especially of staff in daily contact with suspects and offenders. Staff should have a professional status and adequate training which allows them to have a sound understanding of their duties and the ethical requirements of their work. This will enable them to fulfil their everyday tasks and the overall purpose of the services they belong to. Staff should function within the context of high professional ethics based on treating suspects and offenders humanely and with respect for their human dignity.

Management should consult staff as a body on general matters, especially, on matters related to their employment conditions and training needs.

Education and training: Prison services should have their own induction and in-service education and training curricula, which correspond to the role and tasks of the different categories of their staff and to the aim and purpose of their work. Ideally they should have their own training facilities. This does not preclude offering access to outside training provisions.

Probation agencies should have their own induction and in-service education and training curricula for staff to enable them to fulfil their role effectively. The training provided should correspond to the role and tasks of the different categories of their staff and to the aim and purpose of their work. This can be provided by the probation agency itself or by external providers.

The provision of education and training should promote professional identity and develop the culture of the organisation in line with the overall mission.

Where appropriate, there should be opportunities for joint prison and probation staff training and for training with staff from other criminal justice agencies in order to encourage inter-agency and inter-disciplinary work. Such co-operation will promote the common goals of the respective services, i.e. to promote public safety, rehabilitation and reintegration. Opportunities should be offered to probation staff to learn about the nature of prison work and prison staff should be offered similar opportunities to learn about probation work.

Opportunities for joint training with agencies outside the criminal justice system should also be facilitated.

It is advisable to annually evaluate training needs and to regularly revise and update training plans aimed at workforce development and to ensure responsiveness to the needs of prison services and probation agencies. It is important to secure sufficient number of trainers and resources to be able to put it in practice.

In case of substantial changes of prison or probation policies affecting staff recruitment, selection and training, missions and competencies, corresponding budgetary, and human resources adjustments should be made.

### **3. Entry educational levels of staff**

#### **3.1. Prison staff**

- a) Basic grade prison staff in daily contact with detainees should have entry educational equivalent to Level 4, of the European Qualifications Framework (EQF). In case they do not, they should have accomplished a (nationally recognised) apprenticeship or vocational equivalent, thus enabling them to apply for the training to become a prison officer.
- b) Additional educational entry criteria should be specified for staff other than basic grade prison staff, especially for staff with more advanced tasks and/or managerial roles.
- c) Graduates in social sciences like: psychology, criminology, social work and law working in prisons should have advanced knowledge of the field of work, involving a critical understanding of theories and principles, corresponding to entry educational Level 6 of the EQF.

#### **3.2. Probation staff**

- a) For probation staff working directly with suspects or offenders in a supervisory capacity, the starting educational level should be equivalent to Level 6, EQF and preferably graduates from social sciences, like: psychology, social work, law, criminology or cognate disciplines.
- b) Additional educational entry criteria should be specified for other staff, especially for staff with more advanced tasks and roles, including managerial responsibilities and supervision of other staff.

### **4. Criteria regarding recruitment and selection**

Recruitment processes should be fair and transparent. Details of the required competencies for the post, the selection criteria and the assessment procedures should be made available to candidates and the following general principles should apply:

- a) There should be no discrimination in the selection and recruitment of staff on grounds of gender, sexual orientation, race, colour, disability, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.
- b) Prior professional experience providing a factual and practical and/or theoretical knowledge within the field of work would be an asset to a candidate.
- c) Special recruitment and selection procedures for staff working with juveniles should operate, taking into consideration the qualities and the professional qualifications necessary to work with juveniles and their families.
- d) Recruitment processes should take into consideration the personal skills and values required by staff for working in prison services and probation agencies, such as: motivation, flexibility, assertiveness, maturity, capacity for reflection, integrity, teamwork and social and communication skills.

- e) Recruitment processes should aim towards encouraging diversity of staff to deal with the specific needs of diverse suspects and offenders. There may be a specific emphasis on recruiting staff based on linguistic abilities and inter-cultural skills, including an understanding of diverse religions and traditions.
- f) Recruitment processes may include an assessment of health and fitness to occupy the specified position.
- g) Recruitment processes may also include an assessment of other competencies necessary for the post (e.g. driving licence, computer skills, communication skills).
- h) In order to safeguard the professional integrity of staff, a background check should be executed as far as national law allows. The objective of background checks is to ensure the safety and security of all within the organisation.

## **5. Advertising of vacant posts**

- a) All posts, whether entry posts for first-time employees or opportunities for advancement for existing staff should be advertised as transparently and widely as possible to enable a broad diversity of candidates to apply. A clear job description should be provided, outlining the mission of the organisation, the aims, duties and responsibilities of the post as well as the selection criteria and conditions of employment. Advertisement of the vacant post should take place on a range of media platforms including printed, radio/TV and social media. A designated point for requesting additional information could be considered to orient candidates at entry and give them a realistic perception of the work.
- b) When using social media, attention should be given to the benefits and limits of their use and to the need to react promptly to possible questions, comments and requests for additional information.
- c) Candidates should be provided with accurate and thorough information regarding the job and its importance for society, payment, rights and duties related to the vacant post, conditions, nature of the work, training provided and opportunities for professional development. The aim is to attract suitable candidates and enable staff retention.
- d) Websites of the services or agencies, civil service, ministries or other competent authorities should also be used for advertising purposes. Candidates should be encouraged to visit these web sites in order to get up-to-date information about the prison and probation tasks and roles. These web sites could provide an interactive way of presenting the information (virtual visits, interviews with staff members, quizzes, etc.) as well as training helping possible candidates to prepare for entry exams, as necessary.
- e) Where possible, opportunities should be made available to prospective candidates for on-site visits to familiarise themselves with the role and everyday work of prison services and probation agencies and their importance to society.

## **6. Entry assessment procedures**

- a) Assessment starts from the point of receipt of an application. Human resources staff should screen the eligibility, suitability and motivation of the candidates based on documents received, motivation letters, CVs, etc.
- b) Selection boards should be composed of persons with a range of relevant experience and care should be taken to ensure a proper balance of its members. Members should be adequately trained to ensure that the recruitment and selection process is fair and unbiased.
- c) Assessment processes should be tailored to the requirements of the post. In the case of prison services this may include competency-based assessment, such as written tests, oral interviews (individual and/or in a group), role-play scenarios and physical tests. The composition of the test-items should clearly lay down the required competencies according to the advertised post and institutional requirements.
- d) In the case of probation agencies this assessment may include competency-based assessment, tailored towards the role and aimed at assessing personal aptitudes, as well as assessment of specific abilities such as inter-personal skills and report writing. This may also include assessment involving role-play scenarios, testing oral presentation and interview skills.

## **7. Education and training**

The facilities used for education and training should be well-equipped and staffed in order to offer good quality education and training to newly recruited staff and for in-service training on a regular basis as necessary. Provision should be included for joint-training with other agencies where appropriate.

7.1. The induction training curricula for newly recruited prison staff should be a balanced mixture of theory, practice and experiential knowledge. The training should be of satisfactory duration in order to deliver relevant content, which enables newly recruited staff to fulfil their duties.

This includes ensuring safety and security and the organisation of everyday life in prison, while ensuring treatment which does not infringe human dignity of prisoners. The training should also focus on working within a context, which provides prisoners with meaningful educational and vocational activities and treatment programmes, in order to facilitate their preparation for release and reintegration into society.

7.2. Education and training should include mandatory elements namely: basics of general law (constitutional, administrative, civil and criminal law); basics of penal law and procedure (knowledge of the process of execution of penal sanctions and measures); civic education, professional ethics (including the role and mission of the prison service); general data protection regulations and human

rights standards. It should also include sentence planning, risk management, safety, dynamic, static and procedural security, good order and control, use of force, as well as self-defence. IT skills relevant to the job should also be part of the mandatory training. Suggested key elements of training are to be found in the Matrix (Appendix 1).

a) Education and training should also include, as far as the duration permits and depending on the specific tasks assigned to staff: the basics of social work, criminology and psychology. It should focus on particular approaches such as pro-social modelling and work with specific groups including: women, juveniles and foreign nationals. It should also include work with persons having committed different types of offending for example: violent extremism, sexual offending, domestic violence and economic and organised crime. Training should also include coverage of key areas such as victim awareness; working in different types of facilities; contact with families; dealing with mental illnesses and effects of addictions and adverse childhood experiences; intercultural awareness; foreign language(s); conflict resolution techniques; risk assessment and first aid, team-building and human resources management.

b) All specialist staff working in prisons should also receive elements of basic training required to perform their tasks.

7.3. The induction curricula for newly recruited probation staff should be a balanced mixture of theory, practice and experiential knowledge. The education and training should reflect the core mission and functions of probation agencies.

a) Depending on the specific position, key elements of education and training should include the legal framework under which the community sanctions and measures are implemented; professional ethics (including the role and mission of probation); general data protection rules and human rights standards. It should cover core areas of the probation role including assessment, sentence planning, implementation and evaluation. Training should be informed by evidence-based practice, taking into account risk assessment and management and strategies for promoting desistance from offending. Specialist training should also be provided on key areas of practice including report-writing; work with the courts and judicial bodies; inter-agency working and public protection. Other core components should include mediation, restorative justice and work with victims.

b) Training should also include working effectively with different populations subject to supervision including women, juveniles, and foreign nationals. Where relevant, training should focus on evidence-based practice on work with different types of offending including, but not limited to: violent extremism; sexual offending; domestic violence and economic and organised crime. There should be a specific focus on working with mental health, substance misuse, as well as the impact of adverse childhood experiences, and developing areas of practice such as the use of technology in supervision (e.g. electronic monitoring)

c) In case volunteers are recruited to work with suspects and offenders, they should be provided with adequate training to enable them to carry out their work effectively. Consideration should be given to the possibility of recruitment and training of ex-offenders to work within probation agencies where appropriate.

Training should include reference to codes of ethics, clearly defined criteria about their tasks and responsibilities, limits of competence, accountability and other related issues.

## **8. In-service education and training**

### **8.1. Prison staff**

a) In-service education and training should be provided to all staff and should include refresher courses on different priority topics and/or additional training on newly emerging topics.

b) The frequency of in-service training should be sufficient to enable the regular training of all staff (e.g. through a rolling programme on an annual cycle).

c) Prison authorities should specify which in-service training is mandatory.

d) Participation in training should be taken into consideration in professional development and in appraisal procedures.

e) Training opportunities involving a mix of staff grades and roles should be encouraged to enhance collaboration and mutual understanding of their respective tasks and duties.

f) Training opportunities encouraging inter-agency and cross border co-operation should be promoted.

### **8.2. Probation staff**

a) In-service education and training should be provided to all staff and should include refresher courses on different priority topics and/or additional training on newly emerging areas.

b) The frequency of in-service training should be sufficient to enable the regular training of all staff (e.g. through a rolling programme on an annual cycle).

c) In-service training should be linked with frameworks for continuous professional development (CPD). National authorities should integrate such in-service training with a post-graduate qualification framework.

d) Probation agencies should specify which in-service training is mandatory.

e) Participation in training should be taken into consideration in professional development and in appraisal procedures.

f) Training opportunities involving a mix of staff grades and roles should be encouraged to enhance collaboration and mutual understanding of their respective tasks and duties.

g) Training opportunities encouraging inter-agency and cross border co-operation should be promoted.

## **9. Validation of induction training and initial employment**

### **9.1. Prison staff**

a) There should be exit tests (written, oral and practical, depending on the subject) in order to assess and appoint the successful candidates. These tests should evidence the professional skills and knowledge acquired and how these are applied in practice.

b) The successful candidates should receive a training certificate or a diploma, depending on the length and level of training as well as on the acquired status (e.g. civil servant). Any licences attached to their post should be reviewed as necessary.

c) There should be a protected period of employment, e.g. with a tutorship and lower level of responsibilities beneficial both for the new staff members as well as for the prison service itself.

d) Where law allows, new recruits shall be subject to a trial/probationary period of employment where their competency and suitability to carry out the role is assessed before they are confirmed in post.

### **9.2. Probation staff**

a) The induction training provided to staff at entry should be of such a level that links with frameworks for continuous professional development (CPD) and should be regularly reviewed to ensure relevance to the roles and tasks of probation agencies. Education and training should be based on research and best practice.

b) There should be a protected period of employment e.g. with a tutorship and lower level of responsibilities, beneficial both for the new staff members as well as for the probation agency itself.

c) Where law allows, new recruits shall be subject to a trial/probationary period of employment where their competency and suitability to carry out the role is assessed before they are confirmed in post.

## **10. Quality of education and training / long-term effectiveness**

a) Education and training curricula and the work of trainers should be regularly assessed for quality and relevance and accredited where possible according to national frameworks. The accreditation should be carried out or audited by an independent body.

b) In order to improve the quality of training provided, data and national and international good practices should be collected and disseminated. Training should be informed by research and adapted accordingly and should be adapted to working with changing populations and social circumstances of suspects and offenders.

c) The longer-term benefits of training should be assessed over time through research on the effectiveness of training in facilitating staff to carry out their roles and in the organisations' ability to fulfil its core functions.

d) Trainers should have a relevant professional qualification and experience of high standard and should also be regularly evaluated and provided with additional training as necessary.

e) Face-to-face training methods should be used as a matter of course. Other training methods and tools should also be used, including interactive learning, e-learning and blended learning.

f) Staff can be further supported to engage in professional development through on-going mentoring and coaching.

g) Recognising the importance of learning from other disciplines and jurisdictions, inter-agency and cross border co-operation in this area should be facilitated. The standards developed internationally and the assistance offered by the Council of Europe, the European Union, Confederation of European Probation (CEP), European Organisation of Prison and Correctional Services (EuroPris) and European Penitentiary Training Academies (EPTA), should be acknowledged and made use of.

## **11. Professional development**

a) A transparent system for annual appraisals of performance of all staff members should be developed, allowing their career advancement and professional development. Staff carrying out appraisals should be trained accordingly, in order to ensure a fair appraisal system.

b) The appraisal should indicate training needs at individual and service level, as required.

c) Prison services and probation agencies should provide regular training opportunities for enhancing professional performance and for career development, as appropriate.

d) There should be frameworks in place to facilitate advanced professional development specifically by developing leadership and management capacities allowing career progression to middle and upper management. This should not preclude advanced entry schemes of recruitment to management grades.

e) Professional development does not have to focus only on promotion frameworks. Other forms of recognition of competence should be sought and used as appropriate.

f) Salaries and conditions of service should be commensurate with the staff's skills and responsibilities. The financial, employment conditions and working hours should be regulated by law and should permit the recruitment and retention of staff of good quality, allowing them to carry out their tasks effectively and humanely and to develop their awareness of the importance of their work for society. Provision should be made for support and supervision of staff to assist them in their role.

g) In order to enhance effective working within and between the prison services and probation agencies, joint-working, co-location arrangements and secondments of staff for training or working purposes should be encouraged. Such arrangements should take place only with the consent of the persons concerned and should not entail any change in their employment status or salary. Provision for international secondments to promote cross-border learning should also be considered.

## 12. Professional ethics

a) Prison services and probation agencies should have a publicly available code of ethics for their staff, which should form an integral part of staff induction and in-service training. Adherence to this code should be part of the appraisal procedures.

b) Prison services and probation agencies shall adhere to this code of ethics and professional conduct, which is a set of standards pertaining to morals and the effective discharge of duties. The overarching goal is to execute penal sanctions and measures with integrity, and within the bounds of the law. The code should serve as the basis of policies and directives, rules and regulations, protocols and procedures, all of which are observed and used in the everyday work of staff. It should embody core values such as judiciousness, truthfulness, vigilance, respect for human rights, to facilitate the reintegration of offenders into society and public protection.

c) The ethical code should regulate (but is not limited to) areas such as staff accountability, integrity, respect for and protection of human dignity, care and assistance, fairness, impartiality and non-discrimination, co-operation, confidentiality and data protection. The ethical code should reference key international legal instruments and in the first place the Convention for the Protection of Human Rights and Fundamental Freedoms, the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, as well as the relevant Committee of Ministers Recommendations, namely Rec(97)12 on staff concerned with the implementation of sanctions and measures, Rec(2006)2 on the European Prison Rules, CM/Rec(2008)11 on the European Rules for juvenile offenders subject to sanctions or measures, CM/Rec(2010)1 on the Council of Europe Probation Rules, CM/Rec(2012)5 on the European Code of Ethics for Prison Staff, CM/Rec(2012)12 concerning foreign prisoners, CM/Rec(2014)3 concerning dangerous offenders, CM/Rec(2014)4 on electronic monitoring, CM/Rec(2017)3 on the European Rules on community sanctions and measures, CM/Rec(2018)5 concerning children with imprisoned parents, CM/Rec(2018)8 concerning restorative justice in criminal matters, as well as the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules, 2015); the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules, 2010); the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines, 1990); the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (The Havana Rules, 1990); the United Nations Convention on the Rights the Child (1989) and the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules, 1985).

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The following appendices provide an outline of core areas of training for prison and probation staff. Training for prison and probation staff is outlined in two separate annexes. This is in recognition of the fact that in many countries these roles are carried out by separate agencies, while in some countries prison and probation services are integrated.

It is also understood that many of the core aims and missions of prisons and probation are complementary, for instance encouraging desistance and reintegration of offenders with the aim of promoting public safety. Therefore elements of these two matrices may apply across prison and probation services, depending on the constitution of these services. The matrices deal with core competencies and it is envisaged that where staff engage in more specialist roles they should receive advanced training and education.

### APPENDIX I: EDUCATION AND TRAINING MATRIX PRISON SERVICE

**This education and training matrix provides an overview of training elements that could be incorporated into training provision for prison staff working directly with prisoners in accordance with their role and duties. In this context education and training is viewed as means of equipping staff to carry out their role effectively and supporting on-going professional development. It is intended as an indicative rather than proscriptive outline. The matrix provides an overview of elements of training that could be included as part of staff induction and/or as elements of in-service training. They reflect the elements and stages of the prison role as outlined in the Recommendations Rec(2006)2 on the European Prison Rules; CM/Rec(2008)11 on the European Rules for juvenile offenders subject to sanctions or measures; CM/Rec(2012)5 on the European Code of Ethics for Prison Staff; CM/Rec(2012)12 concerning foreign prisoners and CM/Rec(2014)3 concerning dangerous offenders. Elements of training along with a brief descriptor are provided.**

#### Training Element

#### Descriptor

#### Mission of the Prison Service

Prison staff should receive training to establish a clear understanding of their particular role as a prison staff member and the mission of the prison service. Staff shall learn to balance the needs of secure custody and discipline, while also ensuring prison conditions that do not infringe human dignity and which offer meaningful occupational activities, educational and treatment programmes to inmates, thus preparing them for their reintegration into society.

#### Practice in a legal context

**Policies, Procedures, Rules and Regulations**

Prison staff should receive training on the Constitutional Law, Criminal Law, Penitentiary Law and other relevant law in the context of which pre-trial detention, the enforcement of custodial sentences and the treatment of prisoners is implemented. This training should include information on the types, duration and modalities of the enforcement of custodial sentences and the treatment of prisoners.

The Prison Service should provide training on the legal framework that has an effect on the execution of the daily prison routines. This may include policies, procedures, rules and regulations, which relate (but are not limited to) the: conditions of imprisonment (e.g. admission procedures, allocation and accommodation, hygiene, legal advice, contact with the outside world, work, education, exercise and recreation). Staff should also receive basic training related to the provision of first aid and help prisoners to access health care with due regard to medical confidentiality. Staff should receive specific training on the policies and procedures relating to the maintenance of good order (e.g. security, safety, searching and controls). Prison staff shall be trained to use verbal and written forms of communication, in order to make oral or written reports, for instance regarding incidents, prisoners' development, and other important acts or events.

**Human Rights in Context**

Training for prison staff shall include international and regional human rights instruments and standards, developed in the framework of the United Nations and the Council of Europe in order to ensure that prisons are managed to consistently high standards that are in line with international, regional and national human rights instruments.

**Professional Ethics**

The Prison Service shall ensure that staff are taught the common European principles and guidelines for the overall objectives, performance and accountability of prison staff to safeguard security and the rights of individuals in democratic societies governed by the rule of law. The training shall contain specific reference to professional codes of ethics applicable to prison staff such as the European Code of Ethics for Prison Staff (CM/Rec(2012)5).

**Static, Procedural and Dynamic Security**

Prison staff should have a clear understanding of the concepts of static, procedural, and dynamic security. The training content shall underpin the maintenance of control in prison, based on the use of dynamic security to the effect that prison staff are encouraged to develop a positive professional relationship with prisoners based on fairness, in combination with an understanding of their personal situation and any risk posed by individual prisoners, while making them aware of the dynamics of organisation of life in prison. Such training should also include essential procedural security measures (e.g. the importance of security procedures, identification and isolation of possible security risks, the completion of associated documents and records) and the importance of static security (walls, barriers, locks, lighting and equipment used to restrain prisoners when necessary).

**Safety and Use of Force**

Prison staff should be trained on the procedures in place to ensure safety of prisoners, staff and all visitors in order to reduce the risk of violence and other events that might threaten safety. In line with their role and duties, prison staff should receive training on the proportional use of force and the proper use of instruments of restraints and, if and where applicable according to national law, the use of weapons.

**Suicide and Self-harm**

Prison staff should have an in-depth understanding of the policies and procedures in place to prevent suicide and self-harm, particularly during initial detention, segregation and other recognized high-risk periods. Staff shall have an understanding on how appropriate counselling, help and support can be accessed in order to reduce the risk of suicide or self-harm.

**Psychological, Social-Work and Criminological Approaches**

Prison services work with many different agencies within the criminal justice system and with many different professions in the prison system. This can include daily co-operation with external probation officers, psychologists, educators and others. Prison services should ensure that front-line staff receive training on the fundamentals of some related social sciences, including information sharing modalities and the roles and responsibilities of different professions working in the prison service.

**Risk Assessment**

	<p>Staff should receive basic training on risk assessment tools, including the different facets of assessment (e.g. risk of re-offending and risk of harm) in order to facilitate sentence-planning and implementation.</p>
<b>Sentence Planning and Implementation</b>	<p>Prison staff should receive training on the key elements of sentence planning and on how to actively support the implementation of sentences. Working with prisoners to reduce re-offending and to promote desistance and social integration thus contributing to public safety is a key element of staff work. Training should be provided in techniques and models which help achieving this end. Sentence plans should guide and enable prison staff and prisoners to assess progress towards the objectives set. Staff shall establish an understanding that the plan shall be reviewed at regular intervals and should be modified as necessary.</p>
	<p>The differences and needs of the sentence planning for juveniles should be guided by the relevant principles set out in the United Nations Convention on the Rights of the Child and in CM/Rec(2008)11 on the European Rules for juvenile offenders subject to sanctions or measures.</p>
<b>Report Writing</b>	<p>Report writing is a key element of prison practice. Prison staff provide written reports serving different purposes, e.g. incident reporting, performance reporting, or to inform decision-making regarding a prisoner's release. Prison staff should receive training on report writing specific to their role.</p>
<b>Confidentiality, Use of Social Media, Data Protection</b>	<p>Prison services routinely deal with highly personal and sensitive information. Prison staff should receive training on their agencies' policies and procedures for the safe management, storage and retention of data in compliance with the international and national data protection rules. Prison staff shall also receive awareness-raising training in order to become sensitized users of social media outlets and be aware of the potential consequences of inappropriate personal use of social media.</p>
<b>Use of IT</b>	<p>Prison staff should receive training on the use of IT, where applicable. This may include training on: Internet access for prisoners, e-health and e-learning for prisoners, use of mobile devices and tablets in prison, biometrics, video-conferencing, cloud services, prison accounting software and any platforms used for inter-agency working. Where applicable, the training should also serve to acquire practical skills like: Installation of soft and hardware, Wireless Connectivity, Mail, Separate Networks, Radio Frequency Identification and Closed Circuit Television handling.</p>
<b>Working with Juvenile and Young Adults</b>	<p>In recognition of the different needs of juvenile and young adults specific training should be provided for prison staff who work with young people. Such training should be informed by the acknowledgement of the special needs of juveniles in custody. Training should also be informed by key guidance such as the CM/Rec(2008)11 on the European Rules for juvenile offenders subject to sanctions or measures.</p>
<b>Gender Responsiveness</b>	<p>Prison staff should receive training on gender awareness and the need to respond effectively. This has particular relevance in work with women prisoners, who usually constitute a much smaller proportion of the population under custodial sentences and who may be with infants in prison.</p>
<b>Mental Health, Intellectual Disabilities and Substance Misuse</b>	<p>Mental health issues, intellectual disabilities and substance misuse often feature as areas of concern for people involved in the criminal justice system. Prison staff should receive training, which raises awareness about these areas and includes information on sources of wider supports.</p>
<b>Anti-Discriminatory Practice</b>	<p>Article 14 of the European convention on Human Rights and the European Prison Rules, Rule 13 stress that there should be no discrimination on grounds of sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status. Account shall be taken of the diversity and of the distinct individual needs of prisoners. The Prison Service should ensure that their policies and procedures are compliant with these rules and prison staff should receive training to give meaningful effect to these rules in day-to-day practice.</p>
<b>Staff Support and Development</b>	<p>All staff working in the prison service should be provided with effective support to enable them to carry out their role effectively. Induction training should include information on the supports available to staff. Staff with management and supervisory responsibilities should receive training on how to carry out these roles effectively.</p>



Consideration should also be given to provide training to facilitate other forms of staff support and professional development including mentoring and coaching, if applicable.

## APPENDIX II: EDUCATION AND TRAINING MATRIX PROBATION AGENCIES

This education and training matrix provides an overview of training elements reflecting the probation role that could be incorporated into training provision for probation staff working directly with suspects or offenders in a supervisory capacity, depending on their specific role and duties, including those working in prisons. In this context education and training is viewed as means of equipping staff to carry out their role effectively and supporting on-going professional development. It is intended as an indicative rather than proscriptive outline. The matrix provides an overview of elements of training with a brief descriptor that could be included as part of staff induction and/or as elements of in-service training like: pre-trial/pre-sentence; supervision of community sanctions and measures; work in prisons; resettlement and post-custodial supervision. The training components reflect the components and stages of the probation role as outlined in the Recommendations CM/Rec(2010)1 on the Council of Europe Probation Rules, CM/Rec(2017)3 on the European Rules on community sanctions and measures and CM/Rec(2018)8 concerning restorative justice in criminal matters:

Training Element	Descriptor
<b>Practice in Legal Context: National, International and Rights-Based</b>	Probation practitioners should receive training on the legal and organisational context in which community sanctions and measures are implemented. This training should include information on organisational structures and the types, duration and modalities of implementation of measures as regulated by law. It should also include information of the conditions and obligations attached to community sanctions and measures and the consequences of non-compliance. The importance of rights-based approaches and guiding principles, in particular the Recommendations CM/Rec(2010)1 on the Council of Europe Probation Rules and the CM/Rec(2017)3 on the European Rules on community sanctions and measures should form a key component of such training.
<b>Working Effectively to Promote Change</b>	A key element of the probation role involves working with individuals and wider networks to reduce re-offending and to promote desistance and social integration thus contributing to public safety. The professional relationship is a key component in effecting changes in attitudes and behaviour. Probation agencies should provide training in techniques and models of practice, which guide practitioners in their professional practice. Examples of such techniques include, but are not limited to: Pro-Social Modelling and Motivational Interviewing. Probation Agencies may also deploy particular models of practice such as the Risk-Need-Responsivity (RNR) or the Good Lives Model (GLM). Where such models are used, probation practitioners should receive on-going training on their use and under-pinning evidence base.
<b>Promoting compliance and dealing with non-compliance</b>	Probation Agencies should provide training on promoting compliance and the policies and procedures for dealing effectively with non-compliance. This should include training on practical skills, legal frameworks safeguards and the processes and implications for individuals when conditions are breached (including recall to prison). Where probation officers are required to present oral evidence in court they should receive specific training.
<b>Programmes and Interventions</b>	Where particular programmes (individual or group based) are used, probation practitioners should receive training on the key components, skills and underpinning evidence base for these interventions in order for them to deliver these effectively. Programmes should be subject to ongoing assessment and review and the outcomes of such reviews should inform future training.
<b>Case Management</b>	Probation practitioners typically supervise a number of people. Probation agencies should provide training on caseload management including the requirements of supervision, record-keeping (including the maintenance of information on databases) and report writing.
<b>Report Writing</b>	Report writing is a key element of probation practice. Probation practitioners provide written reports at various stages of the criminal justice process, e.g. pre-sentence reports to assist the court in reaching a sentence; update reports to courts and to administrative bodies and parole reports to inform decision-making regarding prisoner release and the conditions attached to post-custodial supervision. Probation practitioners should receive training on report-writing specific to their role. Probation agencies should have quality assurance processes in place for report writing and staff should receive training on these.

**Risk Assessment: Principles, Practices and Proficiency in use of Assessment Tools**

Practitioners should receive training on risk assessment including its different dimensions: e.g. clinical (practitioner's) assessment, actuarial assessment and integrated approaches. Practitioners should be familiar with different facets of assessment (e.g. risk of re-offending and risk of harm) and where risk assessment tools are used they should receive appropriate training on how to interpret the results accurately and on the limits of these tools. Alongside training for proficiency in the use of such tools, practitioners should also receive training on the evidence base underpinning the tools and the extent to which risk assessment tools should be used to guide professional judgment.

**Specific Types of Offending**

Where relevant probation practitioners should receive training on interventions and techniques for working with specific types of offending. This may include (but is not limited to) the research evidence and the most effective approaches to working with sexual offending; domestic violence, radicalisation and violent extremism.

**Inter-Agency Working and Community Context**

Probation practitioners work with many different agencies within the criminal justice system and the wider social system. This can include work with courts, prisons and police and agencies such as child protection and welfare services. Probation agencies should ensure that staff receive training on the parameters of inter-agency working, including information-sharing and the roles and responsibilities of different agencies. Joint training should be provided alongside other agencies where necessary. Given the inter-relationships between prisons and probation, where possible particular attention should be given towards developing joint training opportunities between probation and prison staff.

In many contexts probation staff work within local communities, where this takes place staff should receive training on the support structures and parameters of this work (e.g. funding applications, roles and responsibilities).

**Case Records, Data Protection and Confidentiality**

Probation services routinely deal with highly personal and sensitive information. Practitioners should receive training on their agencies policies and procedures for the safe management, storage and retention of data in compliance with the international and national data protection rules.

**Electronic Monitoring and Use of Technology in Probation Practice**

Where Electronic Monitoring or other technologies are used to monitor compliance with community sanctions and measures, probation staff should receive training on the effective and ethical use of such technology. Such training should include information on the evidence base for the effective use of such measures and the potential impact on the individual and their wider family.

**Anti-Discriminatory Practice**

Article 14 of the European Convention on Human Rights and Rule 6 of the European Rules on Community Sanctions and Measures (Rec(2017)3) stress that there should be no discrimination in the imposition of community sanctions and measures on grounds of race, colour, ethnic origin, nationality, gender, age, disability, sexual orientation, language, religion, political or other opinion, economic, social or other status or physical or mental condition. Account shall be taken of the diversity and of the distinct individual needs of suspects and offenders. Probation agencies should ensure that their policies and procedures are compliant with these rules and probation practitioners should receive training to give meaningful effect to these rules in day-to-day practice.

**Working with Juveniles**

In recognition of the different needs of children and young people specific training should be provided for probation practitioners who work with this group. Such training should be informed by children's rights principles including the paramountcy of the child's welfare and the fact that children should be heard in matters that affect them.

Training should also be informed by the research evidence base and by key guidance such as the European Rules for juvenile offenders subject to sanctions or measures (CM/Rec(2008)11), and the Council of Europe's Guidelines on Child Friendly Justice (CM/Del/Dec(2010)1098/10.2abc).

**Gender Responsiveness**

Practitioners should receive training on gender awareness and the need to respond effectively to people subject to supervision. This has particular relevance in working with women suspects and offenders, who usually constitute a much smaller proportion of the population under probation supervision. This is also of particular relevance in the context of gender-based violence.

**Mental Health, Intellectual Disabilities and Substance Misuse**

Mental health issues, intellectual disabilities and substance misuse often feature as areas of concern for people involved in the criminal justice system. Probation practitioners should receive training which raises awareness about these areas and includes information on sources of wider support.

**Working with Foreign National Suspects and Offenders**

The European Rules on Community Sanctions and Measures (CM/Rec(2017)3) emphasise the need to take account of the distinctive circumstances of foreign nationals to ensure that they are treated equitably. This may mean the need for the provision of linguistic interpretation at assessment and throughout the course of supervision. Probation practitioners should receive training on working with interpreters and the policy and procedures in place within the Probation agency to ensure equity of service provision. Staff should also receive training on inter-cultural awareness.

Where relevant probation practitioners should also receive training on the practical implications of the European Union Council Framework Decisions (FD). This includes FD 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions (which allows for the transfer of community sanction supervision arrangements between EU member States) and FD 2009/829/JHA of 23 October 2009 on the application between member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention. This training should also include the European Convention on the Supervision of Conditionally Sentenced or conditionally Released Offenders (1964).

**Working with Victims**

The extent to which probation agencies work directly with victims varies across jurisdictions. Probation practitioners should receive training on the role of victim support services and where applicable the practices and procedures for contacting and providing information to victims. Such training should take account of the Council of Europe publication "Victims - Support and assistance" (2nd edition) 2008). Where relevant, practitioners should also receive training on the key principles and practical implications of the Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime.

**Restorative Approaches**

Probation practitioners should receive training on the use of restorative justice approaches. Such training should be guided by the Recommendation CM/Rec (2018) 8 concerning restorative justice in criminal matters.

**Staff Support and Development**

All staff working in probation agencies should be provided with effective support to enable them to carry out their role effectively. Induction training should include information on the support available to staff. Staff should be supported to reflect upon their practice. They should also receive support and guidance on effective inter-agency working. Staff with management and supervisory responsibilities should receive training on how to carry out these roles effectively. Consideration should also be given to provide training to facilitate other forms of staff support and professional development including mentoring and coaching.

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[1] This document has been classified restricted until examination by the Committee of Ministers.

**Related documents**

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**CM/Del/Dec(2019)1356/10.3a**

European Committee on Crime Problems (CDPC) - a. Abridged report of the 76th plenary meeting (Strasbourg, 25-26 April 2019)

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