



Probation in Europe

Croatia

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The European Organisation
for Probation

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Table of contents

| | |
|---|----|
| 1. Introduction | 4 |
| 2. Historical Development of the Probation System | 5 |
| 3. Legislative Basis of the Probation System | 7 |
| 4. The Organization of Probation Services | 9 |
| 5. Different Stages of the Criminal Justice Process | 12 |
| 6. Probation Methodology | 19 |
| 7. Finances, Accounting, Registration Systems and Evaluation Procedures | 21 |
| 8. Societal Support and Clients' Views | 22 |
| 9. Probation Clients Rights | 23 |
| 10. Developments to be expected | 24 |
| 11. Important Publications | 26 |
| 12. Main Addresses, Phone & Fax Numbers, E-mail Addresses, Home Pages | 29 |
| Annex 1 | 30 |

1. Introduction

1.1. Probation organizations

Probation service in Croatia is a state service financed within governmental budget. Probation work is in jurisdiction of Ministry of Justice that in 2009 founded special directorate for this purpose - Directorate for Probation. In March 2010, this directorate changed its name to Directorate for Probation and Victims and Witnesses support. Direct probation work with offenders is conducted in 12 regional probation offices, while Central Office in Zagreb is in charge of following their work, improving quality of services, taking measures to improve probation services and probation system as a whole, as well as to provide administrative and legal support for regional offices. Probation workers, who are civil servants, perform all probation work. In accordance with Croatian legal acts, probation service is providing interventions for adult offenders, while juvenile offenders (from 14 to 18 years of age) are in jurisdiction of social welfare system.

1.2. Probation activities in a nutshell

All types of probation work are defined by legal acts. Clients of probation services are primarily criminal offenders, but probation officers are also participating in helping victims of crime, their family members, as well as family members of offenders. Probation work can be designated from state attorney, the court, execution judge and prison/penitentiary. Offenders cannot initiate their own including in probation work, while victims and their family members can do so. Regarding offenders, probation service is included in different phases of the process: the pre-trial report phase, suspension of criminal charges with supervision of conditions, during pre-sentence report, in conducting community sanctions and in execution of prison sanction. Probation service is obliged to write different types of reports and perform assessments when designated by state attorney, the court, execution judge and prison/penitentiary. Legal acts determent the amount of data needed in each report, depending on its purpose (deciding about criminal prosecution, determining measures of ensuring offender's presence and measures of caution, choosing criminal sanction and execution of criminal sanction, suspension of prison sanction, allowing prisoner beneficiary exits from jail or penitentiary, and post-penal release). Probation service is engaged in execution of prison/penitentiary sanction when it is necessary to decide about postponement or intermission of prison sanction due to some special circumstances, when using possibility to take temporary exit from prison, when deciding about parole, in organizing post-penal treatment and when supervision is determent with parole. Probation service is currently mostly involved in execution of two community measures: (1) suspended sentence with supervision and (2) community work. Other types of probation work are in the phase of piloting and/or preparation. One of the most significant and challenging probation work activities is assessment of criminal risks and needs, where special instrument is used for this purpose. Probation service is not only oriented on supervision of offender, but also on re-socialization and re-integration of offender in its community, balancing between philosophy of retribution and rehabilitation.

1.3. General remarks about the implementation of Probation Rules

In 2005 Republic of Croatia began with various reforms, as a process for becoming a full member of European Union, including reforms of criminal justice system

that resulted in development of new legislation within domain of probation work and community sanction during 2009 and 2010. New Law on Probation from 2009 does not only focus on criminal offenders, but its regulation also implemented interventions towards the victims of crime, their family members and family members of offenders, as described in earlier chapter, that were neglected in previous legal regulations. With the help of experts from England and Czech Republic, as well as other experts from within Instrument for Pre-Accession Assistance (IPA)¹ 2008 EU project, probation service will develop new standards, procedures and protocols of conducting probation work along with guidelines for probation officers that are in accordance with best practice and Council of Europe recommendations.

2. Historical Development of the Probation System

2.1. History from the origins to 2008

First community sanctions and measures started with implementation at the end of 2001, after new Croatian Criminal Code came into force in 1998. This new Criminal Code led to the development of special Supervision of Suspended Sentence and Community Service Act in 1999, as well as all complimentary implementation regulations (ordinances) that came in force in 2001. Execution of these sanctions was at that time in jurisdiction of Directorate for prison system, Central office, Department for protective supervision and community work.

Community sanctions were executed by professionals who had university degree mostly in social pedagogy, social work and psychology, and who worked within Ministry of Justice or Ministry of Social Welfare. After their full time jobs in prisons, penitentiaries, correctional institutions for juvenile offenders, social welfare centres, etc., they were not only working with offenders on weekly basis, but also promoted the idea of probation in wider community. After that initial period, the need to built and develop a more integral probation system was recognized in the governmental structures.

This new development was supported by Council of Europe recommendations and other positive European practice, and after the reforms that started in 2005, gave a strong initiative to further develop probation system, reduce number of prisoners in over-capacitated prisons, make execution of criminal sanctions more humane, and help to re-integrate offender in community taking into consideration its protection.

¹ The Instrument for Pre-Accession Assistance (IPA) offers assistance to countries engaged in the accession process to the European Union (EU) for the period 2007-2013. The aim of the IPA is therefore to enhance the efficiency and coherence of aid by means of a single framework in order to strengthen institutional capacity, cross-border cooperation, economic and social development and rural development. Pre-accession assistance supports the stabilisation and association process of candidate countries and potential candidate countries while respecting their specific features and the processes in which they are engaged.

Prison system in Croatia gave strong support for the development of probation, and within Community, assistance for reconstruction, development and stabilisation (CARDS)² 2004 project, Ministry of Justice, Directorate for Prison System with National Probation Service of Great Britain in the year 2007 conducted EU Twinning light project “Support to the Development of a Probation System in Croatia”. This resulted in adopting a five year strategy for constituting probation service in the Republic of Croatia.

2.2. Recent history from 2008 to 2011

Criminal justice reform also included bilateral project “Transitional Support to the Development of Probation System in the Republic of Croatia” between Croatian Ministry of Justice and National Offender Management Service from England and Wales. This project was funded by Strategic Programme Fund (in further text: SPF), and lasted from April 2008 to the end of March 2010. The main purpose was to ensure professional help in establishing preconditions for the development of professional probation service in Croatia in between two projects; CARDS 2004 Twinning Light Project that ended in December 2007 and expected IPA 2008 project “Development of Probation System in the Republic of Croatia” in 2010. During the SPF project, national standards for conducting suspended sentence with supervision and community work were developed, as well as national standards on rights and expectations of offenders. Project also included different seminars that helped selecting first probation officers and to improve human resources management. Within the project, some activities and workshops were conducted to sensitise judges and state attorneys with the concept of probation and its future development in implementation and execution of community sanctions.

SPF project also focused on developing the first version of criminogenic risk and need assessment. This process included experts with professional clinical experience in working with offenders as well as representatives from scientific community. After the first version of assessment was developed, together with the manual, it was piloted with offenders who had community sanctions.

Two pilot projects about providing probation services in the pre-trial phase and during conditional release were also conducted:

- Preparing reports for judges and state attorneys when deciding about custody - this project clearly proved the value of probation service intervention when the court was submitted with relevant and professional data report about the offender. Early involvement of probation officers also enabled professional interventions to the offenders in the first phase of the procedure.

- Implementation of probation supervision for offenders on parole and writing reports for decision making on parole release - evaluation of this project showed that criminogenic risk and need assessments, with the report of probation officer, contribute to the quality of decision making on parole release from prison, while supervision of offenders on parole made this measure more efficient.

² The CARDS program is intended to provide Community assistance to the countries of South-Eastern Europe with a view to their participation in the stabilisation and association process with the European Union. Community assistance is subject to respect the principles of democracy, the rule of law, fundamental freedoms, human and minority rights, and the implementation of the democratic, institutional and economic reforms envisaged.

During the year 2009, Ministry of Justice formed a special working group to develop the Law on Probation. This working group consisted of representatives from the prison system, Faculty of Education and Rehabilitation Sciences at University of Zagreb, social welfare system, courts and state attorney offices. The Law on Probation came into force at the end of 2009. Therefore, major preconditions for professionalization of probation service were met. In the year 2009, Ministry of Justice established Directorate for Probation. Some civil servants, who worked in Central office for prison system, changed their position to the Central office in this new Directorate. In June 2011 first probation offices were open. So far, nine out of twelve planned offices started with their work.

IPA 2008 project "Development of Probation System in the Republic of Croatia" started in June 2011. Partner in this project is a consortium of United Kingdom and Czech Republic. The main purpose of the project is to ensure implementation of the basic National Strategy goal - development of professional organization for providing efficient probation services by the end of the project period in March 2013.

3. Legislative Basis of the Probation System

3.1. Legislative Basis

Many legal acts that define probation work are:

- Criminal Code from 1997 (with changes in 1998, 2000, 2001, 2003, 2004, 2005, 2006, 2007, 2008, 2011),
- the Criminal Procedure Act from 2008 (with changes in 2009, 2011),
- the Law on the Execution of Prison Sentence from 1999 (with changes in 2000, 2001, 2002, 2003, 2007, 2008, 2009, 2011),
- the Misdemeanours Act from 2007, and
- the Law on Probation from 2009.

In 2010, different necessary ordinances regulated in more details professional elements of probation work: Ordinance on the methods of conducting probation work, Ordinance on the methods of conducting the audit and inspection over the work of probation offices, Ordinance on the professional training of probation officers, Ordinance on case register and case records for persons with probation sanctions, Ordinance on the probation officer identification card.

The Law on Probation defines probation as conditional and supervised freedom of criminal offender during which probation officers perform activities aimed at reducing criminal risk of reoffending. The same Law defines purpose of probation work as interventions aimed at protection of social community from the offender, his re-socialization and re-integration in the community as well as providing support in helping victims of crime, their families and families of offenders (Rule 1), while probation officers when implementing probation sanctions should work closely with the family members, different institutions and organizations in the community, that can contribute to his/her social integration (Rule 8).

3.2. Mission and Mission Statement

The Five-Year-Strategy for the Development of the Croatian Probation Service (2008-2012) defined two main goals in this period: (1) development of professional

practice and (2) development of professional organization. This five year process will include solving different legal issues, management capacities, human potentials, infrastructure, partnerships, evaluation, stakeholders and communication.

The mission of probation service is “to collaborate with the community with the aim of its protection and reducing the risk of offenders’ recidivism through his re-socialization and re-integration in the society, as well as to ensure the rights and needs of victims”.

Action plan for improving Croatian prison system for the year 2009 to 2014 also emphasized the importance of professional probation service and special legal act on probation (the Law on Probation).

In June 2010, Croatian Government adopted Action Plan for the Development of Probation for the years 2010 to 2014. This plan ensures the quality of process for the development of probation service as efficient and useful organization for the society. It consists of planned outcomes, priorities in implementation, time frame and general resources needed for development, as well as ways to evaluate these activities.

3.3. Crime Prevention

Probation work can be described and indicated prevention through interventions with offenders aimed at their risk of reoffending. Strategic and legal documents did not provide basis for universal or selective prevention activities in the community.

3.4. Victim Assistance

Probation service in Croatia is involved in organizing psychosocial support and help to the victims, their family members and family members of offenders (Rule 95). Request or demand for such intervention can be submitted by the state attorney office, the court from clients themselves (victims, family members mentioned above). Prison and/or penitentiary can request probation service to inform and/or prepare victims or their family members when offenders are released from prison sentence. Therefore, probation officers must be well informed about the community resources that could provide legal, psychological or medical assistance in each community. Current practice is facing problems of insufficient number of probation officers for performing this task, as well as insufficient services that provide specific help for victims of crime.

3.5. Volunteers Involvement

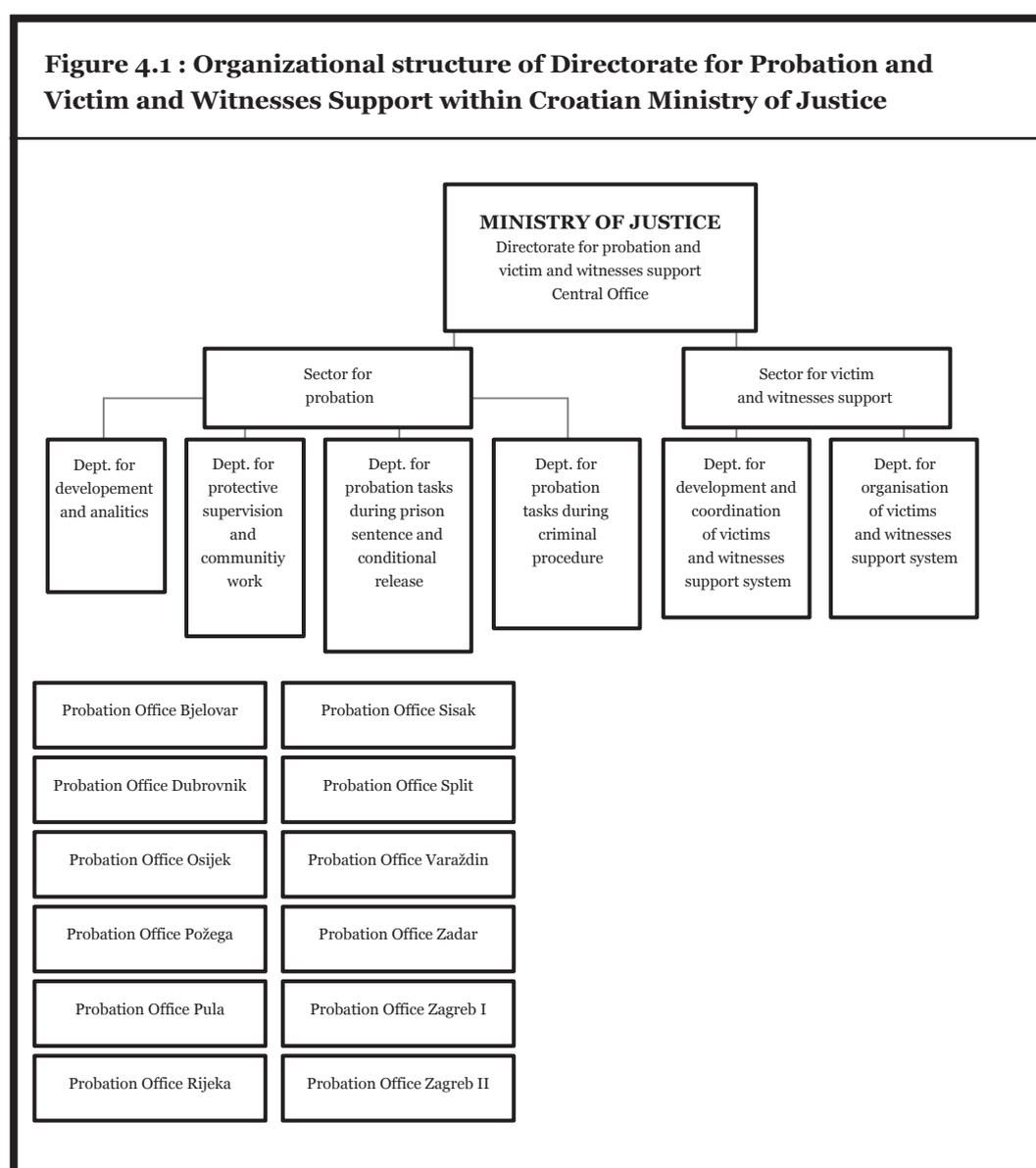
Probation service is willing to include volunteers in promoting and mentoring future probation work. Therefore, collaboration was established with the Faculty of Education and Rehabilitation Sciences on University of Zagreb, where future social pedagogues are educated for probation work within different criminological courses. Initial analysis of potential volunteer student activities was conducted in 2011, while concrete volunteer involvement is expected in 2012 when legal and organizational procedures will allow it (Rule 34).

4. The Organization of Probation Services

4.1. Main Characteristics

Croatian Ministry of Justice is organized with following units: Cabinet of the Minister, Directorate for Organization of Justice System, Directorate for Civil, Commercial and Administrative Law, Directorate for Criminal Law, Directorate for European Union and International Collaboration, Directorate for Prison System, Directorate for Probation and Victim and Witnesses Support, Secretariat, Office for Collaboration with International Criminal Courts, Office for Following Practice and Advocating in front of European Courts and Independent Department for Internal Revision.

Probation work is conducted within Directorate for Probation and Victim and Witnesses Support, as organizational unit. Its internal organizational structure is presented at scheme 1.



Central Office of Directorate for Probation and Victim and Witness Support has two sectors: (1) Sector for probation and (2) Sector for victim and witnesses support. Sector for probation has four departments: (1) Department for development and analytics, (2) Department for protective supervision and community work, (3) Department for probation tasks during prison sentence and conditional release (parole), and (4) Department for probation work during criminal procedure. Sector for victim and witnesses support is organized with two departments: (1) Department for development and coordination of victims and witnesses support system and (2) Department for organisation of victims and witnesses support system. The latter Sector is providing support for victims and witnesses during criminal procedure while their offices are placed within the criminal courts. This support is mostly conducted with the involvement of volunteers. Sector for probation is providing probation work with offenders and victims of crime in regional probation offices in all phases of criminal procedure, during execution of different community sanctions as well as during the execution of prison/penitentiary sanction.

4.2. Internal Organization

Republic of Croatia is divided into 20 counties and the City of Zagreb. Probation offices are not yet present in every county centre. Therefore, some probation offices have jurisdiction for performing probation work on a larger territory of its county. Probation offices are currently present in nine towns/cities: Bjelovar, Osijek, Požega, Pula, Rijeka, Sisak, Split, Zadar and two offices in Zagreb, where one office has jurisdiction for the City of Zagreb and the other one has jurisdiction for Zagreb County (it includes suburbs and smaller towns with rural area around the City). During the year 2012, Ministry is planning to open three new probation offices in Dubrovnik, Varaždin and Zadar.

4.2.1. Probation Workers

Every probation office in Croatia has a chief of the office, probation officers and administrative workers. The Law on Probation defines that probation officers conduct all probation work, while they must have a bachelor or master degree in social pedagogy, social works, psychology or other social-humanistic sciences, and must have experience and professional competencies to work with offenders. Chief of probation office regularly meets with the chiefs in the Central Office, head of the Sector and principal of the Directorate to analyze current work and elaborate through achievements and difficulties, as well as guidelines for future work. The main goal is to identify and to overcome obstacles for effective work and the development of leadership model that supports quality and professional effectiveness. The main obstacle right now is insufficient number of probation officers comparing to expected number of cases (Rule 29).

Picture 4.1 : Map of the Republic of Croatia with cities/towns that have probation offices and territorial legislation for performing probation work

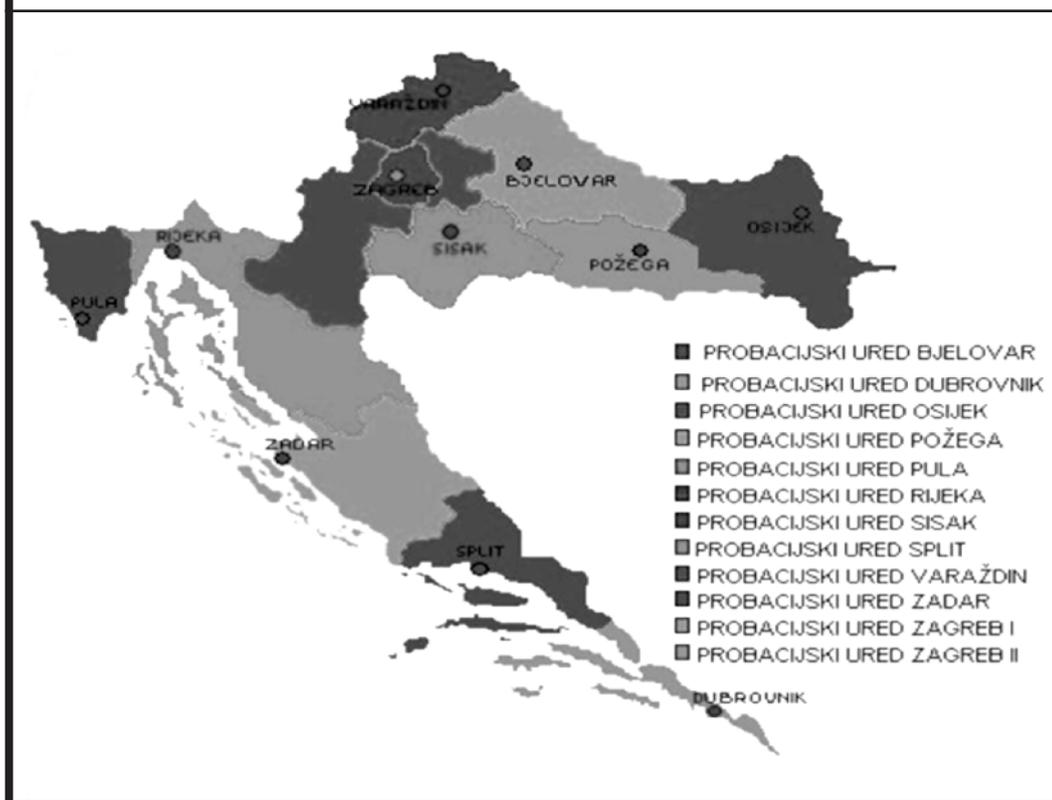


Table 1. The staff structure - number of probation workers in probation offices

| | |
|--|----|
| Number of staff | 48 |
| Management staff | 9 |
| Executive staff | 29 |
| Supporting staff (e.g. secretary, bookkeeping staff, ICT staff etc.) | 10 |

Central Office is engaged in the development of probation service in Croatia and coordination of professional activities throughout the country. Central Office has a principal, head of the sector for probation, four chiefs of department, three professional advisors and two administrative clerks.

4.2.2. Education, training requirements and opportunities

The Ordinance on the training of probation officers defines mandatory initial education and further professional trainings of probation officers. It also includes trainings, educations and workshops with specific categories of offenders (Rules 22, 23, 24, 25 and 27).

In accordance with current legal documents, probation officers will have mandatory lifelong professional trainings depending on the treatments programs planned to be incorporated in Croatian probation system (in the future). At the moments, the following topics are planned, in order to increase level of professional competency: conducting sanctions and measures in the community, risk assessments, motivational interview, interventions with specific categories of offenders (violent offenders, addicts, sex offenders, etc.). It is also necessary to invest into more theoretical and scientific educations in the field of criminology and penology, as well as other topics relevant for probation work.

4.2.3. Other organizations involved in probation work

At this moment, initiative has been made towards the courts for preparation of presentence reports from probation offices, since this activity presents a new regulation in Croatian legal system (Rule 42). In everyday work, probation service collaborates with centres for social welfare, family centres and services for mental health, governmental and non-governmental organizations that provide drug treatment, prison system and police (all in accordance with the Law on Probation) (Rule 37).

4.3. Probation and offenders abroad

In July 2010, Republic of Croatia has brought The Law on Judicial Cooperation in Criminal Affairs with European Union members, implementing EU Framework Decision 2008/947/JHA. This Law will come in force when Croatia becomes a full member of European Union.

5. Different Stages of the Criminal Justice Process

Current Law on Probation defines probation activities in different stages of criminal justice process: when deciding about criminal charges, when determining measures of ensuring presence of the accused and other measures of warning, when deciding about the type of criminal sanction and during execution of criminal sanction for the offender. Therefore, it is visible that all phases of criminal process are covered: deciding on criminal charges, trial phase, execution (implementation) of sanctions, conditional release and post-release care. Probation service also works in organizing support to the victims, their family members and family members of the offender.

5.1 Pre-trial/remand/trial stage

Table 2. Sanctioning system and probation involvement in the pre-trial/trial stage

| Sanctions/Measures/ Penalties/Conditions attached to a conditional decision or sentence | Provision in legislation | Probation service involvement | Main characteristics of the probation activity |
|--|-----------------------------|-------------------------------------|---|
| Unconditional waiver by the public prosecutor | x | | |
| Conditional waiver by the public prosecutor | x | x | reporting |
| Conditional suspension of the pre-trial/remand detention | | | |
| Pre-trial/remand detention | x | x | reporting, supervision, coordination |
| Police custody | x | | |
| Bail | | | |
| Caution | x | | |
| Surety | | | |
| House arrest | x | x | reporting, supervision, coordination |
| Electronic monitoring | | | |
| Community service | x | x | reporting, supervision, coordination |
| Treatment order | x | x | reporting, supervision, coordination, help and support |
| Training/learning order | | | |
| Drug/alcohol treatment program | x | x | reporting, supervision, coordination, help and support |
| Compensation to the victim | x | | |
| Mediation | | | |
| Semi-detention | | | |
| Attending a day centre | | | |

| Sanctions/Measures/ Penalties/Conditions attached to a conditional decision or sentence | Provision in legislation | Probation service involvement | Main characteristics of the probation activity |
|--|-----------------------------|-------------------------------------|--|
| Liberty under judicial control | | | |
| Interdiction to leave the country | | | |
| Interdiction to enter different cities/places | x | | |
| Interdiction to carry out different activities | x | | |
| Interdiction to contact certain persons | x | | |
| Psychiatric treatment | x | x | reporting, supervision, coordination |
| Deferment of sentence | | | |
| Fine | | | |

Current Law on Probation states few ways in which probation service is included in the pre-trial phase.

When deciding about criminal charges, attorney office can request a report from probation office about the accused. This report consists of: general information about the accused, family status, social status, current health status, risk behaviour and inclinations, previous sanctions, relationship with the victim and its family members, attitudes towards the offence, assessments of criminogenic risk and treatment needs and opinion about possible/needed implementation of measures of warning.

Measures of warning can be:

- ban on visiting certain places or areas,
- obligation of regular reporting to a particular person or public body,
- restrain of approach to a particular person,
- restrain for establishing and maintaining relationship with a particular person,
- prohibition of performing certain business activities,
- temporary seizure of travel and other documents for crossing the border,
- temporary seizure of licenses to drive a motor vehicle.

Probation service is only supervising an obligation of regular reporting to a particular person or public body.

In situations when attorney office only conditionally rejects criminal charges, or conditionally withdraws further criminal accusations, it will impose certain obligation to the accused. Probation service is in charge of supervising execution of the obligations and reporting attorney office about the process.

This situation can happen in cases of criminal acts up to 5 years of prison or financial fee and with specific approval of the victim (if the victim does not approve, the offender cannot benefit from this provision)- even though it is suspected that the

accused committed a crime. Accused must then execute different obligations given by the state attorney with the maximum deadline of one year. These obligations can be:

- repairing the damage caused by the offence or compensation for the damage,
- donation of certain financial amount to the public institution, in humanitarian or charity causes, or a fund for financial compensation of victims of crime,
- execution of community work,
- engaging in drug addiction, or other addiction, treatment program,
- engaging in psychosocial treatment of violent behaviour, with the consent to leave family during this treatment.

In this phase of criminal procedure, probation offices are also included in the supervision of home imprisonment, as well as other measures and obligations that can be given. Croatian laws provide possibility for technical supervision with this measure (e.g. electronic monitoring), but this possibility is not yet in practice.

5.1.1. Pre-trial/pre-sentence report

Probation service provides two types of report in this phase:

- on request of state attorney when deciding on criminal charges,
- on request of the judge that will trail in this case.

Both reports include the following information about the offender: general personal information and marital status, social and health status, criminogenic risk level and intervention needs, risk of damage, risk for recidivism, attitude towards the offence, information about previous criminal activity and attitudes of victim(s). Report for the state attorney also includes assessment of appropriateness of implementing special obligations, while report for the judge includes assessment of anticipated rehabilitative impact of the sanction.

Both types of reports are based on the instrument of criminogenic risks and needs - System of offender assessment (SOA; modified version of British OASys instrument). So far, no reports were requested in Croatian practice, since they present a new legal possibility. Nevertheless, probation service finds these activities of a great value, and is engaged in ensuring that all organizational conditions are met to start with it as soon as possible.

5.2. Enforcement stage

Table 3. Sanctioning system and probation involvement in the enforcement stage

| Sanctions/Measures/ Penalties/Conditions attached to a conditional sentence | Provision in legislation | Probation service involvement | Main characteristics of the probation activity |
|--|-----------------------------|-------------------------------------|--|
| Imprisonment | x | x | reporting |
| Suspended sentence | x | x | supervision, coordination, reporting, |
| Conditional sentence | x | | |
| Affidamento in prova | | | |

| Sanctions/Measures/ Penalties/Conditions attached to a conditional sentence | Provision in legislation | Probation service involvement | Main characteristics of the probation activity |
|--|-----------------------------|-------------------------------------|--|
| House arrest | | | |
| Electronic monitoring | x | | |
| Community service as sanction | x | x | supervision, coordination, reporting, |
| Semi-liberty | | | |
| Semi-detention | | | |
| Treatment order | x | x | supervision, coordination, reporting, |
| Training/learning order | | | |
| Drug/alcohol treatment program | x | x | supervision, coordination, reporting, |
| Educational measures | | | |
| Compensation to the victim | x | | |
| Mediation | | | |
| Attending a day centre | | | |
| Interdiction to leave the country | x | | |
| Interdiction to enter different cities/places | x | | |
| Interdiction to carry out different activities | x | | |
| Interdiction to contact certain persons | x | | |
| Fine | x | | |
| Day fine | | | |
| Other financial penalties | | | |
| In/out patient order (psychiatric treatment) | x | x | supervision, coordination, reporting, |
| Security measures | x | | |
| Combined order | | | |
| Community punishment | | | |
| Conditional release / Parole | x | | supervision, coordination, reporting, |

| Sanctions/Measures/ Penalties/Conditions attached to a conditional sentence | Provision in legislation | Probation service involvement | Main characteristics of the probation activity |
|--|-----------------------------|-------------------------------------|--|
| Automatic release | | | |
| Open prison | | | |
| Penitentiary program outside the prison | | | |

The main activities of probation service in enforcement phase are execution of conditional sentence with supervision and community work that is an exchange for short prison sentence (up to 6 month of prison).

Conditional sentence with supervision in Croatia can be described as follows:

- all criteria for conditional sentence must be met, but there should be an assessment that the offenders needs help, protection and supervision to execute obligations and/or to ensure successful reintegration,
- it can last from one up to five years (just as conditional sentence), but supervision can be shorter if the court assesses it,
- the court can give different set of obligations to the offender with this sanction:
- to engage in education for certain vocation,
- to accept work that is within his professional competencies,
- to dispose with his finances in accordance of probation officer advises,
- to engage in medical treatment,
- to engage in addiction treatment,
- to engage in psychosocial treatment for violent behaviour,
- to restrict from visiting some places and events,
- to regularly report to the probation service about the circumstances that may elicit future criminal behaviour.

Community work is a sanction that is conducted as an alternative to short prison sentence (up to 6 months of prison). It can only be conducted with specific consent of the offender, and can last from 10 to 60 working days. Community work must be conducted in the period from one month up to one year and usually we find it applicable for minor criminal offences, such as drug possession, minor thefts or some types of traffic accident offences.

It is conducted in public and other services with whom the Ministry of Justice has signed an agreement, and that are involved in humanitarian, ecological, communal or other socially useful activity (e.g. utilities, retirement homes, centres for working therapy and rehabilitation, hospitals, Red Cross, etc.). It is free and must not be used for gaining any financial profit (Rule 48).

Individual treatment plan must be developed for both sanctions. Offender is involved in writing this treatment plan and must sign it as a confirmation of its acceptation (Rules 46 and 52). Individual treatment plan is bas on risk/need assessment, offender's health condition, vocational qualifications and other relevant information (Rule 51). Probation officers evaluate the work and the

progress of the offender and report about it to the court.

Probation service is also responsible for writing reports to the prison committee that decides about conditional release (parole). This report assesses risks and conditions in the community where prisoner shall return, as well as possibilities to continue with some obligations imposed in the prison treatment (e.g. education and schooling, addiction treatment and other treatment programs, etc.).

Probation service is executing supervision for prisoners on conditional release, and together with the offender (former prisoner) conduct individual program of this supervision and obligations that are imposed by conditional release. This program is to be delivered to the execution judge who also has to be informed about the process during this sanction. Probation office and/or offender can suggest changes in the individual program and supervision of obligations, but also suggest implementing some obligations that were not imposed by prison release decision.

When prisoner is temporary released from prison (as a reward/benefit for good behaviour and meeting some criteria of prison treatment), probation service is also in charge of supervising the prisoner, and ensuring that his obligations defined by individual prison treatment program are being conducted in the community.

In situation when the offender asks for postponement of executing prison sanction, or asks for intermission of prison sanction, execution judge can request the probation service to provide with a report and documentation regarding reasons and validity of such a plea. It will also inform the execution judge if reasons for postponing execution of prison sanction no longer exist, or if they are violated.

Probation service is not involved in any procedure regarding pardon or amnesty.

Table 4. Other probation activities in the enforcement stage

| | |
|--|---|
| Providing support to the families of the offenders/detainees | x |
| Coordinating volunteer prison visitors | |
| Preparing offenders for (conditional) release | |
| Preparing prisoners for home leave and/or providing support during home leave | |
| Providing support to persons that have been pardoned or amnestied | |
| Providing advisory report with respect to amnesty or pardon | |
| Participating in organizing help and support for the victims of crime, their family members and family member of offenders | x |

One segment of probation work includes participation in organizing help and support for victims of crime, their family members as well as family members of offenders. In regard to these activities, probation service is gathering information about possibility of providing psychosocial help in different communities and is assisting victims to include themselves in needed treatment (Rule 56). These activities can be requested by the state attorney, judge, victim, their family members or family members of the

offender, but they are not yet implemented in practice.

5.3. Care and after-care outside the criminal justice system

Prison and/or penitentiary can ask probation service to perform different tasks in order to provide assistance in terms of after-care or post-penal support. That can include organizing accommodation, help in finding permanent work, as well as preparation of victims and family members for the prisoner release (Rule 61). Until this moment, probation service is not involved in these activities if not specifically requested from the prison/penitentiary.

6. Probation Methodology

According to the Law on Probation, a person can only be included in probation sanctions based on personal consent (Rule 6), because both conditional sentence (with or without supervision) and community work represent alternative to prison sanctions of fines.

The main intention in probation work is to enable supervision of offender throughout all phases of process (pre-sentence, non-custodial sentences, prison sentences, supervise release) and to implement end-to-end principle in the process. There is a single named probation officer responsible for each offender, from assessment, planning, building offender's motivation and advancing their readiness, to the management of all services provided to the offender and evaluation of progress. When writing a report for the state attorney, the offender will be informed about the purpose of this report, while the presumption of innocence is an obligation for probation officer. In order to give relevant and updated information about the offender, it is of most importance for the offender to be included in this process. Within community supervision, when working with offenders, the main perspective is desistance-based, with "help and change" principles for intervention, rather than "punishment and control" (Rule 76). Interventions are conducted as one-to-one practice, with emphasising face-to-face contact, holistic and individualize approach in risk assessment and while proposing/choosing interventions (Rule 66). Treatment philosophy is in changing life-style methods, social networks, beliefs system and values, with encouraging hope, self-esteem, perspective of making choices and gaining control over one's life, motivation for change and belonging to the community. This is also conducted through strengthening positive factors of the offender and his social network/community, support in overcoming life obstacles such as addictions, poverty, low education level and unemployment, learning new skills and handling with stress situations. Important emphasis is put on strengthening social capital - family and social relationships. On the other hand, as well as directed on individual's goods and potentials, interventions are also focused on managing or reducing risk. In this regard, it is important to set specific targets for the work in partnership with the offender by principles Good Lives Model of Offender Rehabilitation (GLM). GLM is a strength-based rehabilitation framework that is responsive to offender's particular interests, abilities and aspirations. The basic premise is that offenders, like all human beings, require certain primary and secondary goods and opportunities to be able to live a pro-social life. Probation officer assists offender to develop intervention plan (good life plan) that help offender to acquire the capabilities in achieving outcomes that are personally meaningful to

him/her. Probation officer tries to “equip” offender with the necessary internal and external capabilities to secure primary goods in socially acceptable and personally meaningful ways. In essence, the GLM model states that the enhancement of offender’s well-being has a direct impact on reducing risk and increase of community safety.

When choosing different methods of treatment, Croatian probation service is relying on foreign countries and their research, since there is no immediate experience in this field (Rule 77).

Every offender has “his own” probation officer. The work of probation officers is in accordance with case management principles (assessment, planning, co-ordinated implementation of the plan, review, revision and evaluation). All probation officers were trained in risk-need- responsivity (RNR) model and this model is also present in the practice. The RNR model states that the risk and needs of the offenders should determine the interventions appropriate for addressing the offender’s criminogenic factors. Depending on risks and need at the beginning or during the supervision process, probation officer can include other treatment experts (e.g. addiction treatment, mental health disorders, parental behaviour, couples/partnership counselling, accommodation, education, employment etc.). Probation officer who performed the assessment (approved by the chief of probation office) also continues to work with the offender in treatment. Even though the offender may have more than one obligation or sanctions, the intention is to engage one (the same) probation officer in all these cases (Rule 80).

Risk assessment is performed for the purpose of creating individual treatment program, its evaluation and for different reports (Rule 66). Assessment analyses data and information about the offender are following:

- criminal behaviour,
- accommodation,
- education, vocation and employment,
- managing finances,
- life-style and social relationships,
- drug and alcohol use,
- emotional status and adaptation,
- behaviour and attitudes,
- health status, and
- other relevant data that can contribute to the quality of the assessment.

Data is gathered from the offender, his family members and/or from other relevant documentation within the justice system, welfare system, health organizations, other experts etc.

Assessment must be thoroughly individualised and conducted through exploration in partnership with the offender, who is also informed about the outcome (Rule 68). Use of instrument also encourages professional judgment for probation officers (Rule 71), as well as respecting obstacles to desistance that are not necessary in correlation with the criminal offence. Offenders’ perception of situation and his own problems, aspirations and strengths is also encouraged (Rule 67). Risk assessment is conducted by specially educated probation officers (Rule 71) with the aim to define individual treatment program, his evaluation, for the purposes of court reports when deciding upon a sanction or when it is requested (Rule 70).

Individual treatment program is created based on the assessment, and the offender is informed about its content in appropriate manner, after which he has to sign it as a confirmation of acceptance (Rule 73). This program is a fundamental professional document consisting of pedagogical, educational, health, psychological, social and other professional actions and methods for reducing risk of recidivism. It has to be continuously revised and re-evaluated and, based on the results, probation office is reporting relevant official bodies (execution judge, the court, state attorney) (Rules 69 and 81).

Probation officers mostly use methods and treatment techniques based on cognitive-behavioural paradigm, but are also free to use other methods that are established and if they are adequately trained for them.

Probation service is not conducting specific group programs. For the purpose of group treatment of specific behavioural or mental health problems, offenders are referred to health institution or different non-governmental organizations that provide with needed interventions (e.g. addiction, violent behaviour etc.).

The work of probation service is supervised from the courts, execution judges and state attorneys though evaluation of probation work they required (Rule 103).

7. Finances, Accounting, Registration Systems and Evaluation Procedures

7.1. Finances

Croatian probation system is entirely financed from the state budget. So far, only Ministry of Justice is financing all probation activities, while other public bodies and local communities do not (Rule 10). In 2011, probation system received around 1.5 million euro's. This amount will be distributed as follows:

- around 1.025.000 euro's for wages and daily travel expenses,
- around 238.000 euro's for operational functioning of probation system (business trip expenses, trainings and educations, office material, phone and mailing bills, etc.)
- around 133.000 euro's for decorating and furnishing probation offices, and
- around 144.000 euro's for co-financing EU IPA project 2008.

Probation system had 69 employees on the last day of 2011, comparing to 2.630 employed in the prison system, which cost state budgeted around 71 million euro's (average expense of 37.75 euro's per prisoner per day).

Even though Strategy for the Development of Probation System in Croatia 2007-2012 anticipated that probation officers will have equal financial benefits as prison staff, due to recession and measures of cutting state budget expenses, this rule was not adopted. Therefore, probation officers have lower wages and financial benefits comparing to prison staff.

Table 5. Prison / Probation expenditure

| | Probation System | Prison System |
|--|------------------|------------------|
| Total current yearly expenditure | 11.482.990 € | 538.928.837,00 € |
| Average number of employed staff | 69 | 2.630 |
| Daily average number of offenders/clients dealt with | 1.040 | 5.084 |

7.2. Accounting

Probation system is not independent in managing finances. Every expense must be approved by the Sector for Financing in the Ministry of Justice Secretary. At the end of each year Directorate for probation plans and proposes expenses for the next year, while the Secretary approves it and controls its spending. State Office for Revision is an outer control that revises all expenditure once a year (Rule 15).

7.3. Registration System and Evaluation Procedure

At the moment, there is no registration system focusing on activities of workers and organizations within the probation service system. Also, there is no case record system focusing on probation clients. Probation offices use simple excel data base (in table form) about the clients, verdicts, sanction, criminal offence etc. that are only for internal use.

Probation offices do not have internal network that would enable direct sharing of information, nor do other services have excess to these data directly.

Creating computerized software is planned in 2012, as well as the case register that will be connected with part of prison system and police.

Since probation offices started with their work 6 months ago, and many probation officers are still in education and training process for new intervention skill, formal evaluation of all probation sanctions is planned in some future period and is not conducted at the moment.

8. Societal Support and Clients' Views**8.1. Societal Support and Public Opinion**

Bilateral projects conducted until this moment showed high level of initial support for implementing probation service in Croatia within criminal justice system.

This support was gained from many state agencies and academic/university community. Further challenge is to maintain this support and to establish professional network that will enable services from other stakeholders and bodies in the criminal justice system.

Action Plan for the Development of Probation in Croatia 2010-2014 defines strategic cooperation with governmental institutions and wider social community through interactive probation web-page, meetings and professional conferences, as well as local partnership with NGOs (Rule 106).

Within current web-pages of Ministry of Justice, Directorate for probation and victims and witnesses support provides an overview of some main information such as: organizational structure, contacts, international cooperation, mission, relevant legal documents, strategic documents, annual reports, press releases etc. Probation service is also promoting its activities in the media (television, press and internet) (Rule 108). Media is mostly reporting about overcapacity of Croatian prison system and presents probation system as a potential to overcome this issue. Sometimes, press is inclined to overestimate the power of probation system in preventing offences and overcoming different social problems. Credibility of probation system in public and its social support may be disturbed by slow implementation of all probation activities, insufficient number of probation offices and probation officers, which are all result of current financial recession and budget cuttings. Probation service regularly provides annual reports to the Croatian Government and public (Rule 107). Further strategy for communication with the media will be developed through the earlier mentioned Twinning project “The Development of Probation System in Croatia”. Informative brochures and other materials will be created and distributed to all relevant stakeholders.

8.2. Clients’ Views

Again, due to the recent development of probation system in Croatia (6 months ago), special research on client’s views (suspects and offenders) have not been conducted so far. The fact that there are not many complaints from the clients about the work of probation officers can provide a positive and optimistic feedback in current organizational structure.

9. Probation Clients’ Rights

All persons engaged (included) in probation activities have an obligation to follow the rules and activities from depending on the sanction, measure and individual program of intervention. In this process, they are guaranteed all the civil rights in accordance with general rules.

Constitution of Republic of Croatia, as well as other international documents adopted and ratified, guarantees activities with respect of human dignity, human actions and forbids any type of discrimination. The Law on Probation clearly states these rules and forbids any type of molestation, abuse, humiliation, health or scientific experiments, as well as any kind of discrimination (due to race, ethnicity, skin colour, gender, language, religion, political and other beliefs, national or social/financial status, age, health status, gender identity, expression or sexual orientation, etc.). Person involved in probation is also guaranteed protection of identity and confidentiality of personal data (Rule 41).

Community work sanction can only be executed in institutions with individuals with whom the Ministry signed a special contract. Offender is placed to work on a job according to his psychophysical abilities and health status. General rules about protection at work, as well as the right to rest, are used in execution of this sanction that is deterrent in days of work, while the schedule must not disturb other obligations of offender such as his current job or care for a sick family member. Community work can be postponed or intermeshed, depending on reasons stated in the legal acts.

Regarding intensive supervision, probation office in its report states the regularity of compliance to regulations and obligations. Reactions to any violations are in the power of the official body that designated sanction or measure (state attorney or the court).

Every person involved in probation has a legal right to gain insight into his personal file, except probation officers' notes and professional opinion (Rule 92). Every person (suspect, offender, victim, witness, family member, etc.) also has a right to plea a complaint on the probation officer if they think their rights have been violated (Rule 14). The complaint can be submitted verbally (and then officially recorded in report) or in written text. Probation office is obliged to verify and explore complaint within 30 day and respond to the person (Rule 101). If the person is not satisfied with the response, another complaint can be submitted to the Central Office (Rule 100).

Other possibility is to plea a complaint to the official body that involved a person in probation work (state attorney, the court, execution judge or the prison system), as well as to the public ombudsman (Rule 100).

10. Developments to be expected

Probation officers started with their work in June 2011. This short 6 month period of professionalization of probation service makes her very young, in its beginning of development.

10.1. Developments in Coming Years

The main goals stated in an Action Plan for the Development of Probation in Republic of Croatia 2010-2014 are:

- adopting comprehensive and clear legal and program framework for probation work,
- creating infrastructure for execution of all probation work on the national level,
- continues employment of probation officers educated for professional and efficient implementation of sanctions and other probation work activities,
- creating efficient organizational structure in probation, with clear and efficient channels of communication,
- development of efficient interaction with social community,
- defining general program of further professional and organizational strengthening of probation service in Croatia.

Three new probation offices are planned to be opened in the upcoming period - in the cities of Varaždin, Zadar and Dubrovnik. It will also be necessary to open smaller offices (branches of the main probation office) closer to some offenders in communities, because the current network is not sufficient for all territorial needs in Croatia.

Within IPA 2008 EU Project "Strengthening of the Probation System in the Republic of Croatia", the following activities are expected:

- education and trainings of all probation officers,
- revision of current strategies and development of new ones.

This project in its technical assistance part, together with the Twinning project and procurement of equipment and works will invest in furnishing and technical support for all probation offices.

Opening ceremony of the Twinning project “Development of Probation System in the Republic of Croatia”, financed as a part of the European Union for Croatia IPA 2008 was held on Friday, 30 September 2011. Project value is 1.2 million euro’s and its objective is to provide support to the Ministry of Justice in creating sustainable development of national probation service. It will support the newly established Directorate for probation and support to victims and witnesses in the Ministry of Justice. Project will last from June 2011 to March 2013. It is financed as a part of IPA 2008 for Croatia, and is implemented by the UK Ministry of Justice in partnership with the Czech Republic. Expected project results are the preparation of the Directorate for efficient management of probation system throughout institutional strengthening, development of instruments for risk assessment and offenders’ needs, training of the staff and strengthening of Directorate’s capacities throughout education and training.

One of the important goals is also to create set of workshops intended for probation officers, as well as to establish and educate initial, Croatian team of trainers - Training for Trainers.

Topics of workshops for probation officers shall be:

- Introduction to the Probation Service,
- Case Management and National Standards,
- Motivational Interviewing,
- Diversity,
- Victims,
- Work with the Roma,
- Compliance and Recording,
- Identifying and responding to criminogenic needs,
- High Risk Offenders,
- Pro Social Modelling,
- Role of Admin Staff and Managing Difficult People,
- Training for Managers.

European Framework for Quality Management education will also be conducted, with the following specific goals:

- to understand the basic concept of EFQM,
- to recognise the value that EFQM offers,
- to be familiar with EFQM underlying principles,
- to understand the concepts of ‘Enablers’ and ‘Results’,
- to achieve an understanding of the scoring matrix,
- to understand what performance management is and its importance,
- to understand the performance management framework,
- to identify the performance indicators which will measure success,
- to understand the concept of ‘the balanced scorecard’.

The main goal is to create a managing framework with identified main indicators of implementation and follow-up methods, in accordance with EFQM standards. It is expected that leaders and chiefs within probation service will then follow contemporary European experiences and guidelines, as well as implementing them in Croatian probation system.

Twining project will also include different workshops for judges and state attorneys,

with the main purpose to familiarize them with the concept of probation and motivate them to use probation services. Project will also create communication strategy of probation service that also includes the development of partnership and inter-disciplinary, as well as inter-agency work, since protocols and contracts on the national level have not been established yet.

The current Strategy for probation Service 2008-2012 will be reviewed and new one will be prepared for the 3 year period (from 2013-2015). In 2012, workshops Workload and Workforce Planning in the Probation Service of Croatia will also be conducted, with the aim to ensure that in the long term there are sufficient human resources with the right skills and expertise, in the right offices at the right time for the Probation Service to be able to execute the quality and quantity of service delivery that is required of it. After these workshops, long-term strategy for human resources in projection of all probation work and skills needed is expected to be brought.

IPA 2008 EU project also ensured computerization of probation service. This project started at the end of August 2011, with specific goal to develop and implement computerized support as national probation register that will be use within probation service. It is of most importance that this system is built with the possibility for further up-grading and integration with other systems, to ensure sharing of information between police, prison and probation systems.

10.2. Implementation of EU Framework Decision 947

Croatia implemented EU Framework Decision 947 with legal acts on international cooperation with European Union member states from July 2010. This regulation will come in force when Croatia becomes a full member of European Union.

11. Important Publications

11.1. Croatian Publications

1. Maloić, S. and Šimpraga, D. (2007): **Commissioners Conducting Protective Supervision and Community Service: First “probation officers” in Republic of Croatia**, Criminology and Social Integration Journal, 14 (2), pp. 91-107.

Implementation of legal sanctions of protective supervision and community service in Republic of Croatia attracts increased attention of professionals, especially experts interested in implementation. This paper provides answers to some of the frequently asked questions related to implementation of these sanction - what is the legal frame, under which authority, in which scope is the sentence issued and who participates in implementation, in which way are non-incarcerated convicts treated and what are the mechanisms of control, who can be the trustee, what does he/she needs to know and what is trustees' scope of work activities. Paper presents actual status, role, jobs and responsibility of the trustees, and their possible jobs in the future, since this aspect of alternative sanctions implementation attracts the largest interest of the experts - potential trustees (some of them with ambition of becoming probation officers one day). Above mentioned information can also be of use for today's trustees, since this expert field is new in the Republic of Croatia and the domestic experiences and literature is still very limited.

2. Kovčo Vukadin, I., Rajić, S. and Balenović, M. (2009): **The Introduction of a Probation System: a New Challenge for Croatia?**, Croatian Annual of Criminal Law and Practice, 16 (2), pp. 711– 751.

The rise in crime rates and the consequent higher imprisonment rate have resulted in the overcrowding of many prisons, in general and both regionally and locally. Evaluations of existing institutional treatment programmes for inmates have not shown promising results in terms of successful offender reintegration or a reduction in recidivism. This situation has motivated many countries to develop various community sanctions along with measures and services for their implementation. Probation systems exist today in the majority of European countries and, regardless of different legal frames, very similar activities can be identified in different stages of criminal proceedings. With the creation of the Probation Act and the establishment of a Directorate for Probation, Croatia stands before a very extensive and demanding area and is faced with great expectations from citizens, politicians, professionals, victims and offenders.

3. Šimpraga, D. and Vukota, LJ. (2010): **Pilot Project “Conditional Release of Prisoners”**, Croatian Annual of Criminal Law and Practice, 17 (2), pp. 813 – 817.

The Criminal Code, the Act on the Enforcement of Prison Sentences and the Probation Act regulate conditional release and the supervision of conditionally released prisoners. Early release is possible during the second half of the sentence. The prisoner initiates the proceedings for a decision on conditional release by appealing to the warden of a prison or penitentiary and proposing early release. The Prison System Administration prescribes the form for the data that are forwarded to the members of the Committee for Conditional Release. Together with the prisoner’s appeal and annexes to the appeal provided by the prisoner. In the event of a positive decision on the appeal, the Committee may decide on certain obligations that the prisoner must comply with during conditional release. The aims of such obligations are the continuation of treatment, follow up and supervision, as well as the prevention of criminal recidivism. Supervision during conditional release carried out by a probation officer means better security for the community and the more successful reintegration of the offender. In the period from June 2009 to March 2010, a pilot project of supervised conditional release in two penitentiaries took place within the SPF project of support for the introduction of a probation service in the Republic of Croatia in collaboration between the Prison System Administration and the Administration of Probation and Support to Victims and Witnesses, together with English partners. Within this project, the application form for the procedure of conditional release was amended, reports on the social environment to which the prisoners are released were collected from probation officers and the tools of the System of Offenders Assessment were applied on a sample of 29 prisoners in two penitentiaries.

4. Kovčo Vukadin, I., Rajić, S. and Maloić, S. (2011): **Challenges in Establishing the Probation System in Croatia**, Croatian Annual of Criminal Law and Practice, 18 (2), pp. 717-735.

After recalling the basic principles of European probation rules, the authors give an overview of the completed activities (at a legislative as well as an organizational level) and describe future activities in the development of the probation system regarding organizational capacities and quality assurance in probation activities.

The authors conclude that the development of the probation system is a process that takes time, since achieving all the probation activities requires a sufficient number of probation officers and probation offices, the training of probation officers, raising the awareness and educating all cooperating bodies, as well as establishing proper models and protocols for cooperation. Besides time, for the effective implementation of the stated activities, financial, material and professional resources are also needed.

5. Uzelac, S. (2002): **Protective supervision - a methodic of socio-pedagogical work**, Globus, Zagreb.

6. Rajić, S., Maloić, S. and Knotek-Iveta, Ž. (2005): **Implementation of the Suspended Sentence under Protective Supervision and the Community Work - Alternative Sanctions in Republic of Croatia - Present Situation and Perspectives**, Criminology and Social Integration Journal, 13 (1), pp. 119 - 132.

7. Kokić Puce, Z. and Kovčo Vukadin, I. (2006): **Implementation of Alternative Sanctions in Croatia**, Croatian Annual of Criminal Law and Practice, 13, 2, pp. 745-794.

8. Bumči K. i Tomašić T. (2006): **Community Work and the Suspended Sentence with Protective Supervision and Their Practical Application**, Croatian Annual of Criminal Law and Practice, 13 (1), pp. 237-261.

9. Doležal, D. (2006): **Probation Officer**, Criminology and Social Integration Journal, 15, 2, pp. 37-50.

10. Maloić, S. and Šimpraga, D. (2008): **Alternative sanctions and work of probation officers for conducting intensified care and supervision with suspended sentence and community work**, Center for Education in Directorate for Prison System, Ministry of Justice, Zagreb.

11.2. Foreign Publications

1. Smith, D. (2005): **Probation and Social Work**. British Journal of Social Work, 35 (5). pp. 621-637.

2. Canton, R. (2011): **Probation: working with offenders**. Routledge. Abingdon.

3. McCulloch, T. (2010): **Realising Potential: Community service, pro-social modeling and desistance**. European Journal of Probation, 2 (2), pp. 3 – 22.

4. Trotter, C. (2009): **Pro-social Modelling**. European Journal of Probation, 1 (2), pp. 142-152.

5. Purvis, M. and Ward, T. (2011). **The Good Lives in Practise: Offence Pathways and Case Management**. European Journal of Probation, 3 (2), pp. 4-28.

12. Main Addresses, Phone & Fax Numbers, E-mail Addresses, Home Pages

Ministry of Justice

Directorate for Probation and Victims and Witnesses Support

Central Office

Medulićeva 34

10 000 Zagreb

Croatia

Phone: +385 1 4862 303

Fax: +385 1 4862 332

E-mail: andrea.kovacevic@pravosudje.hr

Home page: <http://www.mprh.hr/>

University of Zagreb

Faculty of Education and Rehabilitation Sciences

Borongajska cesta 83f

10 000 Zagreb

Croatia

Phone: +385 1 2457 000

Fax: +385 1 2457 559

E-mail: dekan@erf.hr

Home page: <http://www.erf.unizg.hr/>



General Information

- Number of inhabitants: 4.290.612
- Prison population rate per 100,000 inhabitants: 115
- Link to Probation Service: <http://www.mprh.hr/ustrojstvo-uprava-za-kazneno-pravo>
- Links to websites: www.mprh.hr (Ministry of Justice)
- Member of the CEP in: 2010.

Characteristics of the Probation Service

- Probation service is organized within the Ministry of Justice, Directorate for Probation and Victims and Witnesses Support,
- Directorate is organized with the Central Office in Zagreb and 12 regional probation offices,
- Probation work is conducted by probation officers, who are civil servants, employees of Ministry of Justice,
- Probation service is financed from the state budget.

Tasks

Probation service works with major offenders (adults), while juvenile probation is in jurisdiction of social welfare system. Implementation and execution of probation work and activities can be ordered by state attorney, the court, execution judge, prison/penitentiary, victims, victims' family and family of offender.

Core activities of the Prison and Probation Service are amongst others:

- conducting community work,
- conducting suspended sentence with supervision (probation),
- reporting state attorney when deciding about further charges or when conditions are ordered on further charges in criminal process,
- supervision of obligations accused must execute in cases when state attorney conditionally withdrew the charges.
- reporting the court when deciding about measures of ensuring presence of accused and other measures of warning,
- reporting the court when deciding about the type of criminal sanctions,
- reporting execution judge when deciding about suspending or intermeshing execution of prison sanction and supervision of offender in the community when prison sentence is suspended or intermeshed,
- reporting prison/penitentiary when deciding about convenience to exit prison/penitentiary for a period of time, and supervision of these conveniences,
- reporting prison/penitentiary when deciding about conditional release (parole) and supervision of conditionally released offender,
- reporting prison/penitentiary regarding preparations in community for

- prisoners' release,
- participation in organizing help and support to the victim, victim's family and family of offenders.

One of the important tasks of probation service is criminogenic risk/need assessment for every offender. In conducting all probation measures and sanctions, probation officer must balance between supervision and help, retribution and rehabilitation, control and constructive strategies. Therefore, probation service cooperates with different institutions and organizations (governmental and nongovernmental) aiming to provide wide range of services to different types of clients.

Number of staff (average numbers in 2011)

- Probation Officers: 29
- Probation Managers, all grades: 9
- Administrative support staff, all grades: 10
- Community Service Supervisors: X

Total: 48

- Daily average number of offenders dealt with: 1.040 (27 cases per probation officer)

Central Office is in charge of the development of probation service and coordinating its implementation. Employees in Central Office are: the principal, head of the sector for probation four chiefs of departments, three higher advisors and two administrative clerks.

New developments

- in 2007 - Establishment of the Croatian Nation Probation Service Five Year Strategy 2008-2012 was adopted; two main goal are the development of the professional practice and development of professional organization,
- in 2009 - The Law on Probation was adopted; Directorate for Probation was established with the team for development to establish preconditions to implement probation work in practice,
- in March 2010 - Directorate for Probation changes its name and becomes Directorate for Probation and Victims and Witnesses Support,
- in June 2010 - Croatian Government adopted an Action Plan for the Development of Probation in Croatia 2010-2014,
- during 2010 - all legal implementation and execution regulation determined by the Law on Probation were adopted
- in June 2011 - first probation officers and probation offices started with work,
- in June 2011 - beginning of IPA 2008 EU project "Development of Probation System in the Republic of Croatia" - the main goal of this project is to ensure major task of the National Strategy - development of professional organization with professional services,
- beginning of computerized networking within probation service (central office and probation offices).

Probation during the different stages of the criminal procedure

| | Pre-Trial Phase | Trial and Enforcement Phase | Post Release Phase |
|---|-----------------|-----------------------------|--------------------|
| Preparing pre-sanction report | | X | |
| Supervising etc. sanction of probation | | | |
| Supervising etc. conditional sentence | | | |
| Supervising etc. special measures drug addicts | X | X | X |
| Supervising etc. community service | | X | |
| Supervising training or learning projects | | | |
| Interventions with young offenders | | | |
| Supervising etc. suspended sentence | | X | |
| Assistance/support of offenders in prison/detention | | | |
| Preparing pre-release reports, prisoners | | | |
| Supervising conditional release/parole | | | X |
| Supervising post custody, sex offenders | | | |
| Preparing victim impact reports | | | |