



### **General Information**

- Number of inhabitants at the beginning of May 2009: 8.38 million.<sup>1</sup>
- Prison population rate per 100,000 inhabitants: 99.
- Link to Probation Service:
  - [www.neustart.at](http://www.neustart.at)
- Links to websites:
  - [www.bmj.gv.at](http://www.bmj.gv.at) (Ministry of Justice)
- NEUSTART became CEP member in 1982.

### **Characteristics of the Probation Service**

- NEUSTART (before 2001 VBSA, Association for probation service and social work) is a private organization, purchased by the Federal Ministry.
- The General Contract of 1994 between the Federal State and NEUSTART defines responsibilities and functions of both parties. Part of the contract is i.e. a catalogue of all services for which NEUSTART is financed by the Ministry.
- According to the Constitutional Court, probation falls under the jurisdiction of the federal government. The statutory probation services are performed by a single organization (NEUSTART).
- Supreme principle underlying the work of the Probation Service is the prevention of crime and its consequences, which is reflected in the three fields of activity:
  - victim support, to overcome victim status and regain self-determination;
  - perpetrator support, to avoid recidivism by assisting in re-integration;
  - prevention, to avoid potential conflict and give guidance for the constructive resolution of problems.
- Probation as a matter of special prevention may be ordered for adults and juveniles (14 to 18 years of age) in a specific context, whenever punishable acts are concerned.

### **Tasks**

A court or a public prosecutor orders probation activities. A court orders that probation activities are provided when a delinquent is given a conditional sentence or a conditional release. Public prosecutors may order probation

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<sup>1</sup> International Centre for Prison Studies (2009), *Prison Brief for Austria*. London: King's College. Available online at: [www.kcl.ac.uk/depsta/law/research/icps/worldbrief/](http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/)

activities until the beginning of the trial, provided that the client consents. Next to probation activities NEUSTART also carries out:

- mediation in penal matters;
- acting as an intermediary for community service;
- aftercare offered to persons released from prison who are not on probation (post-release aftercare) on a voluntary basis;
- assisted housing for clients of probation service and the post-release aftercare service in two of the nine federal provinces;
- work training for clients of the probation service and the post-release aftercare service in two of the nine federal provinces.
- victim support in three federal provinces;
- trial support for victims throughout Austria.

### **Number of staff on 28 February 2007 (in full-time equivalents)**

Staffing levels	total
Probation work total	482.50 (total number of people employed: 598)
Management	56.50
Social Work	339.50
Administration and other	86.52

- Number of volunteers: 780 volunteers in 14 agencies and the association headquarters.
- Daily average number of offenders dealt with by professional staff: unknown, but in 2006 roughly 39,400 persons were supported by NEUSTART. The costs of services and programmes amounted to about 35.7 million euro.

### **New developments**

- In 2004 NEUSTART won a bid to lead the probation service and court support in certain project areas in Baden – Württemberg, Germany. Since the project was finished in 2006, NEUSTART gemeinnützige GmbH was in charge to do the work for the whole of Baden – Württemberg.
- A pilot project, which provides for an option to do community service instead of paying a fine. Project aims are avoiding custody in stead of fines and compensation to society by work for community.
- Project to increase the use of electronic monitoring. It is used in a pilot project involving offenders conditionally released from custody (courts are able to order it for up to six months).
- Increase the number of conditional release cases. Goal is to increase the conditional release rate (only 20% of all releases) by using probation work to a greater extent.

- Qualification measures and employment for persons in custody and post release (EU-supported EQUAL project). Within the project persons who will be released in the near future are offered support, work training, education and qualification. The special feature of the project is that courses and training start during custody and are continued after release.
- NEUSTART contributes to more victim orientation in criminal law by offering more assistance and support to victims, so that they can cope with their situation as good as possible and develop ways to leave behind being a victim.

### Probation during the different stages of the criminal procedure

	Pre-Trial Phase	Trial and Enforcement Phase	Post Release Phase
Supervision/assistance etc. to offenders whose cases were conditionally waived	x		
Mediation/victim support	x		
Supervising/organizing etc. community service	x		x
Supervising etc. electronic monitoring			x
Supervising etc. suspended sentence	x		
Supervising etc. the mentally ill or retarded offenders (in-out patient orders)			x
Supervising etc. conditional sentence		x	
Supervising etc. conditional release/parole			x
Post-release aftercare			x
Assisted housing		x	x
Voluntary training program in workshops			x

This summary is based on the country chapter in the book *Probation in Europe*, the most comprehensive survey of probation systems and services in Europe today. If you wish to order it, please click [here](#).

