



### **General Information**

- Number of inhabitants: 60.10 million at the end of 2008. <sup>1</sup>
- Prison population rate per 100,000 inhabitants: 97.
- Link to Probation Service:
  - [www.giustizia.it/giustizia/it/mg\\_12\\_3\\_6.wp](http://www.giustizia.it/giustizia/it/mg_12_3_6.wp) (website Directorate General for the Execution of Sentences in the Community).
- Links to websites:
  - [www.giustizia.it/giustizia/it/mg\\_12\\_3.wp](http://www.giustizia.it/giustizia/it/mg_12_3.wp) (website Department of Penitentiary Administration).
- Member of the CEP in: 1982.

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

- The Probation Service is a state service, which is part of the Department of the Penitentiary Administration (which falls under the authority of the Ministry of Justice).
- The Service is organized on three levels:
  - national level: the Directorate General for the Execution of Sentences in the Community is responsible for the Offices for the Execution of Sentences in the Community (UEPEs). Furthermore the Directorate General guides and coordinates the activities of the local offices, sets out the yearly guidelines and objectives with regard to the execution of sentences in the community, analyses the programmatic regional documents and manages/plans the allocation of the financial resources to the central and local office(s) of the Directorate.
  - regional level: this level is made up of Regional Superintendencies of the Penitentiary Administration. The Superintendencies are responsible for, amongst others, rehabilitation programmes, offenders in custody and for offenders to whom community measures have been granted.
  - local level: the UEPEs deal with adults and Probation Service Offices for Juveniles take care of juveniles.
- The total budget for the Penitentiary Department in 2005 was 2.585 billion Euro, of which 2% was allocated to the Probation Services.
- For some of its tasks the Probation Service can make use of the assistance of voluntary organizations and volunteers. Volunteers carry out a number of activities, which are aimed at supporting prisoners.

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<sup>1</sup> International Centre for Prison Studies (2009), *Prison Brief for Italy*. 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/)

They, amongst others, cooperate in cultural and recreational activities, provide assistance to the prisoners upon release and to their families, but also support persons who are sentenced to community sanctions and measures. In 2009 there were approximately 200 voluntary associations, which work in Italian prisons carrying out initiatives and projects representing a valuable and irreplaceable help to the prisoners' rehabilitation. These 200 associations are occupied by 7,323 volunteers.

## **Tasks**

The Probation Service comes into action after the final sentence has been passed (so the Service does not have the task of preparing pre-sentence reports). This means that the Service, with few exceptions, is only involved in the enforcement phase. Therefore its main task concerns the enforcement of community measures, like the assignment to the Probation Service of offenders/special categories (drug addicts or alcoholics), home detention and semi-liberty. The assignment to the Probation Service replaces the prison sentence and entails a rehabilitation programme that is carried out in the community under supervision of probation officers. Semi liberty means that the offender may spend part of the day outside prison for the purposes of work, education or other activities that contribute to his or her reintegration into society. Furthermore, the Probation Service is in charge of the execution of alternative sanctions (semi-detention, monitored liberty). These sanctions can be imposed by a judge to keep petty crime offenders out of prison. If a defendant (who is in prison or at liberty) is sentenced for up to one year of imprisonment, the judge is able to substitute the sentence by semi-detention. If a person is sentenced for up to six months of imprisonment, monitored liberty can substitute the prison sentence. A prison sentence for up to three months can be substituted by a fine. With regard to persons sentenced to monitored liberty, the Probation Service carries out actions useful for his/her social rehabilitation. The Probation Service plays no role in the decision-making process of the judge. This means that the Service does not provide courts with pre-sentence reports. Moreover, probation officers provide assistance and support, among others, to conditional released prisoners, in case of work release (offenders in custody or internees are allowed to work outside the institution) and conditional suspension of the final part of the custodial sentence. The Probation Service has a liaison role between the penitentiary institution and the community (families and social services). Inside the institution the probation officers observe the offenders, take part in rehabilitation programmes, work in multi-professional teams, and have contacts with offenders regarding relations with their families and their reintegration into society. The probation officers advises the Supervisory judge whether an offender might be subject to community sentences. Community service is open to young offenders, not to adults.

**Number of staff** (on 28 November 2006)

- Management:	45
- Probation workers:	1,170
- Administrative and other staff:	441
<b>Total:</b>	<b>1,656</b>

- Total number of clients in charge of Probation Services on 31 December 2005: 88,697.

**New developments**

- The proposed modification of the Penal Procedural Code intends to introduce, with regard to adults, the suspension of the enforcement of the sentence combined with probation, for sentences up to two years. This measure, that is already operational in the juvenile penal system, would be extended to adult offenders. The new law should significantly innovate the Italian Probation Service's duties: up to now the Service entered into action when the penal proceedings are over. Within the new system the Probation Service should be involved during the trial phase, by the sentencing judge, and no longer just relying on the Supervisory Court in the enforcement. However, this is only a proposal and its outcome is not decided yet.
- Within the UEPE's professionals different from probation officers have been recruited. Psychologists for instance provide their expertise both in the phase of evaluation of the individual and during the phase of execution of the alternative measure. The most immediate consequence is that the work of the probation officer is supported by the point of view of a complementary specialist. The consequent action shall then be more complete and accurate.

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

	<b>Pre-Trial Phase</b>	<b>Trial and Enforcement Phase</b>	<b>Post Release Phase</b>
Supervising etc. semi-liberty			x
Supervising etc. semi-detention			x
Assistance / support to prisoners in prison		x	
Assistance / support to offenders in home detention		x	
Supervising etc. conditional release/parole		x	x
Social and family inquiries for the enforcement of alternative measures		x	

Social and family inquiries for the application, modification etc. of "security measures"		x	
Supervision of offenders "assigned to the Probation Service"		x	
Contributing in the "observation of the personality" and treatment programmes of convicted prisoners		x	
Supervision of prisoners admitted to work releases, "reward" leave permits, leaves of prisoners under the regime of semi-liberty.			x

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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](#).

