



# Probation and Probation Services

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## □ What is probation?

- History
- Trends
- Similarities
- Differences
- Core Tasks
- New trends
- Remarkable findings

# WHAT IS PROBATION ?

- Methods of punishment
- Probation as system
- Coherent set of interventions combined with supervision and control

- Early help
- Mediation
- Diversional measures
- Prevention
- Social enquiry reports

## TRIAL/EXECUTION PHASE

- Pre-sentence/advisory reports
- Guidance and support
- Community sanctions
- Preparation for reintegration
- Supervision and control
- Social work in prisons

- After-care
- Re-integration activities
- Guidance and support (on voluntary basis)
- Prevention

NB: Since 1-1-2007 swedish Probation Service initiates and co-ordinates all action plans to further post-release adjustment in the community of those serving prison sentences

# HISTORY

- 19th century: focus changed from criminal act to criminal offender
- Criminal law became more individualised, attention for rehabilitation
- Voluntary work tradition, from individuals and (Christian) charitable organisations
- 20th century: work of private probation organisations taken over by the state.
- 20<sup>th</sup>-21th century : professionalisation of probation work.

- Development of probation is influenced and embedded in society's general development
- Diversity in EU countries due to linguistic, social, cultural political differences
- Position and activities of probation services are direct reflection of developments in criminal justice



## Typology of Criminal Justice Systems

- Welfare Model
- Justice Model
- Minimum intervention model
- Restorative justice model
- Neo-correctionalist model

## TRENDS

- Rise, decline and revival of volunteer work (Scotland, Malta, and development of professional work)
- From providing assistance to supervision of offenders
- Shift from private to public (financed) probation organisations
- Introduction and increasing importance of alternative sentences like community service, electronic monitoring, mediation
- Local communities become more important (Sweden, Ireland, the Netherlands, Scotland)

## TRENDS (continued)

- Probation services activities have increasingly shifted from inside (penal institutions) to outside (community)
- Shift from simple sanction system (imprisonment, fine) to a comprehensive sanction system with alternatives for non-custodial sentences.
- Increased workload
- Risk assessment/Safe society/  
Crime control

## CORE TASKS -1-

- Providing information
- Helping and providing assistance
- Diverting
- Preventing recidivism
- Contributing to a safe society
- Enforcing community sanctions

## CORE TASKS (2)

- Supporting detainees
- Supervision and monitoring
- Involving other partners in probation activities
- Assistance of offender's families
- Organisation/implementation of CSM's

## SIMILARITIES -1-

- Tasks and activities do not differ in essence!
- Most mission statements include:
  - ✓ Public protection
  - ✓ Risk assessment
  - ✓ Effective enforcement of sentences
  - ✓ Organisation, preparation, enforcement and implementation of sanctions (including supervision)

## SIMILARITIES -2-

- Traditionally focus on offenders
- Centrally organised, controlled and financed by central government (ministry of justice)
- Increasing interest in victims of crime

## DIFFERENCES

- Priority being given in mission statement to:
  - ✓ Community sanctions
  - ✓ Preventing of re-offending
- Distinction between adults and young offenders/high risk offenders
- Role in crime prevention
- Position of probation services (part of prison service)
- Probation work in prison



- Partnership of local communities (Finland, the Netherlands, Scotland)
- Role of volunteers (Finland, Croatia, Latvia)
- Evidence based programs (accreditation of programs,)
- Audits, benchmarking, competition

## DEVELOPMENTS IN CENTRAL AND EASTERN COUNTRIES

- Impressive progress in short time (new legislation and attitudes)
- Probation services focus is on supervision of offenders
- Less aftercare nor crime prevention

## DEVELOPMENTS IN EASTERN COUNTRIES (continued)

- Limited use of alternatives (like community sanctions) and victim-offender mediation support
- Few activities in pre-trial and post-sentence phase
- However, slowly more towards offender's inclusion rather than exclusion

# HOW TO START WITH PROBATION?

- Decentralised/Centralised?
- All Tasks/Priorities in activities?
- Partnerships (Police, courts, public prosecutor, universities, political parties, local authorities, media)
- Training and education of probation officers
- Supporters (EU, CoE, CEP, PRI, OSI, NGO'S)

# Important Conditions

- Motivation
- Co-operation
- Exchange of experiences
- Perseverance

# Remarkable findings

- Lack of research on client views
- Lack of research on societal opinion on probation work
- Lack of effect studies and on studies on probation in general
- Not all countries have formulated a set of ethical standards like in e.g. (Latvia, Sweden)