



Probation in Europe

Sweden

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December, 2017

Edited by:

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ISBN/EAN: 978-90-820804-0-7

This publication was funded by the Ministry of Justice and Safety of the Netherlands and the Dutch foundation *Stichting Nationale Reclasseringsactie*

Published by:

CEP, Confederation of European Probation
P.O. Box 8215
3503 RE Utrecht
The Netherlands
www.cep-probation.org

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1. INTRODUCTION

1.1. Probation organization

The Swedish Prison and Probation Service (SPPS) is a government agency, which is subordinate to the Ministry of Justice. SPPS consists of a Head Office and six regional offices. The regional offices are head of a geographic area of remand prisons, prisons and probation units. Each regional office (which is headed by a regional director) is responsible for the operational guidance of the different units under their command. There are totally 34 probation units.

Independent supervision boards, headed by an experienced judge, mainly deal with misconduct in community sanctions. They are empowered to warn clients who violate the conditions of supervision, to require the temporary short-term arrest of clients who are out of contact, to modify the conditions of supervision and, if necessary, to recommend the revocation of probation.

1.2. Probation activities in a nutshell

The probation service is responsible for performing pre-sentence investigations, executing non-custodial sanctions, supervising conditionally released parolees, and executing shorter prison sentences through electronic monitoring (“front door scheme”). Furthermore, the Probation service has an important role in the individual sentence planning of all clients in SPPS who will at some point be placed under supervision once conditionally released. This includes the initial planning of even long-term prison sentences and working with specific pre-release measures such as electronic monitoring (“back door scheme”) and placement in half-way houses.

SPPS has, in the past few years, introduced new methods of structured assessment in the individual sentence planning, in accordance with the risk-need-responsivity (RNR) model. The structured assessment is the basis for the direction and intensity of supervision and interventions. To increase the adherence to the RNR principles in the daily work of probation officers, a structured method. Strategic Training Initiative in Community Supervision (STICS) has been adapted from Canada and implemented in the Probation service. KRIMSTICS, as it is known in Sweden, includes a structure for all client supervision, whether the client is sentenced to probation or has been conditionally released from prison, with specific interventions to be taught and used in order to increase prosocial behaviour and counteract recidivism.

The probation service adheres to the *principle of normalization*, meaning that the clients’ needs should be provided by the same community services that other citizens have access to. The measures taken within the probation service are designed to specifically address the task of reducing recidivism but still maintaining a certain level of control. This is often done in collaboration with other agencies that provide services to the clients. SPPS conducts its own treatment programmes, as well as preparatory programs, and boosters within areas of criminality, violence, and substance abuse. Furthermore, the probation service collaborates with social service agencies, the Employment Agency, health care providers, and so on, to insure that the clients’ needs are met.

1.3. General remarks about the implementation of Probation Rules

While the Probation Rules are not very well known in the general probation staff and is not widely used as a point of reference, most of the rules resonate very well with the legislative and practical probation work done within the Swedish Prison and Probation Service. The recent developments of a new structure for sentence planning and new methodology for supervision are examples of how the Probation Rules are being implemented in practice.

Of course, there is still more to be done. One area of continued development relates to a basic principle, number 4 specifically, which states that “[...] The interventions of probation agencies shall be carried out without discrimination on any ground[...]”. One such ground for discrimination that is named is language. While the SPPS is working to not make language a barrier in the interventions, and in the end also community sanctions, offered and made possible, there are still obstacles related to this. One such obstacle is that rehabilitation programmes are mainly offered in Swedish. In the past few years, efforts have been made to train multilingual staff to lead treatment programmes, along with translating work books and other material used within these programmes, to facilitate the participation of those clients with a limited knowledge of the Swedish language. Materials have also been re-worked into an easier version of Swedish, to promote accessibility. With the variety of rehabilitation programs available and the many languages spoken by clients of the SPPS, the needs still far outweigh the current offerings.

Basic principle number 13 states that “All activities and interventions undertaken by probation agencies shall conform to the highest national and international ethical and professional standards.” This is, of course, an area in which constant revision and improvement is necessary. The focus in the probation service in the past few years has been on uniform, but individually tailored, legally secure work with clients. There are still several areas in which there are unfounded differences between how client cases are handled in different probation units, due to locally developed practices. Measures are being taken to reach a larger degree of national unity in practice and increase the quality of work in the process. One such measure regards pre-sentence reports. In 2016 an audit was centrally performed, which showed that pre-sentence reports varied widely in how they were written and on what basis. As a result, in 2017 a nationally organized peer review was conducted, in which probation officers working with pre-sentence reports were tasked with auditing pre-sentence reports written by probation officers at a different probation unit. The audit was done according to a national survey and resulted in a report showing in which areas there are still unfounded differences and in which areas progress has been made. The main point of the peer review was, however, to engage the probation officers in noting differences and relating those differences to legislation, regulations, and the national handbook for pre-sentence investigations. The peer review, in and of itself, was a measure to increase national unity in practice, and early indications have shown some positive effects.

2. HISTORICAL DEVELOPMENT OF THE PROBATION SYSTEM

2.1. History from the origins to 2008

Swedish law-making in the 1900s was influenced by late 18th century ideas that began to offer alternatives to the classical notions of punishing offenders by imprisonment. Another influence was the development of probation in England and North America. But Swedish society from the early 1900s has been characterised by a strong humanistic tradition that sought to achieve the social inclusion of all its members – a tradition that came to political expression in the Swedish Social Democratic Party with its post-war record as the dominating governmental party. The French social defence movement, with its emphasis on resocialisation and respect for the dignity of both offender and victim also influenced the elaboration of the 1965 Swedish Penal Code. Indeed the Swedish word for probation, “skyddstillsyn”, is rendered in literal translation as “protective supervision” – a term borrowed directly from social defence terminology.

The first legislative provision for community supervision (probation) of offenders is to be found in the 1918 Conditional Sentence Act that allowed the enforcement of a prison sentence of up to one year to be suspended. The courts were empowered to request a pre-sentence report and to place the offender under the supervision of a person appointed by the court. These first supervisors were often policemen, parish constables, clergymen, court lay assessors and laypersons active in municipal government. The 1939 Conditional Sentence Act allowed the courts to abstain from passing a conditional sentence of imprisonment and sentence to community supervision with special orders. The first full-time professional probation officers – four in number – were appointed in 1942. By 1944-45 this number had increased to 13. It took another twenty years before professional probation was established in all the regions into which Sweden was divided for the management of its prisons, prisoners and probationers. But the early use of lay supervisors continued and has been developed. Today lay supervisors remain a major feature of contemporary supervision. An assessment is made on a case-by-case basis on how a layman could be helpful and assist in the work to prevent a recurrence of criminal offences.

In 1965 a revised Penal Code made provision for two kinds of conditional sentences. The first, still in operation today and still called a conditional sentence (“villkorlig dom”), was a penal warning intended for offenders with a good prognosis of not re-offending. The other kind was community supervision (“skyddstillsyn”) that allowed offenders to be placed under the supervision of probation officers which required them to fulfil certain conditions. In 1988 community supervision with a condition of a special treatment plan (“kontraktsvård”, which directly translates to contract treatment) was introduced. The offender enters into an agreement with the court to follow an approved treatment plan. This form of probation is primarily intended for offenders whose criminal behaviour is clearly associated with dependence on drugs or alcohol. It is, however, not just alcohol and drug addictions that are the basis for contract treatment, it can also be other circumstances that may require care and treatment. Examples of this are gang related crimes, psychiatric disorders, or other problems directly associated with the current criminal offence.

Since 1994 electronic monitoring has been used as an alternative way of serving a short term prison sentence. In the beginning the Intensive Supervision with Electronic Monitoring, ISEM, referred to as the “front door scheme”, was applicable to prison sentences of up to two months. The success of the measure led to an extension in 1997, including prison sentences of up to three months. Currently and since 2005, offenders sentenced to up to six months imprisonment are able to apply to undergo ISEM as an alternative way of serving the sentence. Electronic monitoring is also used as a pre-release measure when serving a prison sentence, referred to as the “back door scheme”.¹ The measure was introduced in 2001 with a maximum of four months with electronic monitoring. In 2005 the possible period of time increased to a maximum of six months. Currently and since 2007 it is possible to undergo the pre-release measure with electronic monitoring after at least half the sentence (with an absolute minimum of three months) has been served in prison. The purpose of this measure is to, in a controlled way, assist the transition back to life in the community.

In 1998 the Penal Code was amended to permit the use of probation with a condition of community service (“samhällstjänst”), and as of January 1999, a conditional sentence (see “villkorlig dom” above) can be combined with community service, in which case the probation service is responsible only for the pre-sentence report on suitability for community service, providing a suitable work place, and supervising that the community service is carried out according to plan. An important development entered into force on January 1, 2007, which brought about an obligation of the probation service to coordinate the sentence plans of those serving sentences of imprisonment with a plan for supervision once conditionally released. The change was intended to ensure that the sentence plans of prisoners are fully focused on the post-release period, in order to be conducive of a positive adjustment into the community.

2.1.1. Consolidation of the agency

In 2006, the SPPS went from being 37 locally governed agencies to one centralized agency with regional sub-divisions. This was an important change that provided capabilities for both strategic alignment and strategic development. In the unified organization the head office acquired increased resources and new functions for research and development were established. The development towards an evidence based practice was deepened and a special effort was made to evaluate all existing treatment programmes, which has led to the phasing out of certain programmes as well as the development of new ones.

In the new agency strategic development of education for inmates, vocational training and staff training were also initiated.

¹ The Swedish Penal Code provides that offenders sentenced to a fixed term imprisonment shall be released automatically when two-thirds of the sentence but at least one month has been served. Conditional release can be postponed for up to six months for serious disciplinary infractions. Offenders sentenced to probation with imprisonment for up to three months or life sentence are excluded from the provisions on conditional release. Pre-release measures are used in the last period of the prison sentence, before conditional release.

2.2. Recent development from 2008 until 2016

2.2.1. Declining prison and probation population

Somewhat surprisingly, one of the main challenges in later years has been declining populations in all three of the SPPS branches. Since a few years back there is a formalised collaboration between authorities within the judicial system, intended to produce a common view on the volumes in the different parts of the system. The prognosis for 2020 shows a continuing decrease in SPPS volumes, and while the trend appears to be levelling off for prison and remand prison the curve for probation continues its downward turn.

Table 1: Actual SPPS client volumes for 2012² and 2016³. Prognosis for 2020⁴.

	2012	2016	2020
Prison	4 528	3 915	3 840
Remand prison	1 651	1 579	1 550
Probation	13 903	10 772	9 200

2.2.2. New organization

To further increase the strategic capabilities as well as cost and performance control, the Swedish Prison and Probation Service underwent a comprehensive reorganization in 2015. From being sub-divided geographically in regions, operations are now divided into three operative divisions:

- prison/remand prison
- probation
- security

These divisions are managed by the corresponding Head Office departments. The executive directors of the three operative divisions direct and support the regional directors through a joint management team, referred to as the Core Services' Management Team. The objective of the Core Services' Management Team is to support continual improvements and development of the Core Services within the SPPS, based on a consensual view of the national situation within prioritized areas. At the national level there is a National Management Team, consisting of the executive directors of operative and supportive divisions, and led by the Director General.

2.2.3. New methods

The SPPS has implemented several new tools and methods in the past few years, some of which specifically for the probation service and some relevant to prisons and remand prisons as well.

2 Brottsförebyggande rådet, Rikspolisstyrelsen, Åklagarmyndigheten, Ekobrottsmyndigheten, Domstolsverket, and Kriminalvården, 2013

3 Brottsförebyggande rådet, Polismyndigheten, Åklagarmyndigheten, Sveriges Domstolar, and Kriminalvården, 2017

4 Ibid.

In the past few years the SPPS introduced new methods of structured assessment in the individual sentence planning, in accordance with the risk-need-responsivity (RNR) model, based on the following three principles. 1) the *risk principle* asserts that criminal behaviour can be reliably predicted and that treatment should focus on the higher risk offenders; 2) the *need principle* highlights the importance of criminogenic needs in the design and delivery of treatment; and 3) the *responsivity principle* describes how the treatment should be provided. The structured assessment is the basis for the direction and intensity of supervision and interventions.

The entire individual sentence plan has been built to increase adherence to the RNR principles and the initial RNR assessment is the basis of the plan. These structures for assessment and planning are the same for prison and probation.

Specific for the probation service is the new method for supervision, KRIMSTICS, from the Canadian model of Strategic Training Initiative for Community Supervision (STICS). (For more on the sentence planning structure and KRIMSTICS, see 6. Probation Methodology.)

3. LEGISLATIVE BASIS OF THE PROBATION SYSTEM

Rules of probation

The Swedish Prison and Probation Service, its tasks and responsibilities, are defined by national law. Legislature in Sweden does not allow for the probation service to work directly with victims. However, the victims' perspective shall be taken into account when decisions are made regarding the offender.

3.1. Legislative basis

The Penal Code, which dates back to 1965 with many subsequent amendments, defines the sanctions described in the previous section. The 1939 Conditional Sentence Act, which came into force in 1944, stipulated that a state probation organization would be established to implement the new sanction of probation. The duties of probation officers were defined as encompassing the supervision of offenders who were conditionally sentenced as well as those the supervision of those conditionally released from prison. The new probation organization became an integral part of the Swedish Prison Service, which henceforth was to be known, in English, as the Swedish Prison and Probation Service (SPPS). The duties and procedures of the probation organization have been written into governmental ordinances and central administration instructions. These deal, inter alia, with sentence planning, contact frequency, special conditions and the appointment of lay supervisors.

The age of criminal responsibility in Sweden is 15 years. When persons under the age of 21 commit offences, the court shall take in to account their youth and may sentence to a lesser punishment than is statutory for a given offence. A court may impose imprisonment on offenders younger than 18 of age only when there are extraordinary circumstances. Offenders between 18 and 21 years may be sentenced to imprisonment only if, in regard to the penal value of the offence or

other considerations, there are special reasons for doing so. Probation becomes, therefore, an obvious alternative sanction. As a general rule, the prosecution of offenders under the age of 18 is waived and they are handed over to the social services for appropriate treatment.

The Penal Code provides that a court may order probation when a fine is considered insufficient. Probation can be combined with a day-fine⁵ or with imprisonment of up to three months, in which case neither community service nor contract treatment can be imposed as a condition. In choosing a sanction, the court shall consider, as a reason for imposing probation, whether there are grounds for supposing that this sanction can assist the offender to abstain from committing further offences. As special reasons for imposing probation, the court may take into consideration:

- Whether a noticeable improvement has occurred in the offender's personal or social situation that is likely to reduce the risk of further offences or
- If the offender is undergoing, or is willing to undergo, treatment for substance abuse or some other condition that has substantially contributed to the commission of the offence.

Furthermore, a requirement for non-custodial sanctions is that the offence must have a penal value that is not too high. Thus, for example, a conditional sentence combined with community service of up to 240 hours can be imposed for an offence carrying a penal value of at most a one-year prison sentence. Probation with treatment (contract treatment) can be used with an offence carrying a penal value of up to two years imprisonment, when it is deemed that probation supervision of the offender is necessary, and the offender has an imminent need for long-term, invasive treatment of a problem that is directly connected with the committed offence.

The only time an offender sentenced to probation is deprived of liberty is when there is a combined sentence of probation and imprisonment of between 14 days and three months⁶ or when there is a condition of contract treatment at a treatment facility, in which cases other conditions may also be laid down. The offender is required to maintain contact with the probation service during treatment and ensure that the residential treatment is followed according to the contract that has been drawn up between the court, the offender and the treatment facility. When the treatment is concluded, the probation service continues supervision until the end of the supervision period. The supervision period for contract treatment can be longer than the customary 12 months in order to provide a sufficient follow-up.

The work of a probation officer is furthermore regulated in regulations stipulated by the Director General. On a more detailed level, regulations are interpreted in handbooks. The handbooks can be described as practical tools that can be used on an everyday basis. Several aspects, directly or indirectly connected to probation, are covered in these handbooks, such as sentence planning, monitoring, pre-sentence investigations, and community service.

5 Day fines relate the fine to the offender's financial resources. The number of days ranges from 1-180 and indicate the severity of the offence. For each day an amount calculated in relation to the offender's financial resources must be paid.

6 The Penal Code provides that probation can be combined with a sentence to imprisonment for up to three months. This provision is used in only a small number of cases.

The process of decision-making is regulated in the Rules of Procedure. Every probation office is obligated to have a specific forum where, among other things, the sentence plan for every client is presented by the responsible probation officer and decided by a local manager. These collegiate forums serve as a place for preparatory discussions on client matters, before decisions are made, and become environments in which colleagues learn from each other and strive towards equitable and legally correct proceedings.

3.2. Mission, mission statement, and crime prevention

The Swedish Prison and Probation Service's overall mission is to execute penal court sentences and counteract recidivism. The vision of the SPPS is that spending time in the prison and probation system will bring about change, and not simply provide secure custody. The main objective is to have an effect on recidivism at an individual level, through measures within tertiary crime prevention.

The probation service's primary tasks are as follows:

- Perform pre-sentence investigations at the request of the court or public prosecutor
- Execute non-custodial sanctions
- Execute prison sentences being served through intensive supervision with electronic monitoring
- Supervise conditionally released prisoners

It should be noted that the term "supervision" in this paper is defined in accordance with the Glossary of the Council of Europe Probation Rules. Supervision comprises of both control and support measures, with these two modes of activity complementing one another.

3.3. Victim assistance

The victim's perspective should be taken into consideration when decisions and assessments are being made. However, the probation service has no formal or direct responsibility for providing services to victims. Victim support belongs to the tasks of specialised victim support organizations and in some cases the social services. There are, however, exceptions.

The Integrated Domestic Abuse Programme (IDAP) is a treatment programme targeting adult men who have used threats, violence, or other controlling behaviour against a female partner/former partner. IDAP offers a partner contact for the women, during the period when the group programme is run. The work with the women is mainly focused on increasing her and any children's safety, which is why security planning is central. This contact is also an important factor in the risk management of the male offender because it provides a reference in the assessment of change in the offender.

The social services are responsible for offering mediation in cases where the offender is defined as a youth (under 21 years of age) at the time when the crime was committed. The probation office notifies the responsible social services when performing the pre-trial report in these cases.

3.4. Volunteer involvement

Lay supervisors are appointed on a case-by-case basis. The layman complements the work of the probation officer, who always has the formal responsibility for the client. If no layman is appointed, the officer of the probation service also assumes the whole role of supervising. A layman is a voluntary private individual who devotes part of his or her spare time to supporting, guiding and encouraging the client so as to promote prosocial activities and help prevent a recurrence of the offence or abuse. No specialist knowledge is required, but an interest in people and social issues is important. An assessment of the suitability of each individual is undertaken.

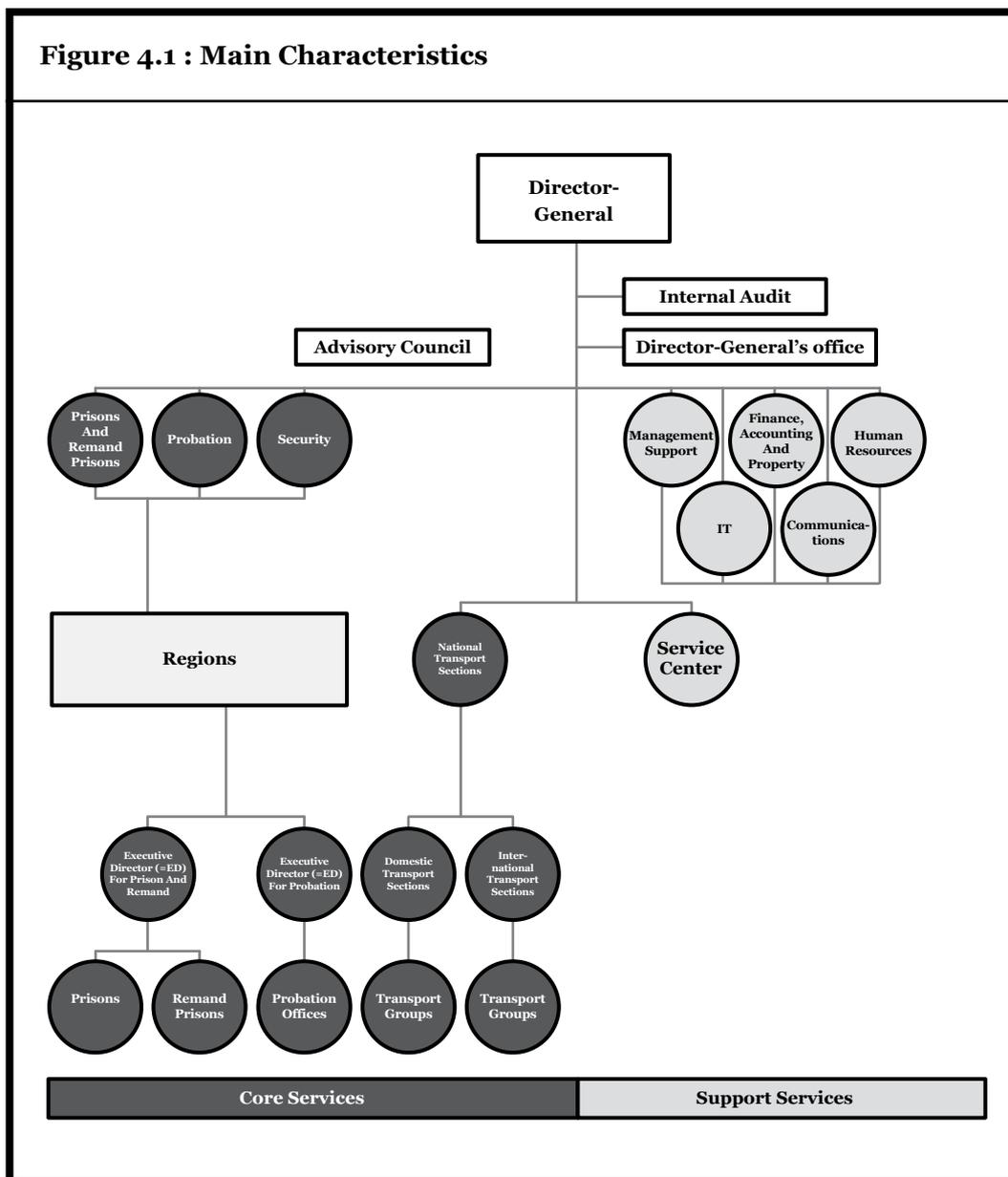
The Probation Service can appoint a layman to help perform home visits and sobriety checks during the execution of sentence with electronic monitoring. The laymen work in pairs, or with a probation officer. Laymen may also be appointed to perform controls of community service. These laymen are largely used to perform home visits and work place controls outside of office hours. It is, however, particularly suitable to appoint a layman where the offender resides or has his place of employment at a relatively large distance from the probation office. It may also be appropriate where the offender has insufficient language skills or has special needs that can be met in a better way through the involvement of a layman.

4. THE ORGANIZATION OF PROBATION SERVICE

Rules of probation

The probation service is organized within the Swedish Prison and Probation Service. Since the reorganization in 2015, there is a national department dedicated to probation. Probation officers are recruited according to nationally approved criteria and initial training is provided, as well as continued training and education regarding general and specific issues.

4.1. Main Characteristics



The Swedish Prison and Probation Service is an agency subordinate to the Ministry of Justice. It is organized into a Head Office, six regional offices and a transport service. Each region consists of a combination of remand prisons, prisons and probation units who collaborate in carrying out their respective functions.

Each region is headed by a regional director. Operations are conducted at regional offices and at the 33 remand prisons, 46 prisons, and 34 probation offices.

In addition to the above, there are 28 independent supervision boards. An experienced judge heads each supervision board. The boards also consist of lay judges and are assisted by a judicially trained secretary. The lay judges are not legally qualified but have other experiences. They are elected politically, represent the people and are appointed by the regional council. Their function is to participate by adjudicating in various issues and they are appointed for four years at a time.

A main function of the supervision boards is to deal with violations of supervision conditions. Thus, they are empowered to warn clients who violate the conditions of supervision, to require the temporary short-term arrest of clients who are out of contact, to modify the conditions of supervision and, if necessary, to recommend the revocation of probation or the forfeiture of conditional release. If an offender serving a short-term imprisonment under intensive supervision with electronic monitoring violates conditions, the supervision board can repeal the intensive supervision. The offender then serves the prison sentence in a prison.

The probation service has, at its disposal, about 650 annual work units of professionally trained probation officers. Probation officers carry out and write up pre-sentence reports, assess suitability for community service, and find suitable treatment facilities and plan contract treatment when deemed appropriate. They find suitable work for those sentenced to community service. They supervise those sentenced to probation as well as those conditionally released from prison, and are an integral part in planning the sentence plans and pre-release measures of those serving sentences in prison. Furthermore probation officers control that community service offenders are observing the conditions laid down, and execute intensive supervision with electronic monitoring as described earlier.

Probation officers must have an academic degree, e.g. in social work. On entry they undergo a two-week introductory course followed by three weeks of study on specific aspects of probation work. The internal employee educational system is however under revision and hence the scope of the course might change by 2018. The revision's focus is for the internal training to provide the necessary preparation for the complex job as a probation officer. By varying intervals of theoretical education at one of the regional education centres, with practical application at the local probation office, the new probation officer will gain all necessary puzzle pieces to perform the different aspects of probation work. This will include the training in the newly implemented tools and methods that have thus far been a part of special educational drives, such as KRIMSTICS and RNR assessments.

The probation service does not provide financial or other assistance where this can be made available through the community's various welfare agencies and administrations, in the same way as it is for other citizens. Instead, the probation service collaborates with the social welfare services, the Employment Bureau and NGO:s (non-governmental organizations). However, offenders can apply for a monetary grant of up to just over 350 Euros from a central fund, if such a grant is to be used for a purpose that reduces the risk of relapse into crime.

5. DIFFERENT STAGES OF THE CRIMINAL JUSTICE PROCESS

Rules of probation

The probation service's role, before guilt has been established, is limited to pre-sentence investigations and some outreach work at remand prisons. The outreach work provided only occurs if the offender consents to contact and shall be without prejudice to the presumption of innocence. Assessment is first undertaken in the pre-sentence, to serve as a guide for determining the appropriate sanction. It is then done systematically at the beginning of a sentence, whether within probation or prison. Assessment is revised if new information is available or there have been significant changes in the offender's life. Assessment is, however, not performed at the end of the supervision measure.

The legislative basis for probation work in Sweden is described in section 3. Legislative Basis of the Probation System. The probation service's role is very limited in the pre-trial phase, as will be described below. Other than producing pre-sentence reports, the main tasks of the probation service lie within the enforcement phase, executing non-custodial sentences and playing an important role in prison sentences as well.

5.1. Pre-trial phase

The probation service is not empowered to intervene in an offender's life prior to trial. Contact can, however, take place if, for example, the indicted person is under supervision as a result of an earlier sentence or, alternatively, is to be the subject of a pre-sentence report, which is described in detail below. The probation service can arrange for a contact person to be appointed to support the suspected offender during the time before trial. If the suspect is sentenced to probation the contact person often continues as a lay supervisor. The use of contact persons in the pre-trial phase is, however, unusual. No other measures are open to the probation service during the pre-trial phase.

5.1.1. Outreach work

When suspected offenders are in remand, there is one more way in which the probation service comes into contact with them. At every remand prison there are probation officers that work, part- or full time, with outreach. They speak to the remanded clients one on one and aim their efforts towards those who are defined as youths (under 21 years of age), people with substance abuse issues, and those with issues related to the use of violence, including intimate partner violence and sexual offenses. These outreach workers can initiate a conversation regarding the possibilities of using the potential coming sentence to strive for changes in those areas that have previously caused the person problems. They can provide information about treatment programmes within the SPPS, available both in prison and through probation, as well as the possibilities for contract treatment or pre-release measures involving staying a treatment facility for the latter part of a prison sentence. Motivational interviewing is used when applicable, keeping in mind that those on remand are not yet sentenced and are to be presumed innocent until proven guilty. The contact is completely voluntary for the clients in remand.

5.1.2. Pre-sentence reports

A pre-sentence investigation is initiated by the probation service on request of the courts. The prosecutor has the possibility to request a pre-sentence report before indictment, while the accused offender is still only suspected of the crime without charges having been formally brought against them. No distinction can be made in Swedish practice between a pre-trial and a pre-sentence report.

A pre-sentence report can be requested both for offenders who are in remand or out in the community, regardless of whether or not they are previously clients of the probation service. When the suspected offender is not in remand, the indicted person is called to the probation office and, if necessary, can be apprehended and brought in to the probation office by the police. They cannot, however, be compelled to collaborate in the preparation of a pre-sentence report. Refusal to collaborate can for instance be based on an assertion of innocence. The court must be informed of the refusal and the grounds for refusal to collaborate.

The probation service has access to the preliminary police investigation and the indictment. In order to obtain the necessary information, accused persons are interviewed, contact is made with references and information is obtained from the social services, the Social Insurance Bureau and Swedish Enforcement Authority, which provide background knowledge on financial aspects, eventual dependent children, sick leave, etc. Previous documented offenses and/or sentences are reviewed. If the person is currently under supervision due to a previous sentence, the supervisor provides information on the progress of a prior supervision.

The pre-sentence report is typically delivered to the court in advance of the opening of the trial and copies are given to both the prosecution and defence. The pre-sentence report is intended to assist the court in its choice of sanctions and, for that reason, shall clearly state whether there is a need to impose supervision. The probation service may also suggest a specific sanction, such as probation with specific conditions regarding participation in treatment programmes and control of sobriety, or contract treatment, when that is deemed a suitable sanction to counteract the risk of reoffending. In some cases a need for supervision due to risk of recidivism is clear, but it is not possible to suggest probation due to factors such as the client's refusal to cooperate with the conditions of identified necessary interventions, or due to previous severe or repeated misconduct during probation. Furthermore, an assessment regarding the suitability of the client to perform community service is made. A template is used to standardise the pre-sentence reports. Data is digitally transferred from the pre-sentence report to the individual sentence plan if the client is convicted to a sanction enforced by the SPPS.

5.2. The execution of sanctions

As has been mentioned previously, the Probation Service is responsible for enforcing sentences to community sanctions, mainly probation in its different forms and community service in itself when combined with a conditional sentence. But the probation service is also very much involved in those that are sentenced to prison, participating from the very beginning in the planning and coordination of the sentence plan, planning and executing pre-release measures, and supervising conditionally released prisoners.

5.2.1. Community sanctions

The community sanctions that the probation service is responsible for enforcing are probation, in any of its forms (see section 2 and 3), and community service, whether combined with probation or a conditional sentence. As soon as the court has imposed a sanction requiring supervision the probation service is immediately involved. Probation is enforceable from the date the sentence is delivered, unlike community service when combined with a conditional sentence. For the community service to be enforceable in those cases, the sentence must first become legally binding and allow for appeal. Of course, probation is also possible to appeal, but unless the courts rule a stay of execution the supervision continues to be enforceable during the process of appeals.

When sentenced to probation, the usual duration of supervision is one year, with a conditional period of three years. During the conditional period supervision can be reinstated if deemed necessary, through a decision by the supervisory boards. When the probation service gets information from court on a sentence to probation, a probation officer is designated having the role of case manager. A sentence to probation always implies arranging for control and support. There will often be special orders or conditions tied to a probation sentence, regarding, for instance, participation in a treatment programme or contact with a psychiatric health facility. (For more on the subject, see 6.2 Supervision.)

Another community sanction, as defined in the Glossary of the Council of Europe Probation Rules, is intensive surveillance with electronic monitoring. As it in Sweden, however, is a prison sentence that can be served in the community on application by the client and the deemed suitability by the SPPS, it will be further discussed below.

5.2.2. Prison sentences

The probation service is involved in the enforcement of prison sentences in several ways. As was mentioned in section 2, the probation service is involved early on in coordinating the sentence plans of those serving sentences of imprisonment. With the recently implemented improved system for sentence planning, the probation service's role is clarified through the role of probation service coordinator. To begin with, the assigned probation service coordinator will make a preliminary assessment regarding supervision post-conditional release. The preliminary assessment is made at this stage and a formal decision is made by the probation service in close proximity to the conditional release. The decision can be appealed to the Supervisory board. If the client is deemed likely to be placed under supervision the probation service will actively participate in the planning of the sentence, from the time in prison, to pre-release measures, and post-release after care during the supervisory period. (For more on this topic, please see 6.2 Supervision.) The purpose of the probation service coordinator is to ensure that the sentence plan, from the first moment, includes the entire sentence, including the post-conditional release supervision period, and has a focus towards pre-release measures and reintegrating the client into society. The probation service is also responsible for the investigation and execution of two of the four specific pre-release measures available, extended activity release with electronic monitoring or residence in a halfway house. (For more on this topic, please see the section on probation methodology, 6.2 Supervision.)

Clients with a sentence to prison for up to six months can, with a few exceptions, apply to serve the sentence in the community through intense supervision with electronic monitoring. The probation service provides information to those that meet the basic criteria, regarding type of sentence and not having served through intensive supervision with electronic monitoring in the past three years. Information is given about the measure as well as the application and investigation process leading up to a possible decision of being allowed to serve the sentence in this form. The probation service is then responsible for handling applications, performing the investigations regarding suitability for the measure, and executing the intensive supervision with electronic monitoring once in place.

5.3. Aftercare

According to the Glossary of the Council of Europe Probation Rules, aftercare is defined as “the process of reintegrating an offender, on a voluntary basis and after final release from detention, back into the community in a constructive, planned and supervised manner”. This type of aftercare is not possible within the Swedish legislation. Rather, in accordance with the normalization principle, the SPPS works to reach an individual aftercare plan for clients through the collaboration with other agencies, so that their needs can be met without the involvement of the probation service once their sentence has been served. Any and all further interventions and support from other agencies is, of course, voluntary, and the main goal of the probation service in this aspect, is to ensure that the clients know which services are available to them and that potential contacts for already identified needs have been initiated before the end of supervision.

6. PROBATION METHODOLOGY

Rules of Probation

Supervision is not seen as a purely controlling task, but also as means of advising, assisting, and motivating offenders. The Swedish probation service has implemented a method for supervision that is evidence based and includes interventions based on cognitive behavioural therapy, in order for supervision itself to have an effect on recidivism. The method, KRIMSTICS, focuses on cooperation with the client to reach commonly formulated, prosocial goals, while still being clear about the controlling aspect of supervision and being clear and predictable regarding what is defined as misconduct, and the possible consequences of such. Interventions such as the SPPS' own rehabilitation programs, as well as interventions in collaboration with other agencies, are combined with supervision. The probation service has also developed and implemented a systematic assessment method, based on the RNR principles. This systematic assessment is the basis for the individual sentence plan, created to support the matching of interventions to the client's identified needs, in order to reduce risk of recidivism. The cooperation between prison and probation, both part of the same agency, is stressed in the initial and continued work regarding the sentence plan.

6.1. Pre-sentence reports

A pre-sentence report covers the following areas: general background, family and social network, occupational situation, accommodations, physical and mental health, substance abuse, criminal attitudes and history, use of leisure time, and a suggestion concerning the sanction. The areas are largely selected according to the principles of Risk, Need and Responsivity (RNR), and the suggestions concerning the sanction are based on an assessment of the client's risk of recidivism, identified needs to counteract recidivism, and, when applicable, a description of factors tied to responsivity that should be taken into account.

Work is consistently being done to improve quality in pre-sentence investigations, and to ensure that assessments made in the pre-trial phase are performed in a uniform way, with a focus on criminogenic risks and needs, while also delivering the other information the courts require. When the pre-sentence report is complete, the accused is allowed to take part of the information and thus has the possibility to correct any inaccuracies. The accused does not, however, have input on the assessment made regarding risk of recidivism and/or identified needs to counteract relapse.

6.2. Supervision

The basis of supervision is the same for the client, regardless if it's a probationary or conditionally released client. They will both be assigned a probation officer as a case manager and the contact with their case manager will be through personal meetings. Contact frequency is determined by risk and need factors and the other activities planned and will vary from once a week to once every three weeks. The lowest intensity of contact frequency is reserved for those with a low risk of relapse. Young adults under the age of 21 years will generally have a higher contact frequency, even if they are deemed to have a low risk of relapse.

To improve the effect of community supervision, the Canadian STICS model has been implemented in the Swedish probation service. STICS stands for Strategic Training Initiative in Community Supervision and is a model for helping probation officers better adhere to the principles of Risk, Need and Responsivity. The model uses a structured risk and needs assessment, as well as providing structure and content for client meetings, where cognitive behavioral techniques are used in order to change the criminal behavior. The model also provides organizational structures for maintaining ongoing learning, primarily with the help of local coaches/mentors who support their colleagues. The Swedish version, KRIMSTICS, presents a new tool for working with an evidence based practice. The skills that are taught and supported are focused on relationship building and structuring, as well as specific CBT interventions such as functional analyses and more. The supervisory meetings create a predictable and structured environment for the clients, where the probation officers are adapting to the client's specific needs, in order to create a collaborative relationship. One intervention, used initially in the contact, is role clarification. During role clarification, the probation officer describes their dual role, the controlling and the helping one. They explain how the roles will shape the collaboration with the client, for example how the meetings will be structured, what they will focus on, and what the probation officer will do in instances of breaches. The probation officers then explain what the clients can expect from them when it comes

to their contact, and also describe their professional personality. The clients are asked what can be expected from them, and this concludes with a suggested agreement on their collaboration, during the supervision period. This creates a transparent and respectful start of a relationship, which can be revisited if the clients decide to breach their supervisory terms. The CBT interventions focus on the link between the thoughts and the behavior, to encourage the client to change their thinking towards more prosocial goals.

There are a few differences between probationary and conditionally released clients. Regarding the probationer, establishing contact quickly is central as the individual sentence plan is to be presented within one month. As part of the sentence planning process, the structured Risk, Need and Responsivity (RNR) assessment tool, developed by the Swedish Prison and Probation Service, is used to guide which interventions may be suitable. On the basis of the information provided by the RNR assessment and other information relevant to the case, the case manager can undertake motivational work, decide on contact frequency and suitable interventions such as treatment programmes and/or appointment of a lay supervisor. The probation officer documents these decisions and measures in a case file. The probation service also organizes the contact with any necessary social agencies that can satisfy further client needs.

For the conditionally released prisoner, the initial sentence planning, including the RNR assessment will have been undertaken while the client was in prison. As part of the initial sentence planning a probation officer will be made probation service coordinator of the sentence plan. To begin with, the probation officer will review the case, including the RNR assessment, and make a preliminary assessment regarding supervision post-conditional release. If the client is deemed likely to be placed under supervision, due to risk of recidivism and/or the length of the prison sentence, the probation service will actively participate in the planning of the sentence, from the time in prison, to pre-release measures, and post-release after care during the supervisory period. The probation service coordinator should participate in the initial planning conference regarding the client.

The probation service is also specifically responsible for assessing whether a prisoner shall be allowed two forms of pre-release measures from prison, extended activity release with electronic monitoring or residence in a halfway house. To date, the system with halfway houses is not widespread and is only available in the larger cities. In the above mentioned pre-release measures, the probation service handles the investigation and the prison gives its opinion before a decision is made. The opposite is true for the other two pre-release measures, residential treatment and activity release, in which the prison is specifically responsible. For extended activity release with electronic monitoring and residence in a halfway house, the probation service is also responsible for the execution of the pre-release measure.

Another difference between the two types of supervision is that there will often be special orders or conditions tied to a probation sentence, regarding, for instance, participation in a treatment programme or contact with a psychiatric health facility. These orders may be very specific or very openly formulated, at which point it is up to the probation service to decide which intervention is the most suitable one. When the orders are specific they must be followed as they are stated. If needed, they can be

brought to the Supervisory board with a suggestion of changing the order to another intervention than the one stated by the court. The probation service may also suggest to the Supervision board to specify or add an order regarding a specific intervention, and this is also true regarding conditionally released clients.

An offender, whether conditionally released from prison or sentenced to probation with supervision, who fails to keep the agreed contact frequency or in other ways does not follow the sentence plan is considered to be in breach of conditions. If the breach is not serious it can be dealt with by reminding the client of the conditions of supervision, while more serious or repeated misconduct are reported to the Supervision board, with a suggestion from the probation service regarding suitable measures. The board then decides how to deal with the misconduct.

6.3. Rehabilitation programs

An important way to improve the clients' chance of a life without crime is the use of rehabilitation programs. The long-term goal of the SPPS is that each client should be offered treatment based on level of risk of reoffending and criminological needs. The main purpose is to reduce recidivism. The interventions need to be based on well-founded knowledge of what is effective and focus on the factors that are most important to reduce the risk of relapse.

The best effect of treatment efforts is achieved when the treatment meets the principles of risk, need and responsivity (RNR). Compliance with the RNR principles is ensured by each client having an individual plan in which the risk and need has been well assessed and when the specific criminogenic needs of the client are addressed with appropriate interventions. High and medium risk clients always have several dynamic risk factors that need to be addressed. This means that the goal should be for these clients to undergo intensive treatment. The treatment programs offered in the SPPS can be divided into: preparatory -, treatment programs and boosters.

Preparatory programs can be used in order to increase the client's motivation. Preparatory efforts are not expected to lead to reduced relapse in crime unless accompanied by more intensive treatment programs. Motivational Interviewing (MI) is used for preparative purpose and is a collaborative, goal-centered model that gives particular attention to client's statement of change. MI aims to strengthen the clients own motivation and commitment to change towards a specific goal by developing and exploring the person's own reasons for change

Treatment programs - when identified needs in several risk factors, it is important that the treatment target and affects the most important criminogenic needs of the client. If the assessment of the clients risk and need reveals the essential for intensive efforts in any of the areas of violence, violence against partner or sexual offenses, these areas should be prioritized.

The treatment programs used in the SPPS target criminal behavior, violence, domestic violence, sexual offending and drug- and alcohol abuse. The majority of the programs are based on cognitive behavioral therapy (CBT) and have components derived from behavioral therapies and the cognitive therapy. The focus of the different therapies can vary, but the similarities between the different treatment

programs are greater than the differences. An important difference compared to CBT in general is the focus on pro criminal attitudes. Additionally, most CBT programs for the clients in prison and probation have a strong feature of problem solving (which is part of CBT), which aims to make the client use a systematic and general approach to managing everyday problems, using the skills taught in the program.

Boosters can act as an enhancement after a treatment program and should be offered for clients who have undergone one or more treatment programs.

In the SPPS, The Relapse Prevention Program, is used which target two groups; one focusing on alcohol and drug abuse, and the other focusing on crime. The program is primarily intended as a booster and that the client must have undergone a longer CBT program before commencing.

When it comes to treatment programs directed against intimate partner violence and sexual offenses, there are special reinforcement efforts that the client should undergo during probation alternatively if a long time has elapsed since the client underwent the respective treatment programs.

In order to secure effectiveness the programs are regularly reviewed by a scientific panel and only programs fulfilling the requirements will be granted accreditation. To be approved, a program must among other things include: a clear model of change, based on scientific evidence, use of effective methods and site accreditation including monitoring of implementation and staff competence. Before applying for accreditation the program is usually tried out in a limited extent during development. After accreditation the aim is to offer the program to all offenders, according to assessed risk and needs.

6.4. Third party rehabilitation measures

In accordance with the previously mentioned principle of normalization, large parts of the rehabilitation work is carried out by other agencies than SPPS. Examples of such rehabilitation work include, but are not limited to, the following:

- Specific focus on drug abuse disorders (detox, pharmacological treatment and psychosocial measures) through both health care and social services.
- The National Employment Agency offers job training and support in finding work.
- KomVux offers education for adults from primary to secondary levels.
- Assessment and treatment of relevant psychiatric conditions, such as ADHD, depression, self-harming behaviour etc.

Specific, structured forms of cooperation between SPPS and other agencies exist, some of them including co-location. Such examples include judicial psychiatric outpatient care, with specific probation officers as liaisons in some cities, similar cooperation with centres for medication-assisted treatment for opiate addiction, and specific work programs called Krami in cooperation between SPPS, the National Employment Agency, and the local social services.

7. FINANCES, ACCOUNTING, REGISTRATION SYSTEMS, AND EVALUATION PROCEDURES

Rules of probation

The Swedish Prison and Probation Service is funded by the federal government. Reports and feedback information is regularly produced and presented, both within the agency and to the federal government, in accordance with the European rules of probation. Both internal and external audits are undertaken to secure accountability regarding the use of allocated funds. Regarding the registration systems used within the SPPS, they are designed to promote cooperation between different branches and units within the SPPS, while maintaining the integrity and confidentiality of offenders by only allowing access to those that actively work with the particular offender. Furthermore, the registration system is designed to support adherence to the RNR principles and to simplify record-keeping.

7.1. Finances

As described earlier, the Swedish Prison and Probation Service is one unified agency. It is funded solely by federal government via the Ministry of Justice. Each year the Prison and Probation Service submits its budgetary requests to the Ministry, listing them under a variety of operational headings. These headings constitute the framework to be observed for the spending of allocated money. Subsequently the central administration allocates the sums granted to the local prison and probation administrations using the same framework. Within each framework heading, the central administration and the local administrations have discretion on how to use the received funds.

The following overview of the total expenditure for the prison and probation services respectively, includes a wide variety of costs. Thus, for the prison service, in addition to the direct costs of containing and caring for prisoners, there are costs connected to transport and transfer, services provided by external organizations and authorities, equipment written off, building maintenance, renovation and construction, etc. Similarly, the expenditure for the probation service also includes payments to lay supervisors, for special activities, and services provided by external organization and authorities. For both services staff salaries are a major proportion of expenditure.

As far as the number of clients in the prison and probation population is concerned it should be noted that the figure for prisons includes both remanded and sentenced prisoners. Similarly the figure for the probation service include offenders under probation supervision, those sentenced to imprisonment but serving the sentence through intensive supervision with electronic monitoring, prisoners released before the date of automatic conditional release through intensive supervision with electronic motoring as well as those released on the due date for conditional release. However, suspected offenders who are only subject to a pre-trial report are excluded.

*Table 2: Overview of expenditure for 2016
(costs are shown in Euros and rounded off)*

	Prison / Remand prison	Probation
Total expenditure (Euros)	496 508 100 / 228 738 800	117 192 800
Of which staff costs	305 858 800 / 140 034 000	77 482 300
Number of staff*	4 904 / 2135	1 112
Daily average number of offenders in prison/remand prison and under supervision	3 766 / 1 644	10 761
Average cost per day and offender	350/ 380	30

7.2. Accounting

There is a strong emphasis on knowing how budgetary allocations are spent and with what result. The annual budgetary request must therefore contain an account of how the previous year's allocations have been spent and, where applicable, a report on the results obtained. Thus, measurable performance criteria are set up each year for a number of budgetary headings. In addition, any given year's budgetary requests must include estimates of the future demands that will be made on the prison and probation services over the following three years, based on a prognosis of the number and nature of the offenders. In this context, account must be taken to legislative changes that have consequences for the operation of the prison and probation services, developmental work – especially that relating to working methods, staff competence development as well as the construction and renovation of prison buildings.

Budgetary control at all levels is strict and if allocations are exceeded there is a considerable risk that next years allocations will be reduced by the same amount. An independent unit within the Head Office is responsible for an internal audit of the finances of the Prison and Probation Services. Further independent auditing is undertaken at governmental level to examine financial matters at a ministerial level. The findings from these audits can have consequences – both positive and negative - for subsequent budgetary requests.

The Prison and Probation Service receives a statement each year from the federal government of the budgetary resources granted. The Head Office of SPPS in its turn decides how these financial resources shall be allocated in respect to the divisions in to which the SPPS is divided; namely, remand prison and prison, probation, security etc. Thereafter a decision on the regional division of allocations is made, based on the six regions into which the organization is divided. The sums allocated are based on the activities to be undertaken. Regional management then decides on the allocations to be made in respect to these activities. Local SPPS offices create a budget for the work that is expected to be carried out in relation to an estimated client base during the intended financial year. This budget will include, for example, estimated costs for a variety of rehabilitation programmes, pre-sentence reports and payments to lay supervisors. Probation activities and their accompanying financial allocations are

registered in a computerised follow-up programme used for all SPPS work. Tasks and results are reported monthly, but to this programme quarterly. In these follow-ups, management considers whether reduction of an activity should take place in order to remain within the allocated resources or, alternatively, that expansion of the activity is possible. During the eight-month follow up, in early September, an estimate is made of whether the totality of activities will have been conducted within the financial framework of the year. Should this not be the case it is necessary to decide where savings can be made by some diminution of certain activities.

7.3. Registration systems and evaluation procedures

Information on all probationers and prisoners is contained within the SPPS Client Register. This information is comprehensive and includes, for example, the sentences of the court, conditions, assessments, and the sentence plans.

The entries made in individual case files are registered in a system open for registration, and in which information is accessible for those working with the offender. The register is constructed with the client at the centre of focus. It supports staff working in different parts of SPPS, whether remand prisons, ordinary prisons, or in probation. The system constitutes the tool for the day-to-day recording of conduct and decisions on probationers and prisoners, as well as more long term information. The information recorded in this system includes, for example, reports on breaches of conditions and disciplinary offences together with resulting decisions, as well as leaves and other forms of temporary release from the prisons, etc. Comprehensive instructions exist on the content and ways of entering case file information.

The system also aims to support the staff in their work with the clients, meaning that the system follows and supports processes, such as planning and working with offenders' education, treatment programs, rehabilitation etc. In 2016, SPPS launched a new model for sentence planning, which included a new sub-system in the SPPS Client Register. This sub-system includes a sentence plan for the whole of the offender's sentence and aims to guide both staff and client towards the objectives set, based on the client's identified risks, needs and responsivity. A key factor for this system is that it is deeply and thoroughly integrated into the process of sentence planning, which allows it to function as a support for the staff rather than only as a system for documentation. This system ensures that the clients are able to take part in their own sentence planning process, as well as ensuring that probation staff and prison staff co-operate. For instance, the system requires that a probation officer is appointed in the system early on for offenders in prison, in order to ensure that potential pre-release measures and the post-conditional release supervision is planned early on. In the system, staff can register and get computerized support on the initial assessment of the offender's risks, needs and responsivity, and they get computerized help to arrange a timeline for the interventions that have been deemed suitable. The system supports historic information in sentence plans that have been revised, as well as up-to-date daily information about the client, always aiming towards the objectives set in the sentence plan.

Strict control is exercised on who may have access to these systems and employees do not automatically have that right. Furthermore, a probation officer does not, for instance, have the right to enter a clients' the remand prison plan unless there are special reasons for doing so. Nor can a probation officer extract information on offenders unless they are registered at the officer's specific probation office. These and other restrictions are designed to ensure that while information of mutual interest circulates among authorised employees, the integrity of the offenders is kept intact.

A certain number of employees are authorised to enter into two external information systems. The Register of Suspects contains information on persons suspected but not prosecuted for crimes. The Register of Convicted contains information on previous documented criminality, pre-sentence reports, and sentences to fines, probation or prison. The latter is useful when a new pre-sentence inquiry is called for by a court, as it allows any new information to be speedily added to what is often a large volume of registered prior information. This register also contains information on restraining orders.

There are extremely strict regulations concerning the use of these registers. During the hiring process the Swedish Police Authority is authorised, through legal provisions, to allow the SPPS entry to check possible criminal backgrounds of new employees.

The computerised system for follow-up on activities has been described in the previous section. Other than the budgetary aspects, the regular, statistical follow-up of activities is also the basis for identifying areas in which special measures are needed to reach unity in national practice, to elevate the quality of work, or to provide support to local units. It's also part of the work to identify best practices in specific parts of probation work. Measures may involve an in-depth review of the identified area, in which quantitative and qualitative measurements are further examined.

Other evaluation procedures involve the SPPS' own research and development unit. The unit produces in-depth research projects in different aspects of all SPPS branches, as well as research on different types of crime, the effectiveness of different measures and sanctions etc.

The SPPS also has its own internal audit unit and a section for supervision, devoted to reviewing the work done within the agency. Also, being a state agency, the SPPS is required to report its results to the government at regular intervals.

8. SOCIETAL SUPPORT AND CLIENTS' VIEWS

Rules of Probation

The probation service wishes to increase knowledge about the work that is done through community sanctions and measures. This involves informing the public as well as other agencies, such as the courts and social welfare agencies. The media and public, receive information by asking direct questions to the SPPS, as well as through the SPPS website and social media.

8.1. Societal support

The Swedish Prison and Probation Service maintains a website (www.kriminalvarden.se) that provides extensive information – some of it in English – on all service activities. The SPPS provides information to journalists and the general public as well as responds to specific inquiries. The SPPS is actively seeking new arenas for discussing criminal policy in general as well as commenting questions of specific importance to the public at a specific time. The Director General of the SPPS at times writes discussion articles for national newspapers, regarding such topics as the importance of non-custodial sentences as alternatives to short prison sentences. Furthermore, the SPPS has an active presence in social media, which is another way to engage the public. A large focus is on attracting new employees through marketing efforts, dispelling myths about the SPPS and spreading information about the many opportunities within different branches of the agency.

Through the SPPS website, the public can make inquiries using a contact form, the message from which is directed to the person most suitable to reply. SPPS receives and replies to many questions, among others from concerned family members of clients, to students, working on projects regarding crime and rehabilitation.

Collaboration with other agencies, both within and outside the judicial system, is prioritized. One example is the regularly held information sessions about probation work for courts, both by local probation units and nationally in cooperation with the Court's Academy.

8.2. Clients' views

Clients, as well as others, can use the above mentioned contact form on the SPPS website, to ask questions or message complaints regarding their experiences with the probation service, outside of the formal complaint structure. This way they aren't required to go through their local probation unit, if they are uncomfortable doing so. There is, at this time, no structured way of receiving input from clients on their views of the probation service in general. Specific measures may be taken within projects of implementation or specific evaluations.

9. PROBATION CLIENTS' RIGHTS

Rules of Probation

National law provides for clear and effective procedures to investigate and respond to complaints regarding probation practice. This could, for instance, regard a client's dissatisfaction with the probation service's decision to place him or her under supervision when conditionally released, in which case that decision could be appealed to the supervision board. In some cases it may not be about a decision, but rather an assessment, such as a pre-sentence investigation in which the probation service assessed that it was not possible to suggest contract treatment. Such a case could be taken up with the Ombudsmen for Justice.

All Swedish citizens enjoy a number of rights as a protection against unfair or improper treatment. Administrations and agencies are required, for example, to provide information on appeal possibilities when a formal decision is made that affects an individual citizen. Anyone may make a complaint to the Ombudsmen for Justice about breaches of any law or any improper treatment. Probation clients – even if they are not Swedish citizens - are not excluded from these rights. In addition, probation clients have certain other rights that are related to their specific situation. Thus, they can annually request, free of charge, up to nine pages of a copy of their individual case file. Any number of pages above that will carry a small fee, but the client normally has a right to take part of their case file. Before this information is given to a client it is scrutinized in order to obliterate information that might be damaging to any third party. The SPPS' circular instructions are also available on request. Probation clients can appeal against decisions that affect them to a local supervision board.

A client, brought before a supervision board by reason of suspected misconduct with forfeiture of conditional release as a possible consequence, has the right to tax-funded legal representation. Interpretation is provided for clients who do not understand Swedish when informing them about their rights and obligations, at meetings with lawyers, at court hearings, etc. Because of the distances involved telephone interpretation is sometimes used when no local interpreter is available. When an alien probation client is deprived of liberty because of suspected new criminality the relevant embassy must immediately be informed if the client so wishes. The client can also receive visits from an embassy official even when the period of deprivation of liberty is short.

10. DEVELOPMENTS TO BE EXPECTED

The Swedish probation service has gone through some important changes in the past few years, involving the introduction and implementation of a new system for sentence planning and documentation, a new structural RNR assessment tool, and a new method for supervision. This has brought about years of intense training efforts for all probation units. Since the reorganization of the SPPS in early 2015, with a division completely devoted to probation issues, there is a new drive in questions regarding all aspects of probation work. The challenge forward is rather to temper the changes and developments, as not to overwhelm the organization.

On a national level, work is currently being done to explore possibilities regarding legislative changes that may affect the probation service. A recent government inquiry, regarding conditional release, proposes that the SPPS be given a larger mandate to set conditions for conditional release, rather than it being a question to be decided by the supervision boards. The report further suggests that the supervisory period be extended to include the entire period of conditional release, unlike at the moment when it is never longer than one year.

Developments are also on the rise regarding community service. The work is currently in an exploratory phase, in which different possibilities are being researched. The goal is to increase the social benefits of community service, and specifically to explore how community research might be of use within the field of environmental matters and ecology.

In 2016 the director of the probation division coined the term “*Modern Probation*”, with the following key terms or phrases:

Equivalent and evidence based: The probation service is procedurally uniform, but tailors its approach to individual clients through KRIMSTICS and the individual sentence plan. Execution of sentences is carried out in an unvarying way, regardless of geographical location. All risk reducing work is guided by the principles of Risk, Need and Responsivity (RNR).

Secure work environment: The probation service is a safe and secure place to work, both physically and psychosocially.

Credible and legally secure: The probation service is well known by the public and by cooperating agencies, within and outside the judicial system. The probation service should be known as a relevant and knowledgeable resource in the work to reduce reoffending. Sentences are carried out in a clear and predictable manner. Misconduct is also handled clearly and predictably.

The focus in the coming years will be to further increase the quality in probation work and making sure the probation service lives up to the standard set for *Modern Probation*. This will include a focus on correct record keeping, an increased focus on cooperation with other agencies, striving for a higher degree of equivalency in pre-sentence investigations, exploring best practices within different areas of probation work, and much more.

11. IMPORTANT PUBLICATIONS

Brottsförebyggande rådet, Polismyndigheten, Åklagarmyndigheten, Sveriges Domstolar, and Kriminalvården. (2017). *Den framtida verksamhetsvolymen i rättskedjan. Centrala prognoser för 2017-2020*. [The Future Operation Volume in the Legal Process. Central projections 2017-2020] Norrköping: Kriminalvården.

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Tallving, G. (2015). *Intra-agency collaboration in offender management. Exploring agency perspectives of strategic alignment process design and efficacy in corrections*. MBA thesis.

Tallving, G., Gustavsson, K., Svensson, K., Lejonram, E., Lager, E., Isaksson, C., et al. (2017). *Vägen hit: en antologi om svensk kriminalvård*. [The Way Here: An Anthology About Swedish Prison And Probation Services] (G. Tallving, Ed.) Norrköping: Kriminalvården Förlag.

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