



University of Bucharest

Implementing FD 2018/947. One case study



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Aim of the presentation

- To illustrate some possible obstacles in implementing FD 2018/947
- Trigger some discussions regarding solutions

FD 2008/947

- It is beginning to work:
- Romania 2018-2020:
 - Requests received - 4
 - Requests issued – 58

Statistic – big issue !!

Case study

- In March 2018, BJ was sentenced in Belgium to a partially suspended prison sentence with special conditions.
- He served the unconditional prison sentence of 2.5 years in Belgium and after that he is serving 2.5 years of suspended sentence.
- Although he could benefited of early release (4 months) due to his suspended sentence he had to serve the full unconditional sentence.
- After release, he had to leave Belgium due to the Imigration decision to forbid his presence in Belgium for 10 years – crimigration
- He contacted the House of Justice in Belgium to let them know about his situation
- After three months – he was contacted by the Probation Service in the Netherlands to inform him that his sentence was transferred to Netherlands.
- His conditions and obligations were upgraded and made more severe – based on the Dutch practice.
- He had to challenge that with a lawyer.

Issues

- Serving the full prison sentence due to his attached suspended sentence
- Lack of cooperatiuon between prison/probation/imigration authorities
- Lenthly procedures
- Lack of legal aid for the people involved
- Sentence adaptation with harsher conditions and obligations

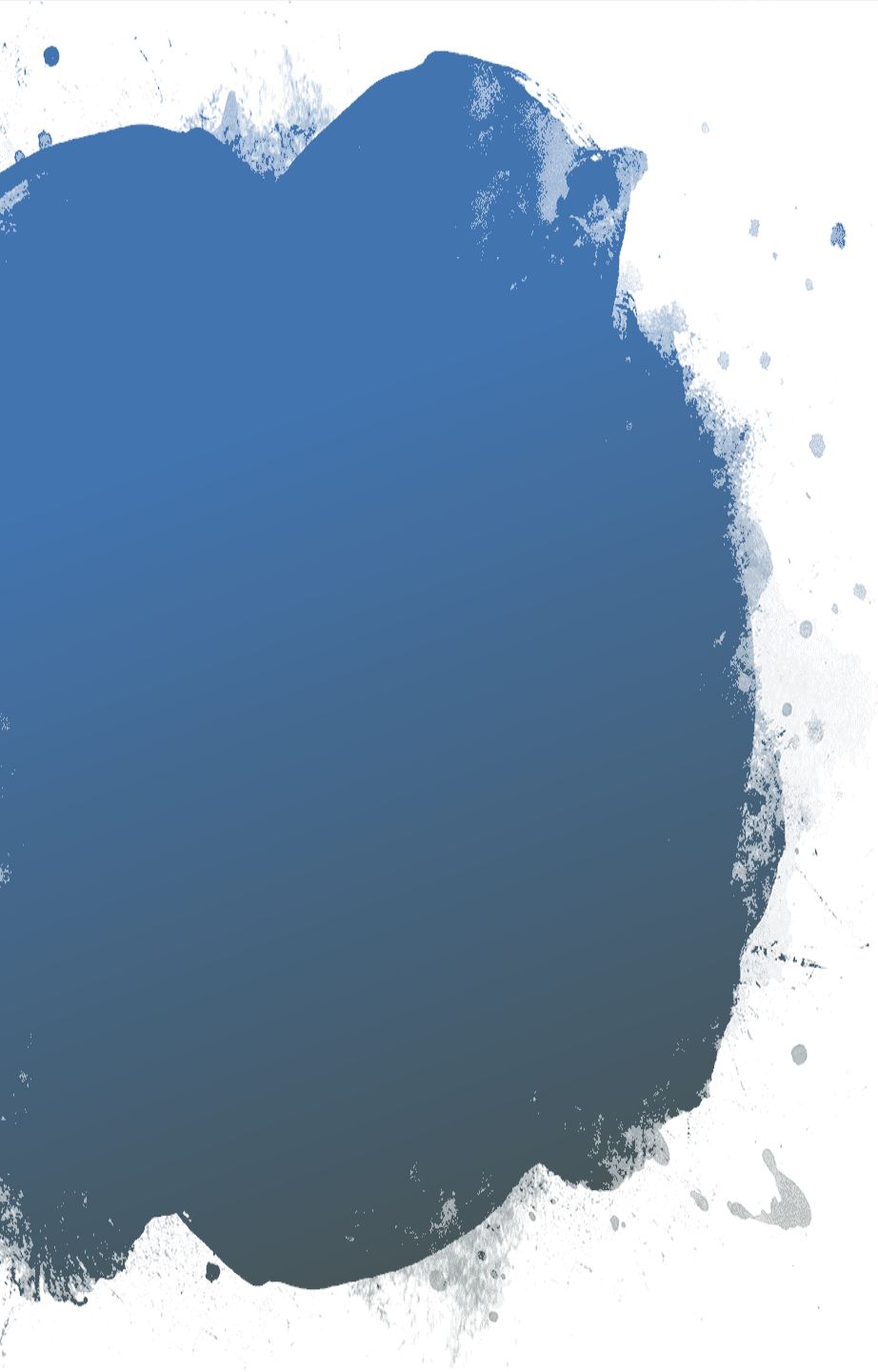
Strenghts

- Information leaflet in Belgian prisons for foreigners
- Strong support from wife
- Flexibility from the Dutch prosecutor

Watch the interview!

Discussions

What could be avoided in this case?



Thank you!!

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