

CEP - APRIL 2022 LISBOA



# MENTAL HEALTH AND PROBATION IN CATALONIA



Generalitat de Catalunya  
Departament de Justícia  
**Secretaria de Mesures Penals,  
Reinserció i Atenció a la Víctima**



## GENERAL INFORMATION:

### OVERVIEW OF THE PROBATION SYSTEM IN CATALONIA

- 1978 Spanish Democratic Constitution
- Justice competency transferred to Catalonia in 1984
- Legal framework:
  - New criminal Code (1995)
  - Royale Decree 840/2011 of June 17 stablishes how to serve sentences of: unpaid work, permanent location in prison, certain security measures and de suspension of the prison sentences with obligations.



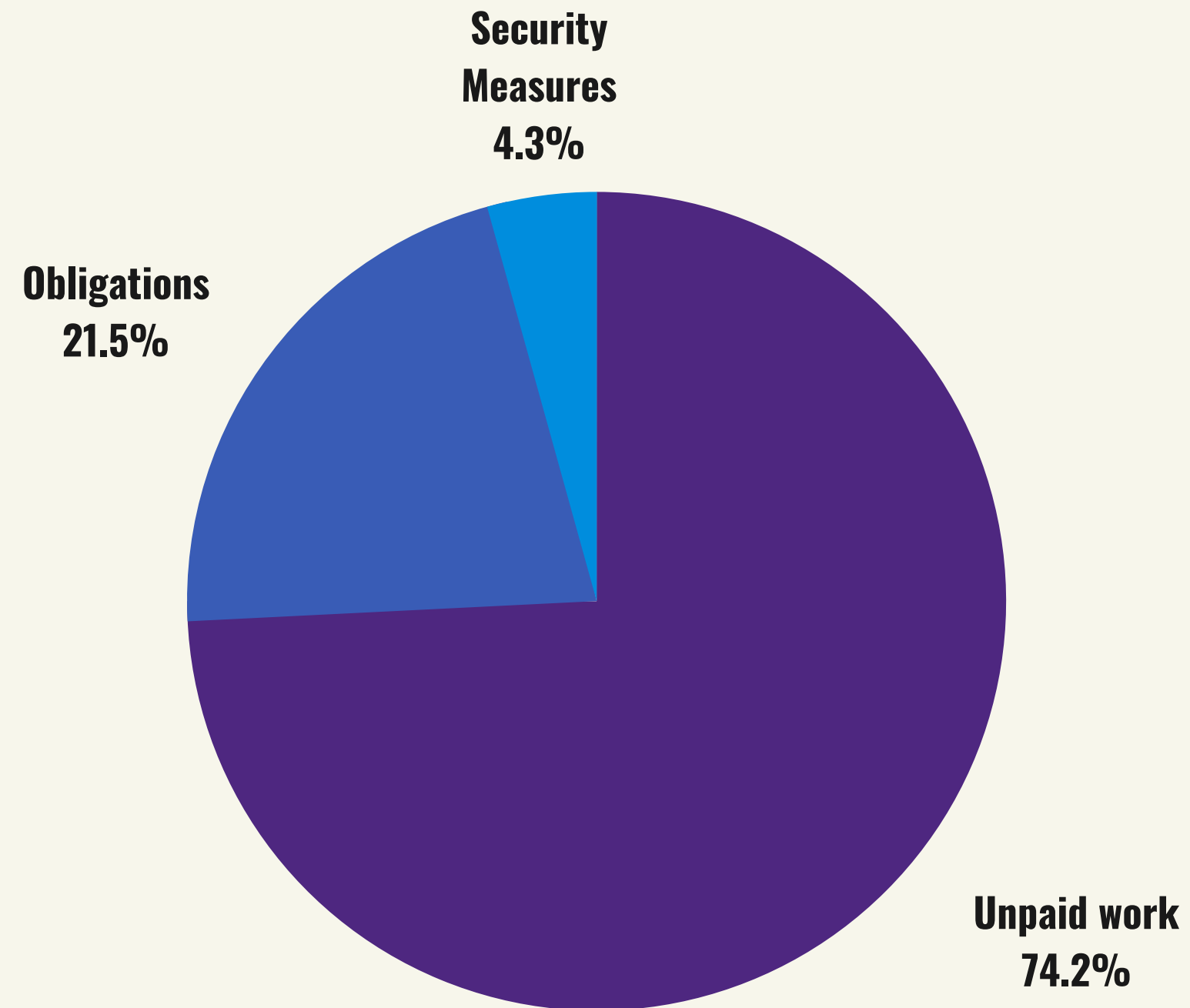
# GENERAL INFORMATION:

## OVERVIEW OF THE PROBATION SYSTEM IN CATALONIA

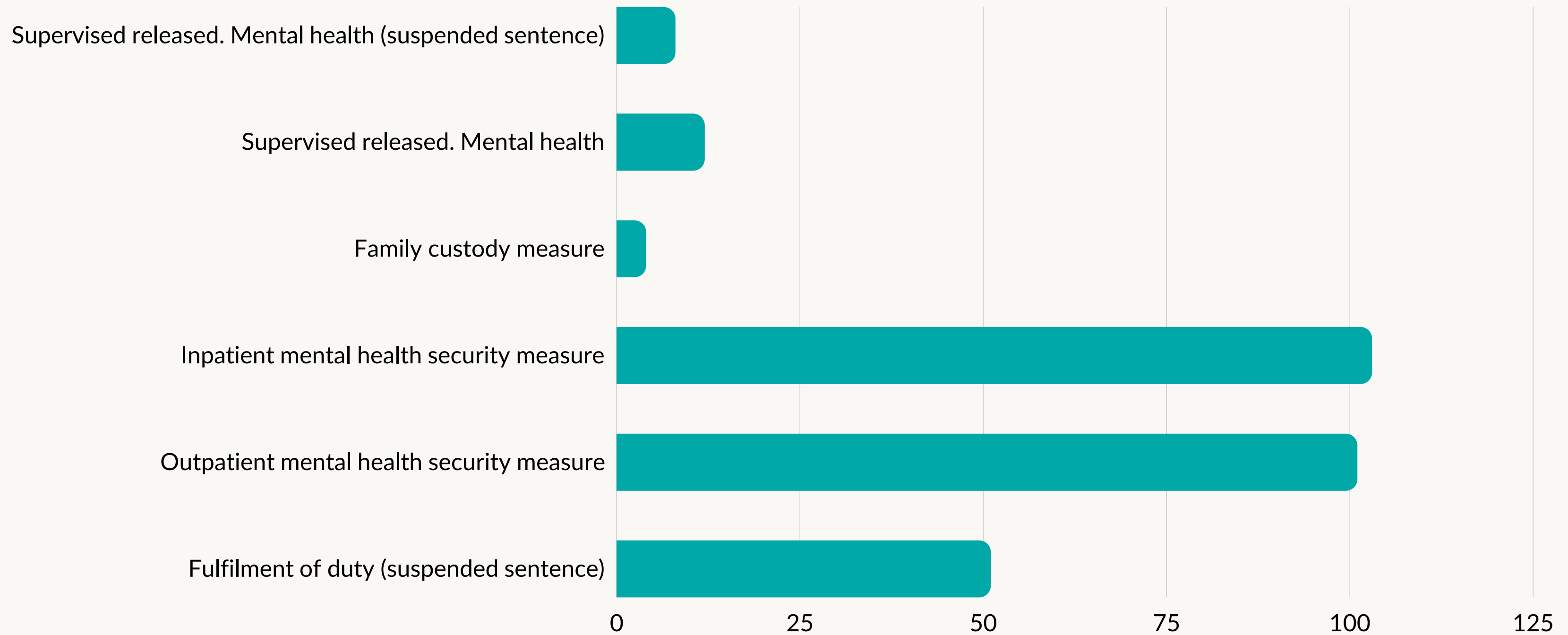
The Alternative Measures and Sanctions Management Services development:

- 1995- 2000: Direct management by Administration (public servants)
- 2001- 2009: Mixed management (1 Agency under public contract )
- 2010- 2022: Indirect management (3 Agencies under public contract by public tender)
- At the moment the Catalanian Probation Agencies are non-profit ones.

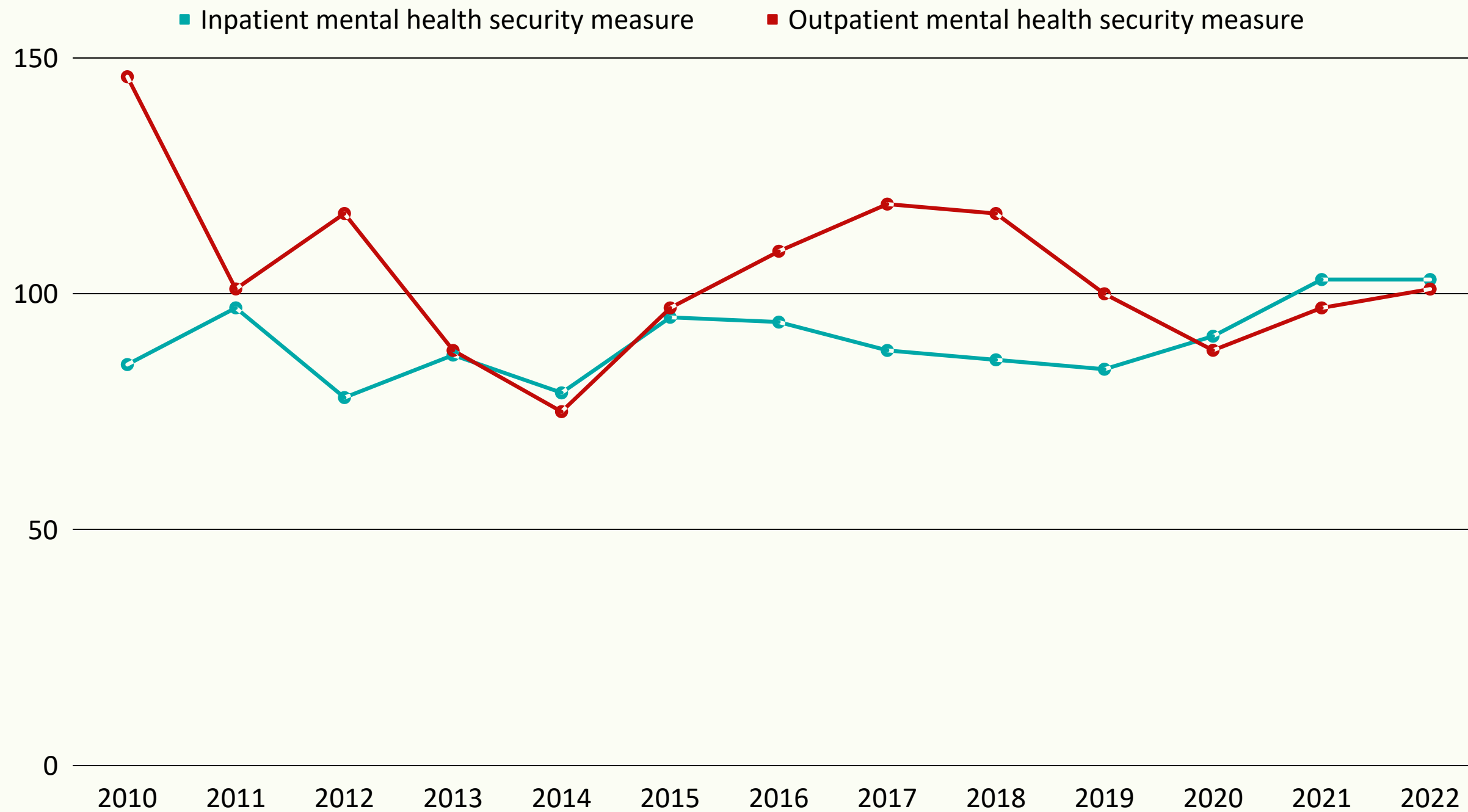
# GENERAL INFORMATION: ALTERNATIVE SANCTIONS AND MEASURES 2021



# GENERAL INFORMATION: MENTAL HEALTH PROGRAMS 2022

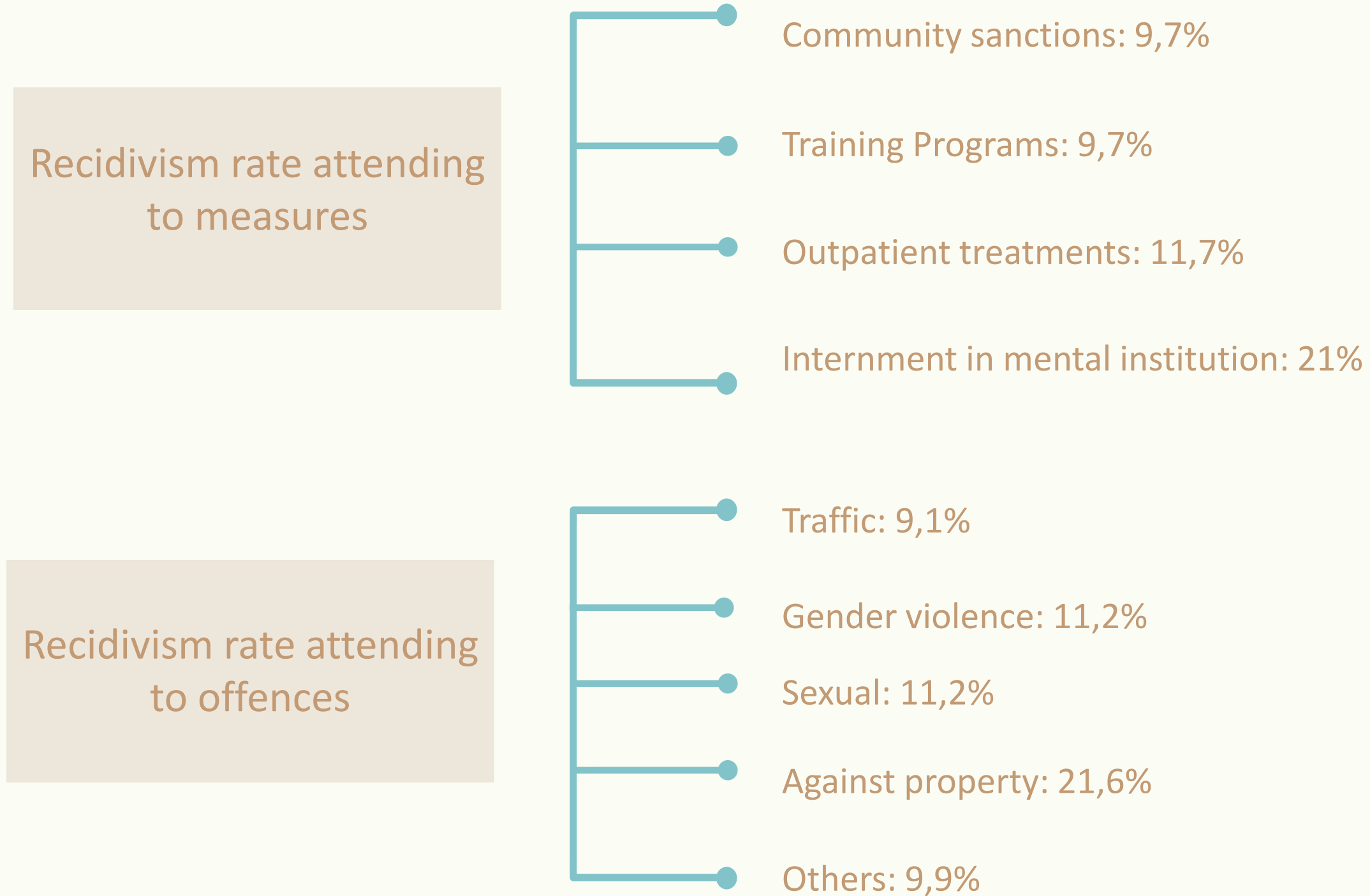


# GENERAL INFORMATION: STATISTICAL DATA 2022



# GENERAL INFORMATION RECIDIVISM

Alternative penal measures and sanctions recidivism rate in Catalonia is 10,4% \*



\*Source "Recidivism in Community Sanctions and Measures 2015". Published by CEJFE in 2016 [www.cefje.gencat.cat](http://www.cefje.gencat.cat)

# POLICY & RESEARCH



Generalitat de Catalunya  
Departament de Justícia  
**Secretaria de Mesures Penals,  
Reinserció i Atenció a la Víctima**

and



Generalitat de Catalunya  
**Departament de Salut**

Agreements

2016

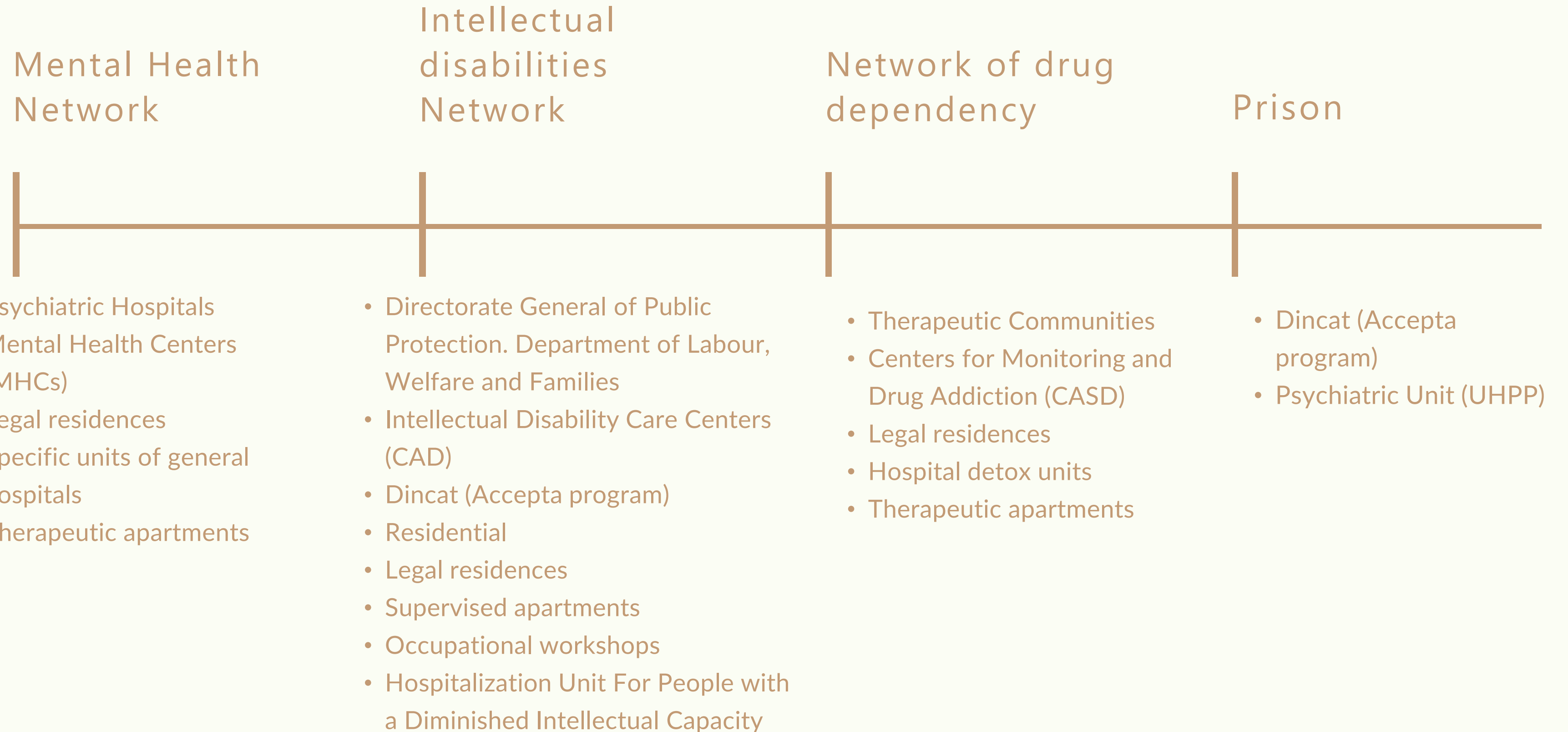
Recommendation  
document about the  
content of health  
reports

2017

Coordination Protocol to  
ensure mental health &  
drug treatment as a  
content of an alternative  
sanction



# POLICY & RESEARCH: ORGANISATIONS INVOLVED IN MENTAL HEALTH



# TRAINING/EXPERTISE

**CEJFE:** Centre of Legal Studies and Specialized Training is an autonomous administrative body attached to the Catalan Government Department of Justice that provides specialized training and research activities in the field of law and justice.

e.g. 2022:

- Basic indicators of mental health problems (Psychosis, Toxic substance abuse disorders, Impulse control disorders, Personality disorders, Notions of psychopharmacology)

**Catalan Probation Agency IReS** provides training sessions each year based on the PO needs and developed by experts on their field. e.g 2021:

- psychopathy
- homeless
- behavioral addiction (pathological gambling, new technologies, compulsive buying)

**IReS Foundation** has also provided external supervision to the PO through the years.

**There are 4 probation officers in Barcelona specialized in Inpatient Security Measures** (they work as a unit and have no waiting list)

# SCREENING

Assessment and pre- sentence reports in the adult jurisdiction are prepared only under judge's request to:

- EAT penal: specialized assessment teams that inform the judges about personal and social circumstances
- Forensic reports: mental health and drug assessment

The probation officer makes questions about mental health in the first interview (issues, medication, current or past treatments..) however the PO doesn't have specific tools for screening. The PO may ask the court for a forensic report in case of suspicious of mental health issues.

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# MAIN CHALLENGES

**Dual Pathology:** Difficulty to attend people with psychiatric disorders and substance abuse

**Exchange of information:** Improve the exchange of information between different resources and different courts

**Intellectual disabilities:** Few resources / residential centers

**Families:** Working with and for the families: existence of restraining orders within the family

**Social difficulties:** Problems related to immigration, poverty, social exclusion may suffer anxiety or depression

**Bond:** Sometimes de PO may be under suspicion Risk of withholding relevant information

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Thanks for your attention!