

# State of play regarding Mental Health and Probation in Europe

## PORTUGAL

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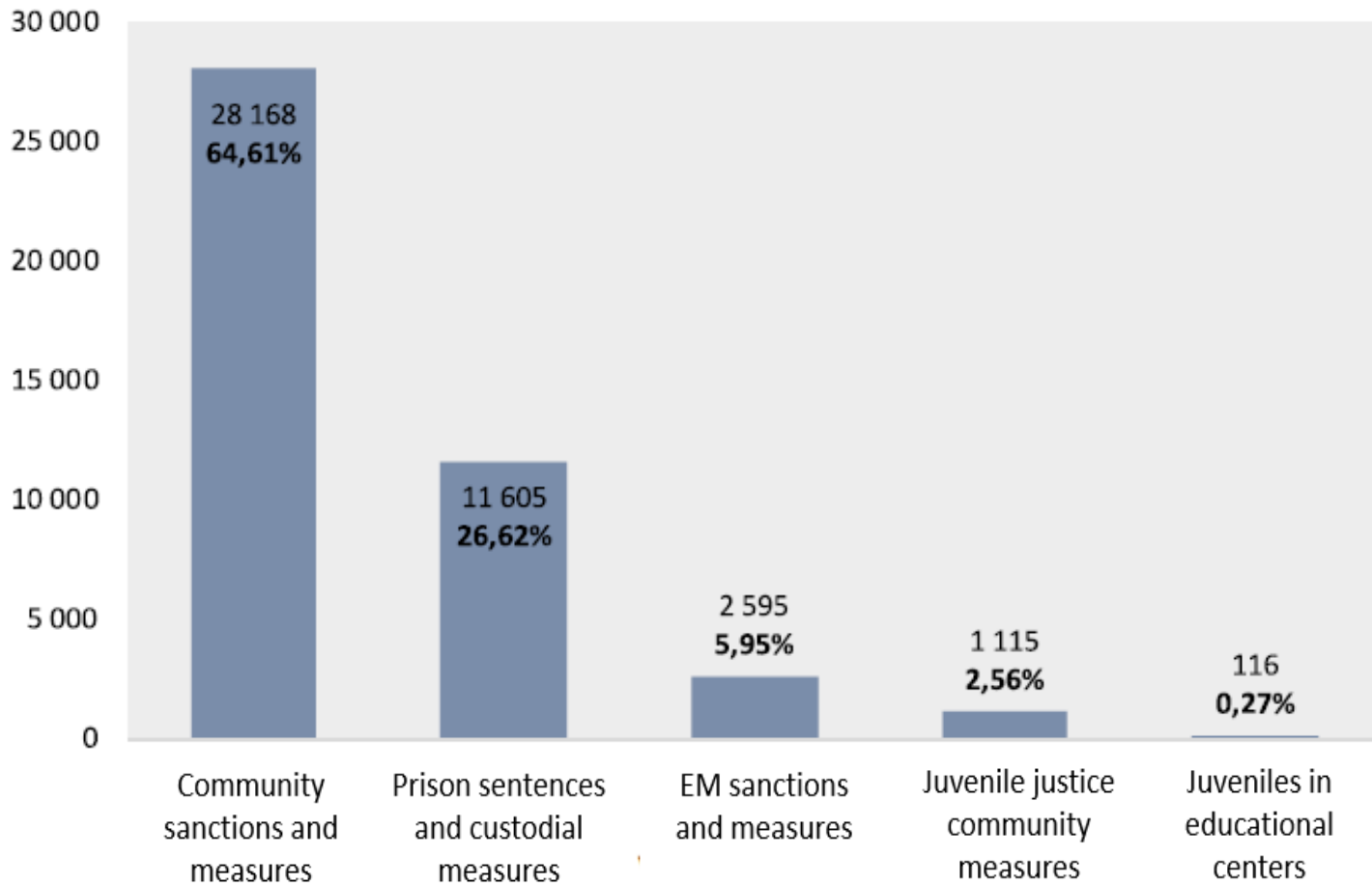
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### **Directorate-General of Reintegration and Prison Services**

The Portuguese **Prison** and **Probation** Service is responsible for criminal prevention, prison and community sentences execution and management of prison and juvenile justice systems.

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People under probation will be referred to mental care if there is a court order, which can happen in probation and parole measures and it is mandatory for security measures applied to non-criminally responsible offenders.



If there is no court order regarding mental health, is a request by the court to elaborate an individual rehabilitation plan, mental health treatment can be proposed by the probation officer, when suspicion exists that there may be a mental health problem.



- **42%** of community measures include the court order of mental health treatment, including treatment for addictions;
- Such order is the most frequent among **probation measures** (between 52 and 58%)
- For **parole**, mental health treatment is present in **12%** of the measures, most frequently related to the treatment of addictions;
- Mental health treatment is most frequently imposed in **domestic violence** crimes (50%), **theft** (58%), **road offences** (41%), **drug related crimes** (37%) and **sex crimes** (33%). It is also a very common order in **arson** crimes (48,2%).

Report “Case Management: Need analysis and guideline proposals” (General-Directorate of Probation and Prison Services, November 2016)

## Security measures:

- All offenders are subject to mental health treatment (required by law)
- Most common disorders are **intellectual disability** (37,8%), **psychosis/schizophrenia** (32,4%), **personality/impulse control disorder** (13,5%) and **bipolar disease** (10,8%).

Report “Probation intervention in security measures for non-criminally responsible offenders” (General-Directorate of Probation and Prison Services, October 2018)



Mental health care can also be proposed to court by the probation officer as substitute of other orders that cannot be accomplished due to evident mental health problems of the offender.



Independently of the existence of a court order, during supervision the probationer or the parolee can be advised by the probation officer to seek voluntary mental health care in the community.



**2021**

**18.660**

Pre-sentence reports

**18**

Expert Psychological  
Assessments





Mental health assessments are only performed if there is a court request for expert psychological assessment.



Mental health assessments also occur when probationers have a court order regarding mental health treatment or there is suspicion of a mental health disorder. In both cases they will be screen and assessed by mental health services in the community.



The majority of the community mental health services that collaborate with probation teams are **NGO** (32%), followed by **hospitals** (29,5%), institutions for the treatment of **addictions** (23,0%) and **primary healthcare** units (13,0%).

Report “Probation and community mental health services”  
(General-Directorate of Probation and Prison Services, November  
2019)

# Challenges and Opportunities

- Communication between probation and mental health services – the need for a shared and articulated intervention
- Access of probationers to local mental health services – timing and dealing with “involuntary clients” and personality disorders
- Good practices and experience in addiction treatment
- Recent legal changes in the organization of mental health services – multidisciplinary community teams

**Thank You!**

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