

Vulnerable probationers: how human rights and ethics are reflected in probation work?

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Human rights and ethics – everyday life

Not really a recent invention

Every person has dignity and value.

Human rights connect us to each other through a shared set of rights and responsibilities.

Ethics is applied in almost all areas of our lives.

Ethical questions arise on daily basis.

Human rights and ethics – everyday life

Supranational bodies like the Council of Europe (CoE) and the European Union.

Aims: Ensuring respect for fundamental values: **democracy, human rights and the rule of law.**

Tools:

- > Conventions (e.g. European Convention on Human Rights)
- > Resolutions and Recommendations to member States

Judicial body: European Court of Human Rights.

No control body for the probation services such as the CPT for the prison services.

Human rights and ethics – probation

Probation works with the marginalized.

All probation activities seek to include the excluded in communities and society.

Struggling with prejudice.

Professional ethics



Code of Ethics, Internal regulations (Work Rules Policy, Methodological Standards), CEP Statement on Probation Values and Principles.

Human Rights and Ethics Context

- COVID-19 pandemic
 - Energy crisis
 - War in Ukraine
 - Migration crisis
 - Rise in far-right populism – e.g. Italy, Sweden
 - Polarized Europe – EU level Hungary, Poland
 - Society is polarized
 - Fear and stress
 - Uncertainty
 - Restrictions
 - Ethical conflicts and dilemmas
- The marginalized are even more marginalized.

Probation: an organisation in the community

Police-recorded crime rate and detention rate



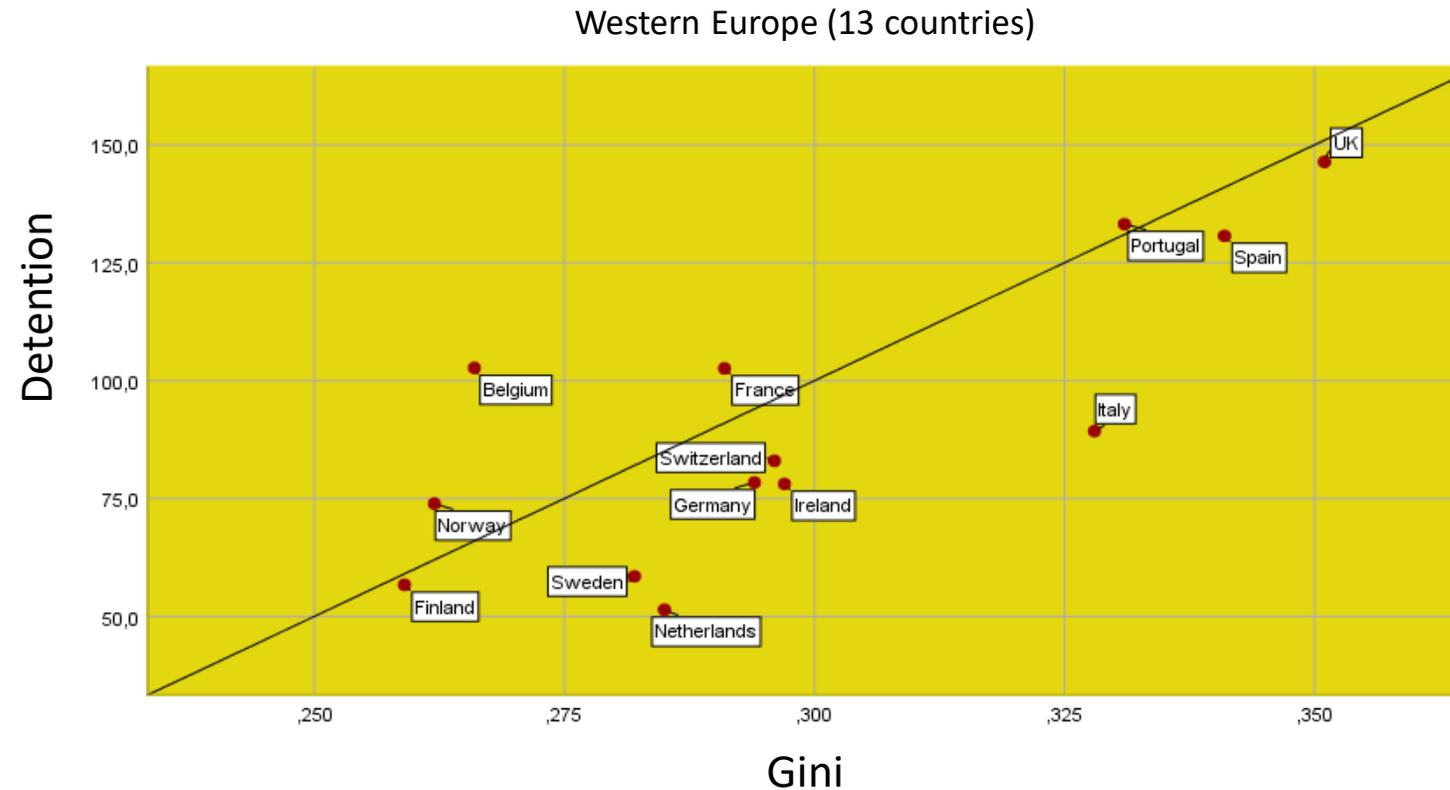
No correlation even if only the more serious
crime groups are considered

Penalty appears to be a very distinct process from the phenomenon of 'crime':
Same levels of crime can have very different uses of penalty

Probation: an organisation in the community

No Justice without Social Justice

Inequality index and detention rate in 2016



Probation officers as professionals

Probation is one of those professions which as a result of value-based characteristics requires not only professional education, skills and the necessary experience but also a certain identification with the profession and its values.



All „helping professions“ are at the forefront and ethical dimension is irreplaceable part of the job!

Human rights-based vision

Putting the person (offender, victim or relative) at the centre is a priority in three dimensions.

3 axes about the central place of the person:

- Taking into account **the views of the parties.**
- Taking into account their **situation, needs and interests.**
- Taking into account their **dignity and privacy.**

Vulnerable groups: who are they?

General definition according to Cambridge Dictionary:

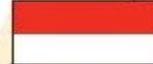
„People who can be easily physically or mentally hurt, influenced, or attacked“

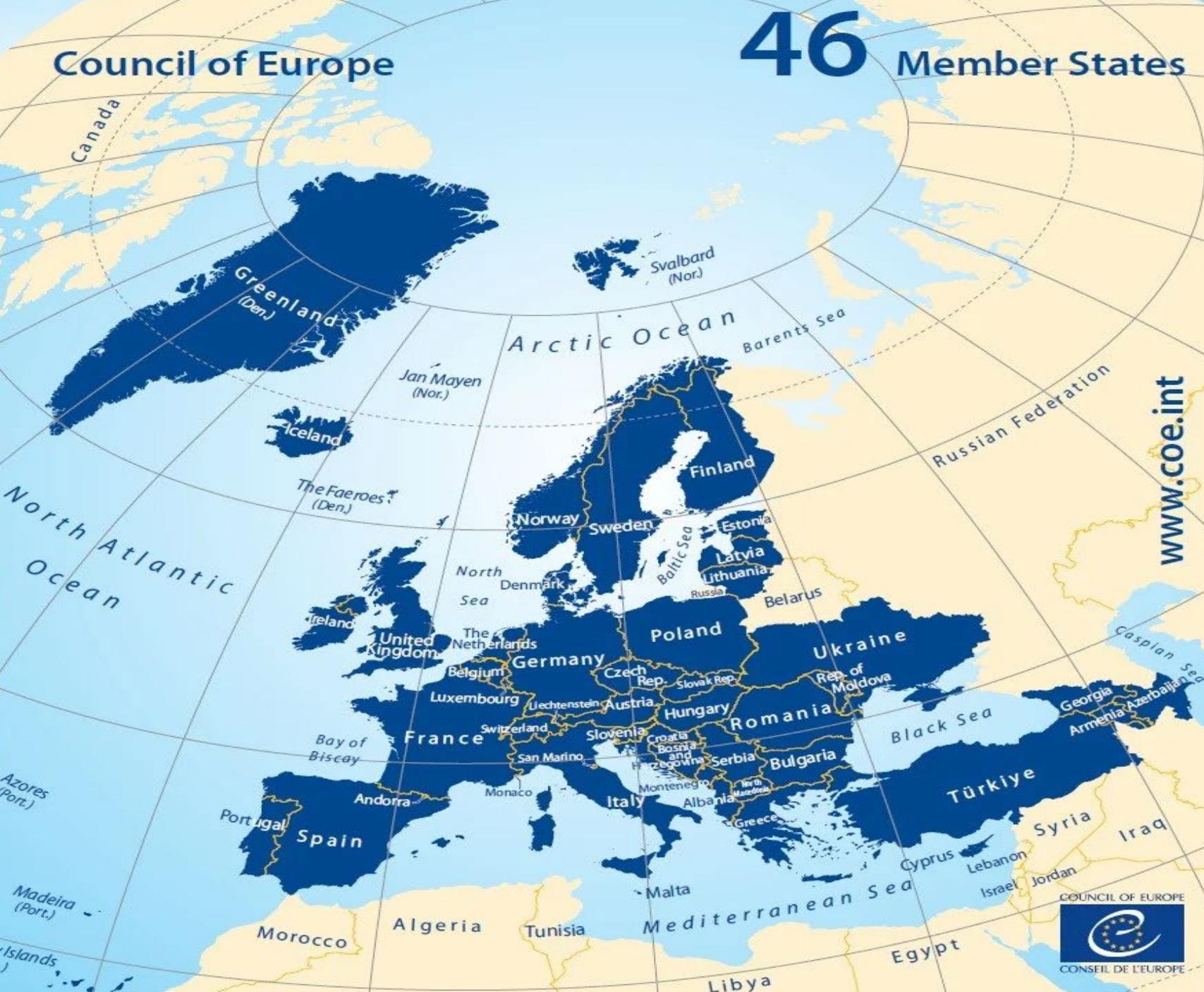
In probation it includes:

- Mental health problems
- Addictions
- Disabilities
- Minorities
- Children and youth
- Elderly people
- Women
- Foreign nationals

46 Member States

Council of Europe

- | | | | |
|--|---|--|--|
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Albania
Tirana | 
Estonia
Tallinn | 
Lithuania
Vilnius | 
San Marino
San Marino |
| 
Andorra
Andorra-la-Vella | 
Finland
Helsinki | 
Luxembourg
Luxembourg | 
Serbia
Belgrade |
| 
Armenia
Yerevan | 
France
Paris | 
Malta
Valletta | 
Slovak Republic
Bratislava |
| 
Austria
Vienna | 
Georgia
Tbilisi | 
Republic of Moldova
Chişinău | 
Slovenia
Ljubljana |
| 
Azerbaijan
Baku | 
Germany
Berlin | 
Monaco
Monaco | 
Spain
Madrid |
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Belgium
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Podgorica | 
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Stockholm |
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Bosnia and Herzegovina
Sarajevo | 
Hungary
Budapest | 
Netherlands
Amsterdam | 
Switzerland
Bern |
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Bulgaria
Sofia | 
Iceland
Reykjavik | 
North Macedonia
Skopje | 
Türkiye
Ankara |
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Croatia
Zagreb | 
Ireland
Dublin | 
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Oslo | 
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London |
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Czech Republic
Prague | 
Latvia
Rīga | 
Portugal
Lisbon | |
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Denmark
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Liechtenstein
Vaduz | 
Romania
Bucharest | |



Map for illustrative purposes
Designed by Latitude Mapping Ltd - P5285 1-00001 - June 2022

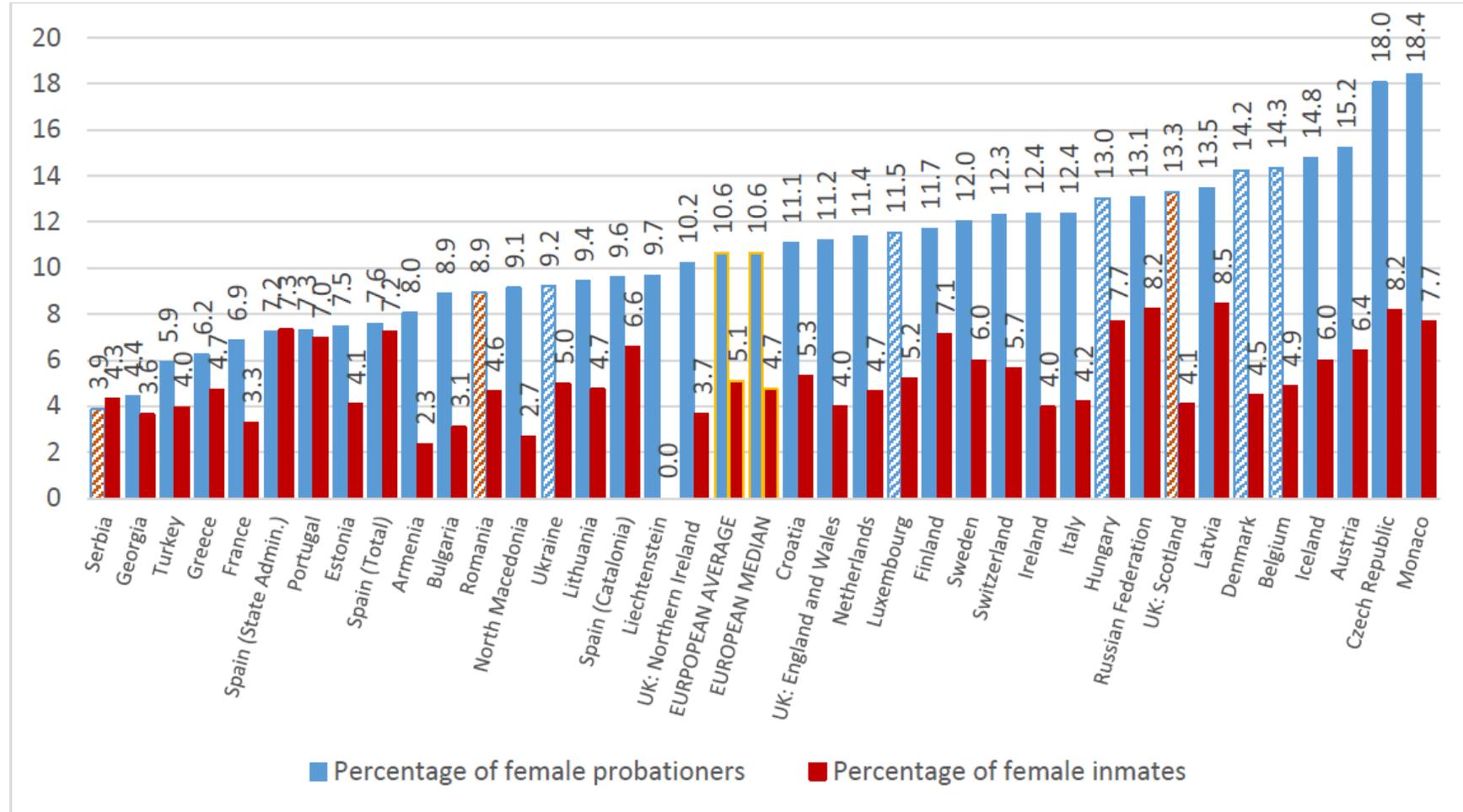
Vulnerable groups-specific needs

Public: double stigmatisation, double prejudice

Probation: different approach and attitude, multi-agency and inter-disciplinary cooperation

Statistics

Figure 7. Percentage of female probationers in the probation population and percentage of female inmates in the prison population on 31 January 2021 (N=36)



Note to Figure 7: Probation agencies not using the *person* —or using it only *partially*— as the counting unit of their statistics are presented in stripes.

Key roles in probation services

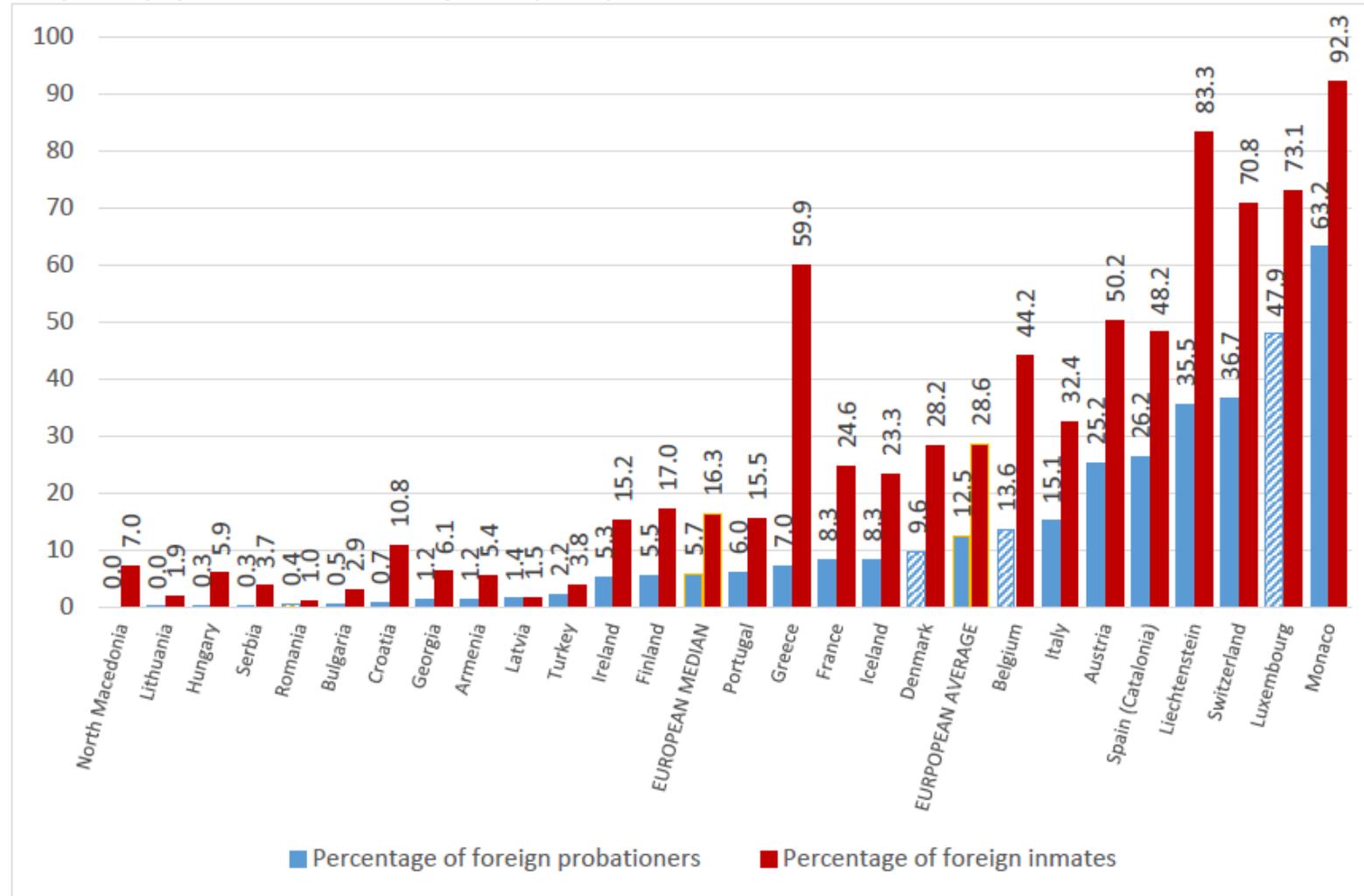
- Promote a holistic and inclusive approach.
- Holistic in order to have the whole picture, a shared understanding with the person and inclusive.
- The aim of putting the user, the client, the probationer at the centre is to be as close as possible to the specific needs for which resources available in society can be mobilised. And if this is not the case, it is a structural job of probation to highlight this and to support structural responses.

Voice of the user

- **Human rights at the centre of probation work.**
At the moment the issue of minorities is taking up some media and political space. If there is a sensitivity to specific issues, I think that for us it is more sensible, pragmatic and useful to focus on the needs of people, including criminogenic needs.
- **Human rights are a very useful compass.**
They provide a supportive framework.

Statistics

Figure 8. Percentage of foreign probationers in the probation population and percentage of foreign inmates in the prison population on 31 January 2021 (N=26)



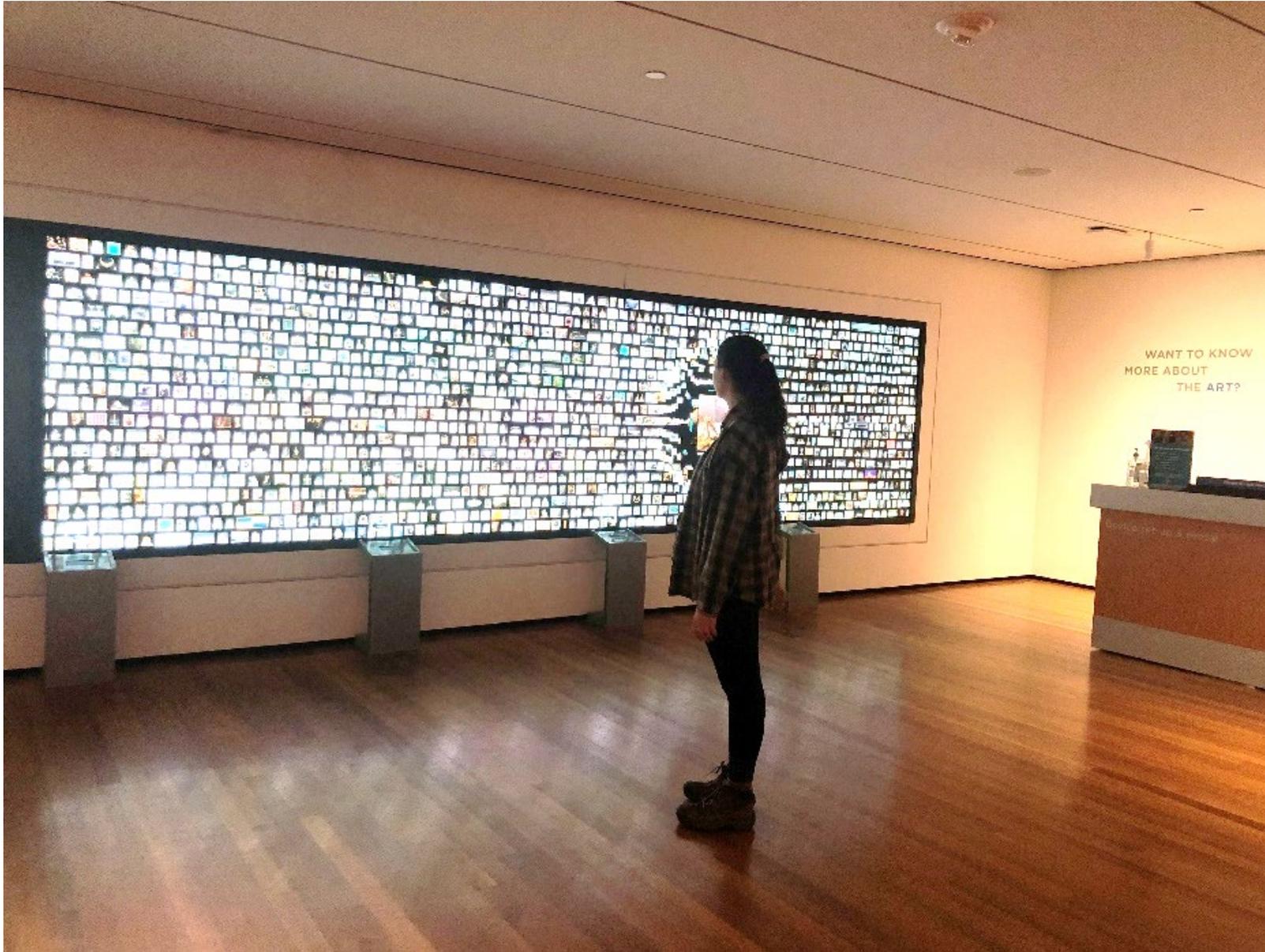
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Conclusions



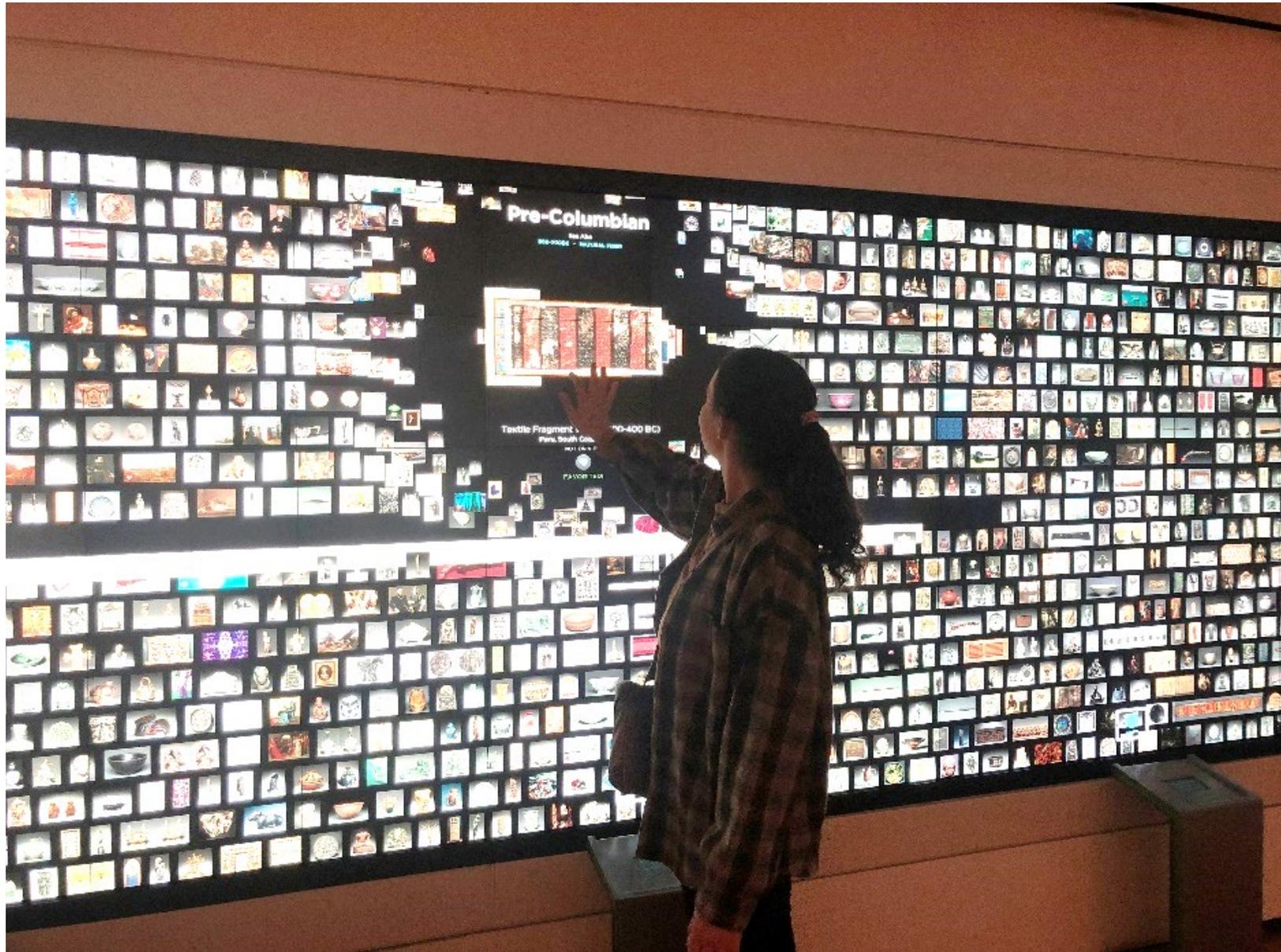
Ibrahim Mahama,
Non-orientable Nkansa II
(2017)
National Gallery of Canada
Picture credit: Annie Devos

Conclusions



ArtLens Wall,
Cleveland Museum of Art
Picture credit: Annie Devos

Conclusions



ArtLens Wall,
Cleveland Museum of Art
Picture credit: Annie Devos

Main questions (for the round-table)

- Do probation professionals have enough time to work with vulnerable groups properly (matter of caseload and workload)?
- Are we able to ensure the sufficient rehabilitative programmes and cover special needs of vulnerable groups?
- Is there a network of services and professionals in your country that you cooperate with?
- Do we as society do enough to protect vulnerable groups while ensuring their rehabilitation and desistance?
- Are these issues getting enough public attention?