



Confederation of European
Probation

Probation and alternatives in Europe – Overview

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Definitions

‘ Probation selfie ’ ?

vs

‘ Prison selfie ’ ?



Definitions

‘ Probation selfie ’ ?

<https://www.shutterstock.com/search/probation>

<https://www.pexels.com/search/probation%20/>

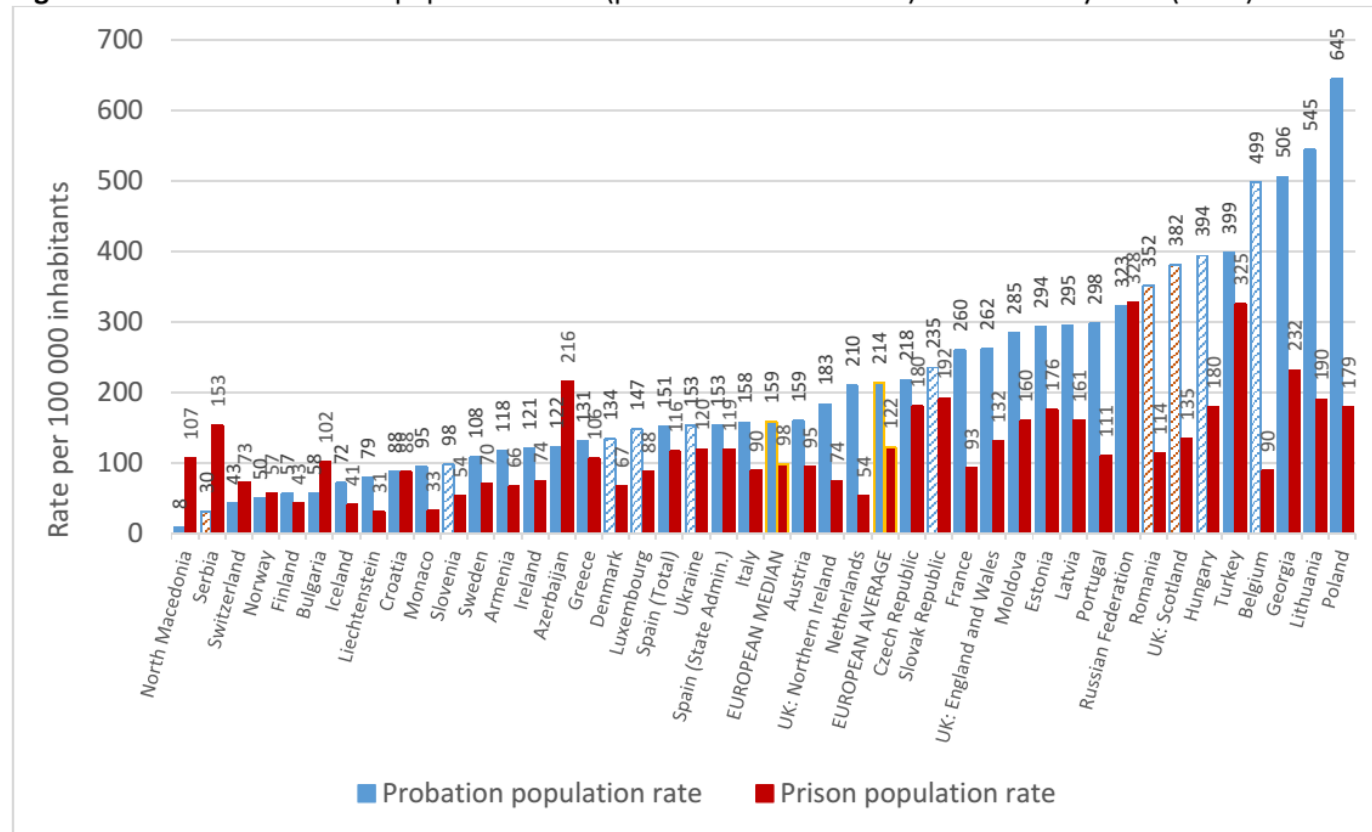
Definitions

CoE European Probation Rules (2010)

Probation: *relates to the implementation in the community of sanctions and measures, defined by law and imposed on an offender. It includes a range of activities and interventions, which involve supervision, guidance and assistance aiming at the social inclusion of an offender, as well as at contributing to community safety.*

Where we are now?

Figure 3. Probation and Prison population rates (per 100 000 inhabitants) on 31 January 2021 (N=41)



Note to Figure 3: Probation agencies not using the *person* as the counting unit of their statistics are presented in blue stripes, while those using it only *partially* are presented in orange stripes.

Where we have been 20 years ago?

Countries without probation systems

High rates of imprisonments in:

- The Baltic States
- The Netherlands
- Spain
- Romania (222)

Table 1

Prison population rates (per 100,000 of the national population) in current EU member states and accession states

Current member states	Prison population rate	Accession states	Prison population rate
Austria	97	Cyprus	50
Belgium	84	Czech Republic	170
Denmark	65	Estonia	330
Finland	68	Hungary	165
France	93	Latvia	351
Germany	98	Lithuania	260
Greece	81	Malta	73
Ireland	85	Poland	211
Italy	100	Slovakia	164
Luxembourg	111	Slovenia	55
Netherlands	100		
Portugal	134		
Spain	138		
Sweden	72		
United Kingdom (overall)	136		
- England and Wales	140		
- Northern Ireland	67		
Ireland			
- Scotland	125		

Source: World Prison Brief Online, available at <www.prisonstudies.org>

What happened? - 1

Penal policy transfer context



- **Standards setting (CoE)**
- **European Union accession process**
- **Bilateral talks**
- **Increase role of professional networks**
- **Significant research body**

Recently: *Covid-19, conflicts and war, financial and migration crisis, foreign nationals in prisons and probation and at the same time division of Europe (more nationalists political parties governing the countries etc.).*

What happened? - 2

International standards

- ✓ Recommendation CM/Rec(2018)8 of the Committee of Ministers to member States concerning restorative justice in criminal matters
- ✓ Recommendation CM/Rec (2017) 3 of the Committee of Ministers to member States on the European Rules on community sanctions and measures
- ✓ Recommendation CM/Rec (2010) 1 of the Committee of Ministers to member States on the Council of Europe Probation Rules
- ✓ United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules)

EU accession process

- 2004 – the largest enlargement – 10 countries
- 2007 – Romania and Bulgaria
- 2013 – Croatia

What happened? - 3

- **Bilateral talks** – regional level, strong donors influence (UK, Netherlands, Germany) in the new EU members
- **EU preaccession funds** - available for the candidates countries and new members
- **Twinning Projects between MS and pre-acesion**
- **Increase role of professional networks – CEP**
- **Establishment of the EuroPris**
- **Joint events in various platforms**

What happened? - 4

Significant Research body

- ✓ Access to research
- ✓ Bringing the academia closer to practitioners and viceversa
- ✓ RNR, Desistance, GLM, Relationships, Who Works?

Regional Snapshots - North



- Since 2001 -Prison and Probation under the same roof (**Directorate of Norwegian Correctional Service**) Oversee the prison, halfway houses and probation
- Key principles – “seamless execution of sentences” – “normality”, “reintegration guarantee”
- High degree of discretion for probation staff



- the Swedish Prison and Probation Service
- new methods of structured assessment in the individual sentence planning, in accordance with the risk-need-responsivity
- new method for supervision, KRIMSTICS, from the Canadian model of Strategic Training Initiative for Community Supervision (STICS)



- Criminal Sanctions Agency (in 2010)
- Working both with juveniles and adults
- a greater degree of rehabilitation and treatment influenced by the approaches of What Works, Desistance, and Good Lives Model as well as new types of supervision methods, which require more skills and abilities from the probation officers
- using the Jersey Supervision Interview Checklist developed by Peter Raynor et al (2009)

Regional Snapshots - South



- Probation is part of the Penitentiary System - Third degree prison regime – or `open regime`, which falls within the concept of `Probation`, as it is understood in the rest of Europe
- Persons on `probation` are assigned to a Social Insertion Centre (multidisciplinary teams) - open centres or departments
- Public and private agencies, NGOs and voluntary work play a very important role, employment programs, social integration programs, programs aimed at specific
- groups, health and drug addicts programs, training and educational programs



- Secretariat of Criminal Sanctions, Rehabilitation and Victim Support under the MoJ of the Autonomous Government of Catalonia (Directorate General of Community Sanctions and Juvenile Justice)
- Working both with adults and juveniles, for the later there are in place *the Young Offender Probation Teams*
- the Community Prevention Programme – an example of program linked to the restorative juvenile justice scheme
- the Criminal Justice Specialised Assessment Team for adults who issue pre-trial reports about the offender or the victim at the request of the judge
- a model based on outsourcing the programme with a non-profit organization - IRES Foundation, APIP, INTRESS



- More than 60% of the prison population – foreign nationals in the migration context
- Probation is organized under the Ministry of Justice (recent reform in 2019 and the merge between adult probation and juveniles probation)
- started in 2007, is not yet operational at the national level
- New recent efforts to introduce Community Service

Regional Snapshots - West



- Probation Service, separate from the Prison Service
- Working both with juveniles (ten and upwards) and adults
- Close cooperation between prison and probation (ex: *Community return project* - an incentivised early release scheme combining unpaid work with early release and resettlement support)
- Comprehensive Review of Risk Assessments tools in used by the probation service
- Recent focus on Domestic Violence and Sex Offenders
- A network of funded community based organizations (€17.532m in funding to 60 community in 2021)
- Restorative justice practices



- 200 years of probation!
- 3 probation organisations - Reclassering Nederland (71%), Salvation Army Youth Protection (9%) & Probation and Addiction and Probation Service Mental Healthcare and Substance Abuse Treatment – SVG (21%)
- Working only with adults
- `crime figures are dropping, prisons are becoming more and more empty or even being closed, the Probation Service workload remains high`
- CoSA (Circles of Support and Accountability) to reduce recidivism of sex offenders
- TER Team of the Probation Foundation (terrorism, extremism and radicalization)
- More complex cases (cybercrime, mentally disabled persons, addictions, very violent offenders, including persons convicted of firearms offences and drug violence)

Regional Snapshots - East

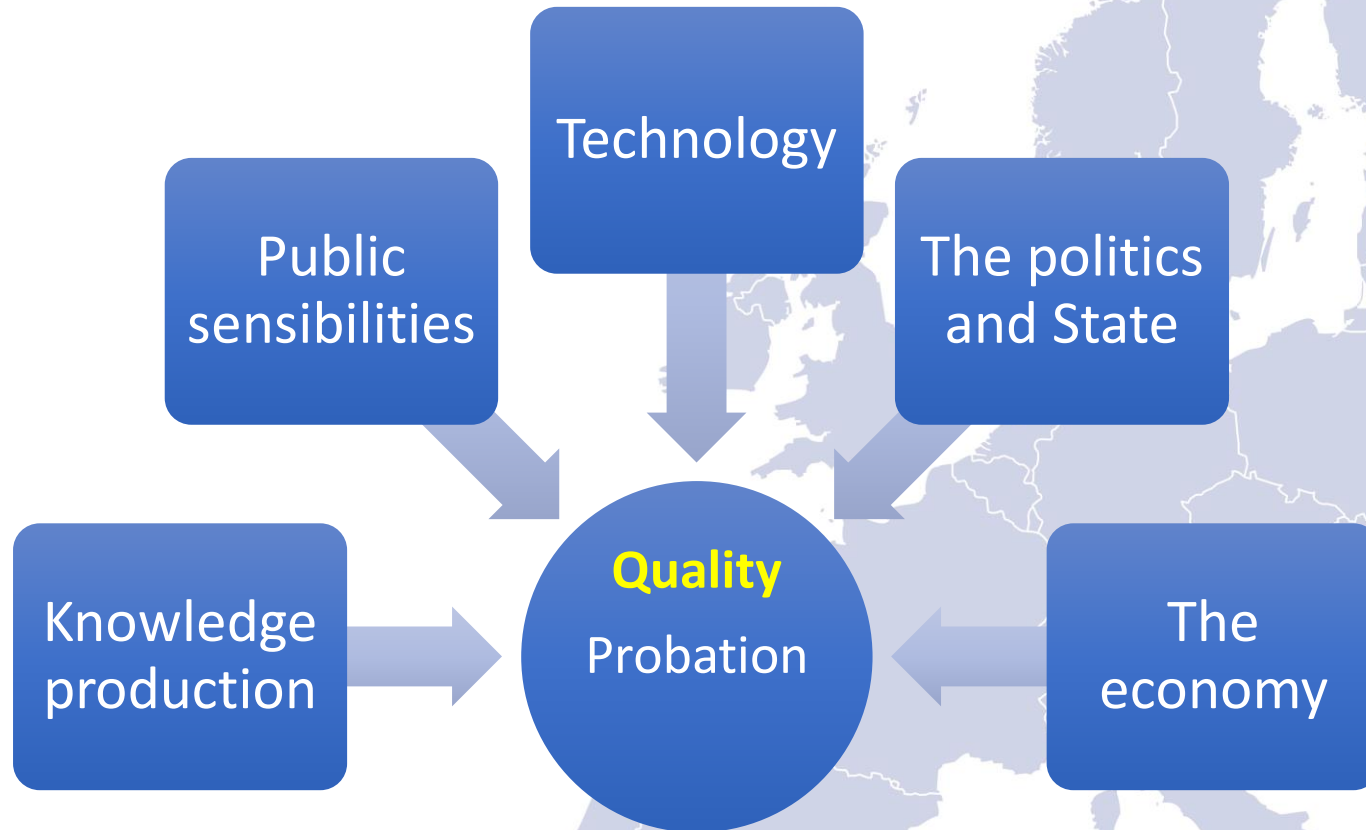


- SPA – the youngest probation in Europe (2015)
- Data management - organisational information system (ProbIS) and development of a dedicated risk-and-needs assessment tool (MOT)
- Focusing to develop treatment programmes for those subject to supervision (e.g.. training to work with sex offenders in the Netherlands)
- Core Skills Training (whole organization approach)



- Significant reform in criminal matters (2014)
- National Probation Directorate part of the Ministry of Justice
- Working both with juveniles and adults
- Set of national standards for implementing the community service and programs
- Active plan to integrate evidence based-intervention
- Developing our risk-and-needs assessment tool (SERN)
- A significant shift in punishment regimes
- Integrating new principles in our activity `seamless` and `normality`

Reflections about the future



Reflections about the future

Probation aim	`quality measurement`
Promoting community sanctions and measures	Increase the use of alternatives to detention
Assisting judicial decisions	Satisfaction of the judiciary
Rehabilitation of offenders	Reduce rates of reconviction
Public protection	Safer communities
Enforcement of the community sanctions and measures	High compliance, robust implementation
Offenders' reinsertion into the community	Improved inclusion and well-being
Victims' interests and reparation	Victims satisfaction & constructive and proportionate reparation

Adaptation after Shapland, Bottoms, Farrall, McNeill, Priede and Robinson (2012) and Durnescu (2008)

Reflections about the future

- ✓ Quality probation vs quantity probation?
- ✓ Are we ready for crisis-management?
(recent years)
- ✓ Are we ready for `digital probation`?

Questions?

<https://www.cep-probation.org/knowledgebases/probation-in-europe-updates/>

Thank you!



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