



### **General Information**

- Number of inhabitants: 7.2 million on the 1<sup>st</sup> of September 2007.<sup>1</sup>
- Prison population rate per 100,000 inhabitants: 130.3.
- Link to Probation Service:
  - [www.gencat.cat/temes/eng/justicia.htm](http://www.gencat.cat/temes/eng/justicia.htm) (Department of Justice).
- Links to websites:
  - [www.iresweb.org](http://www.iresweb.org) (Institute for Rehabilitation).
- Catalonia as well as IRES are member of the CEP.

### **Characteristics of the Probation Service**

- Within the autonomous Catalan community, the Directorate General for Community Sentences and Juvenile Justice and the Directorate General for Prison Regime and Resources (which are part of the Secretariat for Prison Services, Rehabilitation and Juvenile Justice of the Department of Justice) are responsible for all the probation activities.
- The Directorate General for Community Sentences and Juvenile Justice is the body responsible for the enforcement of measures in the juvenile jurisdiction and community sanctions/measures in the adult criminal jurisdiction. The Directorate consists of:
  - a Subdirector General of Reparation and Enforcement of Community Sanctions (adults jurisdiction), which is made up of 4 advisory and mediation teams, 12 teams supervising alternative sentences and 5 centres for victims of crime;
  - a Mediation and Technical Advisory Service (Juvenile Justice; persons below the age of 18 years), which is made up of 8 advisory and mediation teams;
  - an Enforcement of Sentence Service (Juvenile Justice), which is made up 9 probation teams and
  - a Human and Financial Resources Service.
- On contract basis the Directorate General works together with several NGO's. They cooperate with the Welfare and Development Association (ABD) for the implementation of mediation programmes and with the Social Rehabilitation Institute (IRES), the Institute for Work and Social Services (INTRESS) and the Association for the Promotion of Professional Insertion (APIP) for the enforcement of community measures.

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<sup>1</sup> Aebi, M.F. and N. Delgrande (2009) *Council of Europe Annual Penal Statistics SPACE I Survey 2007*. Switzerland: University of Lausanne. Available online at:  
[http://www.coe.int/t/e/legal\\_affairs/legal\\_co-operation/prisons\\_and\\_alternatives/](http://www.coe.int/t/e/legal_affairs/legal_co-operation/prisons_and_alternatives/)

- The Directorate General for Prison Regime and Resources is mainly responsible for all the penitentiary centres and the social services of the penal sections (4). These social services are organized by district and include social workers, psychologists, jurists, educators. They provide social assistance to prisoners, persons on semi-liberty, on parole or in electronic monitoring programmes.
- The Inter-institutional Committee for Social Rehabilitation (CIRSO) is a body that involves the Government of Catalonia, the central Spanish administration, local authorities and social and economic agents. The Committee's objective (which has been realized already) is, amongst others, to plan (not execute) specific policies and inter-institutional strategies for the rehabilitation of individuals who have been subject to legal sanctions, victim care and alternative penal measures and mediation.

### **Tasks**

During the pre-trial phase of the criminal process, the Directorate General for Community Sentences and Juvenile Justice is, amongst others, involved in victim-offender mediation and psycho social examination of juveniles who have been arrested and held at prosecutor offices for maximum 48 hours (the cells in these offices belong to a special body of police for juveniles). Technical advising teams provide the public prosecutors with (pre-trial) reports regarding these juveniles, so that the prosecutors are able to decide whether the judge should be asked to adopt precautionary measures (pre-trial detention and pre-trial supervision) with respect to the arrested juvenile. Within the trial and enforcement phase, the Directorate General is in charge of providing courts/prosecutors with pre-sentence reports. These reports are obligatory if the defendant is a juvenile; in case the defendant is an adult the reports are only made on request of a judge, prosecutor or defendant himself. Moreover, the technical advising teams in adult's jurisdiction can provide a report regarding the victim to the (requesting) judge. Furthermore, there are specialised teams on juveniles or adults who are in charge of supervision activities (community work, suspension of imprisonment, electronic monitoring, drug/alcohol treatment programs, semi-liberty and conditional release). The centres of victims of crime are in charge of informing victims about the state of the judicial procedure or the prison status of the offender (during the execution of a penalty). They may also offer victims access to social services or other specialised services they consider necessary.

**Number of staff in 2007** (within the Directorate General for Community Sentences and Juvenile Justice)

|                          |            |
|--------------------------|------------|
| - Adults jurisdiction:   | 354        |
| - Juvenile jurisdiction: | 186        |
| <b>Total</b>             | <b>540</b> |

- Daily average number of offenders/clients dealt with.

#### Adult jurisdiction:

- 56 regarding the teams of technical assessment and victim offender mediation (4);
- 226 regarding the victim support offices (5);
- 67 regarding the teams of execution of alternative sanctions (8) and
- 26 regarding the sections of social services and the centres and open sections.

#### Juvenile jurisdiction:

- 109 regarding the teams of technical assessment and victim offender mediation (8) and
- 49 regarding the teams of execution of measures in the community (9).

### **New developments**

- The Penal Enforcement Plan 2007/2010 establishes the core strategies, aims and actions of the Secretariat for Prison Services, Rehabilitation and Juvenile Justice (which is part of the Department of Justice). The plan focuses a new model for the administration and enforcement of sentences in the community, and for victim care.
- The network of public and private bodies and organisations that support alternatives to imprisonment have to be strengthened through:
  - the creation of the CIRSO (which is a political initiative);
  - the organization of seminars, conferences and training courses for NGO's and voluntary organizations to improve their knowledge and facilitate the possibility to exchange information;
  - the involvement (under contract with the Department of Justice) of new NGO's in providing services or programs related to the execution of community sanctions or offering means and resources to increase the alternatives to prison sentences (like: housing, work and education);
- The development of parole programmes are promoted.
- An Agreement between the Department of Justice, IRES and the University of Barcelona has been signed offering, since 2009, a master degree on Enforcement of Community Sanctions in both jurisdictions (minors and adults).

### **Probation during the different stages of the criminal procedure**

|  | <b>Pre-Trial Phase</b> | <b>Trial and Enforcement Phase</b> | <b>Post Release Phase</b> |
|--|------------------------|------------------------------------|---------------------------|
| Preparing a Social Enquiry report          | x                      | x                                  |                           |
| Early help/intervention (during the period | x                      |                                    |                           |

|  |   |   |   |
|--|---|---|---|
| of arrest at the police station)   |   |   |   |
| Supervision/assistance to pre-trial detainees  | x |   |   |
| Supervision/assistance etc. to offenders whose cases were conditionally waived                 | x |   |   |
| Supervision/assistance to offenders whose pre-trial detention has been conditionally suspended | x |   |   |
| Mediation  | x | x |   |
| Victim support   | x | x | x |
| Pre - sentence report  | x | x |   |
| Supervising etc. sanction of probation <sup>2</sup>  |   | x |   |
| Supervising/organizing etc. community service  |   | x |   |
| Supervising etc. suspended sentence  |   | x |   |
| a. Supervising/organizing training or learning projects  |   | x |   |
| b. Supervising etc. drug/ alcohol treatment programs   |   | x |   |
| c. Supervising etc. the mentally ill or retarded offenders (in-out patient orders)             |   | x |   |
| Supervising etc. other community sanctions, namely:  |   | x |   |
| a. Education activities –Day Centre activities   |   | x |   |
| b. Living together with another family or educational group.                                   |   | x |   |
| Security measures  |   | x |   |
| a. Supervising etc. the mentally ill or retarded offenders (in-out patient orders)             |   | x |   |
| b. Supervising etc. special measures for drugs addicts   |   | x |   |
| c. Supervising / organizing training or learning projects                                      |   | x |   |
| d. Custody of the family   |   | x |   |
| Supervising etc. semi-liberty  |   | x |   |
| Supervising etc. electronic monitoring   |   | x |   |
| Assistance/support to prisoners in prison  |   | x |   |
| Supervising etc. conditional release/parole  |   |   | x |
| Advisory report with respect to amnesty pardon   |   | x |   |

<sup>2</sup> The sanction of probation as an autonomous or independent sanction exist only in the juvenile justice jurisdiction and it's called Libertad Vigilada.

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This summary is based on the country chapter in the book *Probation in Europe*, the most comprehensive survey of probation systems and services in Europe today. If you wish to order it, please click [here](#).

