

PROBATION IN EUROPE

Bulletin of the Conférence Permanente Européenne de la Probation

Twenty-five years of CEP

John Scott

President of the CEP

So how and where did it all begin? The founding conference of the CEP took place in November 1981 in Royauumont, France. An initial preparation seminar had taken place in Ulm, Germany in the November of the year before and the Austrians had hosted the first formal seminar in Vienna in September 1981 – the topic was 'The Foreign Offender', a subject which retains its interest over quarter of a century later.

The records show that 50 people from 14 countries attended the founding conference when the constitution was established and the first officers and Board were appointed. Hermann Klenke from Germany was the first President and Nico van Zelst (the Netherlands) took on the role of Secretary General – thus was CEP born. Rumour has it that the original idea to create a European probation organisation resulted from a chance meeting on a holiday beach.

CEP was established as a body corporate in Holland – the formal language of the Statutes was and is Dutch, but the working languages are French, German and English. The organisation set out to bring probation leaders, thinkers and practitioners together and the chosen method was through seminars and workshops. CEP has convened 56 such events, but 31 of these have been in the last decade so the pace of meeting has increased considerably. Topics have been incredibly varied, but there are several themes of recurring interest – juveniles, victims, assessment and court reports, how probation works in different jurisdictions, sex offenders and drugs issues. More recently electronic monitoring, 'what works' and developing community sanctions have been revisited over and again.

Governance has been provided through the

General Assembly – the gathering of the membership to vote in the Board and officers and to consider the direction and organisational matters necessary for CEP to grow and thrive. There have been nine General Assemblies:

- May 1983: Windsor, UK
- April 1986: Frascati, Italy
- October 1989: Barcelona, Spain
- May 1992: Dublin, Ireland and Newcastle, Northern Ireland
- May 1994: Paris, France (a supplementary Assembly)
- May 1995: Helsinki, Finland
- March 1998: Amsterdam, Holland
- March 2001: Valletta, Malta
- September 2004: Lugano, Switzerland.

The written word has become increasingly important to CEP. In the early days conference papers were circulated but not published, although CEP helped create the Handbook 'Probation en/in Europe' by P. Tak, G. Cartledge and M. Tomic-Malic. This was followed up by 'Probation and Probation Services – A European Perspective' in 2000 by A. van Kalmhout and J. Derks. Tantalisingly, CEP produced a European Song Book – demonstrating the classic probation talent for enjoying both work and play. >>>

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The Board decided to invest in a regular published Bulletin in 1995 and this has been widely distributed in French and English across member countries twice a year since. A web-site was established in 2000 and increasingly the internet is the location of information and debate as we are able to make papers and ideas available to people in and beyond our membership.

Today CEP has 35 member organisations from the statutory and independent sectors and has 24 countries in membership, with two new applicants pending. The organisation has close links with the Council of Europe and has expert status at several European forums. There are concords of co-operation with North American and Australasian and Asian Probation Associations and plans to expand include appointing a communication officer and providing consultancy to emergent probation services in an ever-expanding probation world.

It is important to honour the origins and vision of the founding members. Twenty-five years on, we can appreciate the energy and the potential of their work. It is the job of every current member to build on the foundations laid for the CEP and to think how we can develop the vision for the 21st century. It is a challenge to wonder what will be celebrated at the 50th Anniversary of CEP – and to speculate about the nature of probation in another 25 years.

Although not many of us are likely to be around in 2031 – it is easier to invite you to attend the Anniversary Conference in Jersey in June 2006! As an organisation we will be looking forward to the future of probation (although there will be opportunities to reflect on the past) and the title has the confidence of an established and mature organisation – ‘The Future IS Probation’. I believe our founding members would have approved! <<

Turkey launches new Probation Service



David Perry

Resident Twinning Advisor
EU Turkish Probation Project

“Gentlemen! The issue of prisons is very important. The scion of the country, whose personal freedom was taken away, must be brought up to be useful to the country.”

M Kemal Attaturk

Attaturk would have been proud of the moment on 11 November 2005 when Justice Minister Cemal Çiçek, UK Minister Baroness Scotland and EU Ambassador Hans Jörg Kretschmer, stood in front of the television cameras to launch the new Turkish Probation Service. Criminal justice reform in Turkey is gaining momentum and the opening of 133 new probation centres across the country marks a significant step forward. CEP President John Scott was on the platform to welcome the new Service into the European probation community.

The new Penal Code passed by the Turkish Grand National Assembly in September gives courts the power to impose community penalties instead of custody, including community service and probation. Supervised conditional release for prisoners has been introduced, and the probation service will provide reports on offenders at all stages of the criminal justice process.

The fundamental values underlying the new service include respect for human dignity, honesty, confidentiality and impartiality.

The new service is required to give particular attention to the needs of juveniles aged between 12 and 18.

EU Twinning Project

Vehbi Kamer, the new Head of Probation, is supported by a UK-led EU Twinning Project with Dutch, Czech and Catalan partners. David Perry, previously Deputy Director General of Probation in England and Wales is the Resident Twinning Advisor based in Ankara.

The Project has eight work-streams focusing on the development of legislation, regulations

and guidance; training; risk/needs assessment; case and management information; management development and training; communications; equal opportunities; and study visits. A series of study visits will be made to the partner countries to gain first hand knowledge of probation practice, and a visit to the UK took place in February.

September 2005 saw 27 Turkish experts and 10 short-term experts (STEs) from the UK and the Netherlands meeting together to work on regulations that cover all aspects of the governance, practice and management of the Service. Regulations enabling the recruitment of the staff became effective in October and regulations on probation, help centres and protection boards in December. There is ongoing work on disciplinary issues and the employment of probation staff.

Work also began in September on a handbook that will give practical guidance to staff. The first version including guidance on assessment and writing reports has just been completed.

At the same time the challenge of finding suitable office accommodation across Turkey has been met. 133 offices have been established and equipped, with the EU providing funding to assist with the purchasing of IT equipment.

Local leadership

133 probation centre managers were appointed in June 2006. These have been drawn from experienced staff in the Prison Service, and comprise a mix of governors, psychologists, social workers and teachers. At the same time 133 public prosecutors with responsibilities for the Probation Service were identified.

The centre managers are the key to the successful implementation of the new service, and all have attended training courses in law and regulations, management tasks and duties, and staff supervision and practice development. The training was developed by STEs working with small groups of Turkish experts, and was delivered by pairs of English and Turkish trainers working together. The quality and enthusiasm of the centre managers mean that the new service has excellent product champions in each of the 133 Heavy Penalty Court areas.

Promoting the new service to judges and other key stakeholders is critical, and seminars for Enforcement Judges and the Chairmen of Boards of Visitors were held in Istanbul and Erzurum in October. These were well received. The Twinning Project has also run a communications strategy workshop which ranged from the development of information leaflets for courts and offenders to press and media relations. Development of a probation web-site is expected to be completed shortly.

1,000 staff by May 2006

More than 1,000 staff will have been recruited by May 2006. 533 enforcement and protection officers drawn from the prison service are now in post, and will be joined by a further 175 shortly. Recruitment of up to 352 qualified social workers, teachers and psychologists is underway.

Training these staff in the basic skills required is the biggest task facing the service over the next year. The Twinning Project has developed a course in inter-active training methods and 46 Turkish trainers have completed it successfully. A 10-day training course in core probation skills has been developed, and further courses

on work with drug and alcohol misusers, juveniles and community service are planned.

The development process uses a cascade model whereby STEs and Turkish experts devise the training course and materials, followed by the training of Turkish trainers to deliver the course to large numbers of staff in small groups. The quality of the Turkish trainers has been impressive and in January the training methods course was repeated and run by Turkish trainers alone, marking the successful transfer of skills and knowledge and the beginning of sustainable development.

Protection Boards

One unique aspect of the Turkish system is the establishment of Protection Boards whose purpose is to ensure community support for the resettlement of offenders into society after a prison sentence. 2,128 people have been appointed to the 133 boards linked to each probation centre, with a duty to assist in individual cases. Members are drawn from the range of statutory and community agencies, and include NGOs and even the local bank manager! Meetings have begun in some areas and this will be a development to watch in the future.

An encouraging start

So far the judges seem to be giving the probation service a cautious welcome, with a total of 557 orders made in the first few months, with every sign that numbers are increasing. It is a very encouraging start and marks the successful outcome of a long gestation period. A new service has been born! <<

Foreign prisoners in Europe

Femke Hofstee-van der Meulen

Co-ordinator of the European Union Social Exclusions Project of Foreigners in European Penitentiary Institutions

Foreign prisoners are over-represented in European penitentiary institutions. Their numbers – both in absolute and relative terms - are rapidly increasing. At this moment there are more than 100,000 prisoners in EU countries who do not have citizenship of the country they are detained in. Their numbers vary greatly per country but the average percentage of foreigners in the total prison population is just over 19%.

Necessary questions

Why are foreigners over-represented in European prison populations? Who are they and on what grounds are they held in detention? Are foreign prisoners more vulnerable inside prison and are they more likely to re-offend after release? How are national prison systems and other authorities addressing this issue? These are all questions which are waiting to be answered. Unfortunately, at the moment, there are hardly any data or studies available. You might say that 'foreign prisoners' are a forgotten group. The EU project on 'Foreigners in European Penitentiary Institutions' aims to fill this gap and to address the issue of social exclusion of people detained in European penitentiary institutions outside their country of residence.

Combating social exclusion

In early 2005 the European Commission (DG Employment, Social Affairs and Equal Opportunities) called for proposals for their 'Community Action Programme to Combat Social Exclusion'. Professor Anton van Kalmthout from Tilburg University (The Netherlands) and Femke Hofstee-van der Meulen from Prison Watch applied for a grant to combat the social exclusion of foreign prisoners. A few months later, Tilburg University received the approval from the European Commission to start a one-year project.

The aim of the project is to conduct a study into the situation and position of foreign prisoners in European penitentiary institutions. These studies will be conducted by national experts from each EU country and the information on the actual situation in 25 EU countries will be collected, analysed and compared. Based on this knowledge, examples of good practices that address the issue of social exclusion on a national level will be highlighted. If there is a need to address this issue on a European

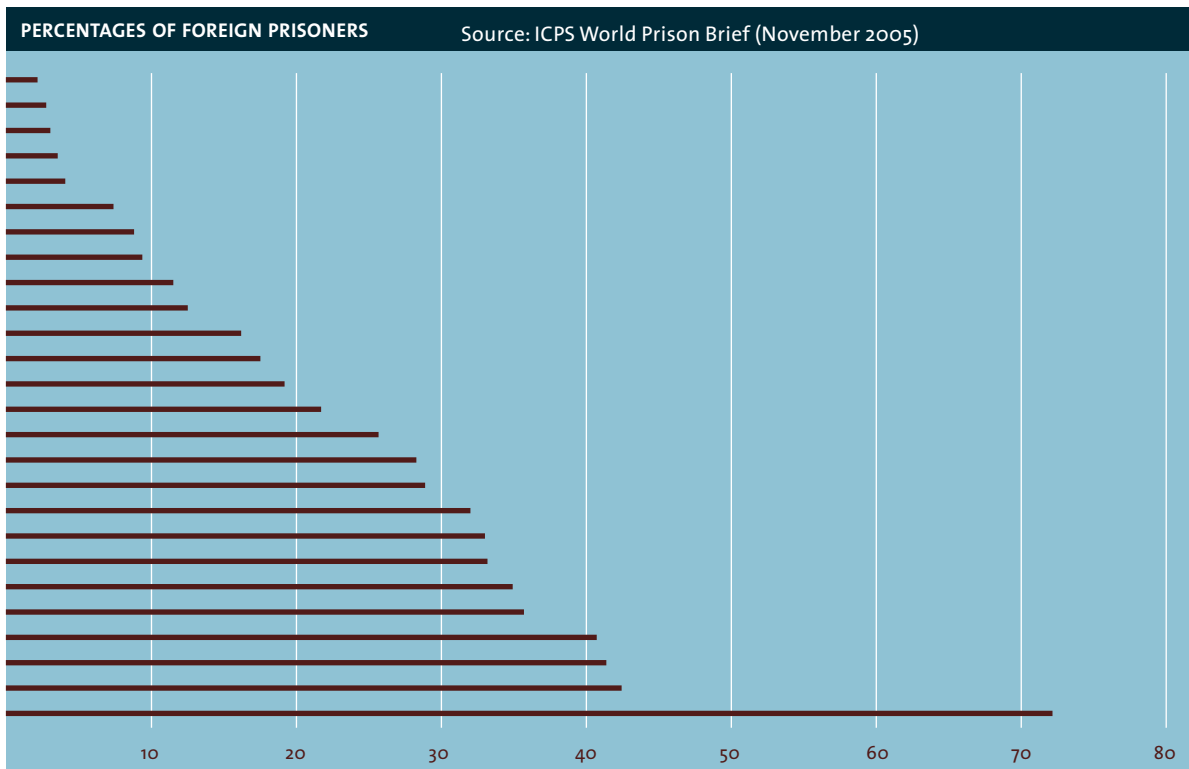
level, recommendations will be introduced for co-ordination and co-operation. In both cases, the results of the project will be published and presented at a one-day conference for policy makers in Brussels.

For this project, Tilburg University sought partnership with the Liaison Office of the Dutch Probation Service, the Greifswald University in Germany, the Jesuit Refugee Service-Europe, the Hungarian Helsinki Committee and the Conférence Permanente Européenne de la Probation (CEP). The CEP was asked to become a partner owing to its experience and expertise as a true European network and because the project fits well into its original aims. (The CEP was established 25 years ago because of the need to cooperate on a European level in responding to the rising number of foreign prisoners. The first congress arranged under the CEP banner was about foreign prisoners!)

Prison populations

Over the last few decades, the prison populations in European countries have been growing and their profiles have been changing. Whereas, prison populations used to be rather homogeneous, today they have been transformed into more diverse populations. And the portion of foreign prisoners, those without citizenship of the state in which they are detained, has increased rapidly.

Currently, there are over half a million prisoners in European penitentiary institutions. Of this group, over 100,000 do not have citizenship of the country they are detained in. This means that the average percentage of foreigners inside European prison populations is 19%, although the numbers vary greatly between European countries, from over 22,000 in Germany to less than 100 persons in Latvia. The highest percentage can be found in Luxembourg,



where 73% of the prison population consists of foreigners. In Cyprus, Greece and Belgium the percentage is just above 40%, while in the Netherlands, Italy and Austria it is around one third. The chart above displays the percentages of foreign prisoners in the 25 EU countries.

A few statistics

In preparation for the national studies, experts from the 25 EU countries were invited to participate in a working meeting which was held in The Netherlands. Elementary research has already highlighted the following statistics.

Prison populations

Belgian prisons currently detain 104 different nationalities. Swedish prisons detain 80 nationalities. In England and Wales, approximately 20% of the foreign prisoners comes from within the EU. Nearly all foreign prisoners in Germany are detained in the former West Germany. In Finland and Luxembourg, approximately 50% of the foreigners detained are being held for drug offences.

Forms of detention

In Belgium, 42% of the foreign prison population is awaiting trial, compared to 22% of Belgian national prisoners. In France, the average length of stay in prison is more than 1 year. When a foreigner in Spain receives a sentence of longer than 6 years, that person

is automatically expelled from the country. In Italy, foreign prisoners are eligible - after serving 2/3 of their sentence - for alternative sanctions such as home detention.

Outside contact

In Ireland, foreign prisoners regularly receive free phone calls, while in Cyprus they may receive up to 8 visits per month and make up to 8 phone calls.

Activities

In Finland, 62% of imprisoned foreigners are engaged in work and other activities. In Germany, there are less opportunities for foreigners. In Latvia, there are no activities available at all.

In-depth research

In the coming months, more in-depth research will be carried out on these and other topics. Interviews will be held with foreign prisoners, consular staff and visitors to complete the picture. The results of this work will then be presented in September, 2006 at a meeting in Brussels for European policy makers and officials from Prison Services, Ministries, Embassies etc. Officials from Probation Services are more than welcome to join this event. <<

For more information, please contact Femke Hofstee-van der Meulen at femke@prisonwatch.org.

Establishing a Probation Service in Bulgaria

Steve Pitts and Valentina Karaganova

Steve Pitts is Resident Twinning Advisor, EU PHARE Project - Establishing a Probation System in Bulgaria; Valentina Karaganova is Director of Probation Department General Directorate "Execution of Sentences", Ministry of Justice in Bulgaria

This is an exciting time to be writing about Probation in Bulgaria. The Bulgarian Probation Service is new. Staff are taking up appointments, Courts are making Orders, the prevailing mood is one of optimism and expectancy. The vision is clear and the journey has begun. This article describes a little of the background, but more about the service now and plans for the future as, supported by the PHARE project, it sets out its initial vision and begins delivery.

A little history

Probation legislation took effect from 1st January, 2005. But the story started earlier:

NGOs have been preparing the ground since the mid 1990s. Much of the initial work was based in prisons, looking outward towards resettlement. This work complemented the already strong tradition of social work in prisons.

But from the late 1990s, NGOs began to focus on community-based work. Voluntary organizations, including the Criminal Policy and Prevention Institute (CPPI) and the IGA Foundation, developed a pilot scheme working with ex-prisoners, young offenders, and adults on a voluntary basis. The CPPI, for example, established a model probation team in Russe and developed a public media campaign. IGA ran a probation centre in Pazardjik, piloting case management and a multi-partner Probation Board.

This work, which was supported by donor organizations and governments - especially the Open Society, who funded seven experimental centres - has helped underpin the emerging service. An aim of the new service, and an activity in the PHARE project, is to ensure that this learning is used to best effect.

The present context

Credible alternatives to imprisonment are a European Union accession requirement: Nobody doubts that effective Probation systems contribute to progress in justice and home affairs by delivering sentences based on objective criteria and managed with accountability, equality, and transparency.

So the task has been to establish probation to European standards, yet still tailored to Bulgarian practice. With accession to the EU expected by January 1st, 2007, the timeframes are daunting. This is the challenge taken up by the Ministry of Justice and supported by the PHARE project.

Building the service - Probation Priorities

So what are the building blocks? Probation in Bulgaria is a Department of the Directorate of Penalty Enforcement. The Director General and the Head of Probation will set out their priorities in the service's first strategic and operational plan, to be published in the spring.

Priority One - Human Resources: Recruiting staff with transparency and supporting them through training

The development programme is ambitious. The aim is to have a fully operational service by the end of 2007. Milestones include the appointment of 600 staff by the end of 2006. Over 2,000 applicants means that we will be able to select the most capable people. Training is crucial: the service is committed to developing all staff, and the provision of initial training for managers and practitioners are both key activities of the PHARE project. Training in leadership has been a good starting point and has contributed to the service's first strategic and operational plan.

We know however that the service needs to build sustainability. That is why training trainers, and designing a strategy for continuous professional development, are the vital next steps.

Priority Two - Organisational structure and systems:

The structure is based on Bulgarian administrative and court areas. There are 28 districts and high courts, and 112 regions and local courts.

The service follows this structure. The aim is realise 28 district and 112 regional offices, together with a Directorate team based in Sofia. About 80 teams are in place. Resources will allow accommodation of all teams by December.

Work with partners is an essential part of the vision: the service is proud of the Board structure piloted over recent years. Regional Boards bring together municipalities, government departments, justice services and NGOs. Boards contribute transparency and accountability in reviewing offenders' progress. And they ensure that community service is responsive to local need. The PHARE project is supporting the development of a national partnership strategy and a Board which we hope will be a platform for further alliances for inclusion and reducing re-offending.

The service is developing its communications. A film on probation has had a first television airing. A workshop agreed to focus on courts, staff and media. "A chance to change" is one of the messages the service is considering.

Priority Three - Delivering effective practice to reduce re-offending, protect the public, and provide reparation

Probation may be ordered for between six months and three years. Legislation provides for five measures. Some are traceable to older traditions, some new. The first two are obligatory.

1. Registration (which may be daily).
2. Supervision Meetings - effectively the main means of change.
3. Prohibition from visiting specific locations - implemented closely with the police.
4. Training courses and intervention programmes.
- 5.a Community service of up to 300 hours.
- 5.b Correctional labour: 10-25% is deducted from the offender's regular salary.

Naturally, legislation is just the starting point. The Directorate has asked teams for implementation feedback to inform secondary legislation, standards, and areas needing review. We are working with staff on practice guidelines linked to a training curriculum. Using a tailored version of the OASys assessment tool, and with IT that is promised to span prisons and probation, we are aiming for one case management process to record offender supervision and inform performance management.

This might sound like a challenging agenda - and it is!

Relationship with Prison Service

Relations with the Prison Service are close. Head offices are co-located in one Directorate. The Head of Probation retains Prison Service responsibilities and some Directorate and practice staff until recently were members of the Prison Service.

We want to build on this history, looking for complementary policy and practice in areas such as assessment, case management and interventions, data and performance management, communications, partnership work, HR, and IT.

Which road next?

The service is keen to establish a strong service based on Bulgarian tradition and best European practices. Naturally, there are issues to address. They include the absence in legislation of pre-sentence reports: we know these can reduce inappropriate orders and measures.

Once our initial staff, infrastructure, and delivery priorities are in place, we will consider what electronic monitoring has to offer, and the potential for boosting resources through investment from non-governmental sources. The service is interested in sharing experience of the European Excellence Model.

The service understands the challenges it faces. In co-operation with colleagues abroad, it is upbeat about its ability to meet these challenges both now and in the future. <<

FNARS celebrates 50 years and its firm commitment to assistance and social reintegration

Marie Brossy-Patin

President of the Justice Committee of FNARS

Fifty years ago, several organisations grouped together to form FNARS (Fédération nationale des associations d'accueil et de réinsertion sociale). The aim of this small group of pioneers was to create the means, throughout France, of responding to the often difficult situation in which ex-prisoners and prostitutes find themselves.

Today, through its network of 750 organisations, FNARS offers a range of services to any individual or family in social difficulty - whether temporary, chronic or urgent. These services include drop-in centres, accommodation, employment and social integration.

This network is highly professional and generates a considerable level of requests for training from social workers and for evaluation of policies that have been implemented. In this respect the Federation's objective is to be a dynamic observatory of integration, in order that social work can be advanced and social policy developed. FNARS must be able to keep abreast of the welfare needs of communities, to evaluate the appropriateness of steps taken, to check that they are consistent, to measure the results obtained and to support innovative practices that prevent exclusion. Lastly, it is a network which has taken on a real public service mission: "to guarantee effective access for all, throughout the territory, to fundamental rights in the areas of employment, housing, healthcare, justice, education, training and culture, as well as the protection of family and children".

In line with this objective, and more specifically where people in the justice system or ex-prisoners are concerned, FNARS has in recent years:

- Strongly supported the system of sentence adjustment, its position being that these adjustments must be accessible to the most disadvantaged amongst the prison population, with the aim of preventing reoffending but, at the same time, preventing major upheaval in the lives of those people. FNARS has defined the requirements for social support that focuses on the person's integration while they are serving a sentence in an open environment; they include the content of

sentence adjustment measures, setting out terms and conditions and a specific social work plan. The proposal to take this on takes into account the need to maintain family ties, to prioritise access to basic rights in terms of care and health, professional training, employment, social rights and cultural activities. The person has to be viewed as a whole in this plan, which necessarily explores the actual reasons behind their committing the crime.

- Explored the personal and social factors in certain offending behaviours, principally sexual offences - which are often associated with psychiatric problems and carry a not inconsiderable risk of reoffending. Following on from this exploration, its task is now to give guidance to social workers who have to come into contact more and more with people when they are in hostels or when they become the social worker's responsibility in the context of managing their sentence.
- Contributed to the development of major legislation. FNARS took a stand on the law governing internal security, which included numerous measures that either amounted to a crackdown on criminality, with the destitute suffering the most - by criminalising begging and prostitution - or targeted specific people such as travellers. The Federation defended the need for social work support, which allows people to make alternative life plans. On the other hand FNARS supported measures relating to sentence management in the Act of 9th March 2004, which adapted the justice system to changes in crime. The measures result from the principle that, as strongly reaffirmed by the law, "the execution of sentences favours the reintegration of convicted persons as well as the prevention of recidivism, whilst respecting the

interests of society and the rights of victims".
(New article 707 of the French Code of Criminal Procedure)

There is a marked tendency in France to put away offenders, as far away and for as long as possible. There is no doubt that to implement plans for prevention, education, emotional rebuilding and to ensure social supervision for the same people is a much more difficult task. Social work in relation to offenders, of the type where the sole aim is to create a bond

between people and enable them to live together, is now being brought into question. It must therefore be emphasised that integration does not take care of itself any more than stopping crime, which prison alone is powerless to achieve. Successful integration is possible where the person has been able to put together and develop his own workable plan. It is undeniable that this is essential to prevent reoffending. <<

For more information: <http://www.fnars.org>.

Drug treatment courts in Norway

Berit Johnsen

On January 1st 2006, two 'drug treatment courts' were established in Norway as pilot projects in the cities of Oslo and Bergen. According to the US National Association of Drug Courts Professionals, a drug court is "... a special court given the responsibility to handle cases involving substance-abusing offenders through comprehensive supervision, drug testing, treatment services and immediate sanctions and incentives" (<http://www.nadcp.org/whatis>).

In Norway, drug treatment courts deal with offenders of all ages and of both sexes, with an established relationship between a pattern of serious drug misuse and other criminal offences. The aim of the drug treatment court is to reduce or eliminate an offender's dependence on drugs, as well as to reduce the level of drug-related criminal activity.

Treating the individual

In the juridical sense, the drug treatment court sentence is a suspended sentence, but one in which participation in drug treatment court programs is a condition: the offender must agree to participate in the drug treatment court programme. The programmes include court-controlled treatment and rehabilitation activities, consists of four phases, and are specially designed

for each individual client. Such flexibility is essential if the programme is to meet the client's various needs. For example, some may need 24-hour a day treatment in an institution, while others may only need policlinic treatment.

A supervision and treatment team is responsible for the design of the program and consists of representatives from the correctional service, the social service, the health service and the educational and employment service. Other organizations may also be represented in the team, for example, the police and child protection agencies. The permanent members of the team work together at a drug treatment court centre, a location at which some of the client's activities also take place.

Court supervision

A special feature of the Norwegian model is that the court's involvement in the program is not as prominent as, for example, in the Irish or the Scottish model. However, the court supervises the programme, and at all times during the programme, the offender is accountable to the court. It is the court that rewards progress by, for example, moving the client to the next phase, or sanctions non-compliance. And it is also, naturally, the court that responds to criminal activity during the program: punishment for not complying with the conditions of the programme, or for new criminal acts, may well be imprisonment. <<

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Juvenile Restorative Justice in Europe: International seminar in Vaucresson, France, 16th – 17th January, 2006

Lida Hasmanova and Hana Bortlova

The focal point of the seminar – attended by countries such as Estonia, Serbia and Montenegro, Ukraine, Czech Republic, Spain (Catalonia) and Portugal – was a series of different models of work with juveniles across Europe, with a special accent on French experience and expertise.

Opening speeches

The event was opened by Michel Duvette, Director of Protection Judiciaire de la Jeunesse (PJJ) and Pierre Berton, Director of the PJJ's Centre National de Formation et d'Etudes (CNFE). There then followed a presentation from Catherine Blatier, Professor of Psychology of University of Grenoble, who pointed out the psychological-educative aspects of Restorative Justice. This was supported by Jocelyne Castaignede from University of Pau, who offered an evaluation of some new approaches to the field. Jaume Martin, a Board member of the CEP, then described CEP activities and support. Finally, Hana Bortlova, a representative of the Association of Probation and Mediation in Justice (SPJ) in the Czech Republic, made a brief presentation of the 'BEST: Alternatives for Juveniles project'.

Also discussed

Other features of the seminar included:

Legal Bases

Speakers presented legal conditions for the application Restorative Justice in France, Czech Republic and Serbia and Montenegro.

Decision process

A discussion panel with the emphasis on victim-offender mediation and other alternative measures in France and Catalonia. Applications of Restorative Justice in Estonia were also cited.

Methodology and practice

In contrast to the first day, the second day focused on practical matters and particular case studies (from Catalonia and Portugal). Especially appreciated were two French documentary films showing experiences with reparation measures.

Evaluation of practice

Czech speakers referred to best practices in some Probation and Mediation local centres, while the Ukrainian researcher, Vira Zemlyanska, gave a brief overview of recent developments in Restorative Justice in Central and Eastern Europe.

Many participants

The event attracted up to 110 participants from many European, but also non-European countries (such as Uruguay and Algeria). Many participants affirmed that the seminar was particularly interesting in comparing experiences, laws and models of work in different countries. Especially appreciated by the French participants was the fact that "the event offered rich information on the RJ situation in the 'Eastern' countries such as Estonia, Czech Republic, Serbia-Montenegro and Ukraine".

The seminar was organised in partnership with the French Ministère de la Justice–PJJ, CNFE PJJ, Generalitat de Catalunya–Department de Justícia and CEP.

The final seminar of the BEST project will take place in Prague on 1st and 2nd June, 2006. The project is financially supported from the AGIS Programme European Commission-Directorate General Justice, Liberty and Security. <<

For more information, please contact either Lida Hasmanova (SPJ) hasmanova@spj.cz or Hana Bortlova (SPJ) bortlova@spj.cz. Further information about the BEST project and the final seminar can be found at <http://www.best.spj.cz>.

Meeting of the Directors of Probation in Toledo

Jaume Martin

The Directors of Probation met in Toledo from 25 to 27 January, 2006 for a two day meeting. They entered into lively debate on the issues currently at stake in the field of probation in Europe.

This was the second informal meeting for the Directors. The first was held in Amsterdam in 2003 and consisted of only 5 people. During the Ad Hoc Conference of Directors of Prison Administration in November, 2004 - held in Rome and organized by the Council of Europe, and to which the Directors of Probation were invited - the CEP arranged a second informal encounter at which the participants agreed to consolidate this type of meeting in the future. The admission of the Spanish penitentiary administration to the CEP in 2005 also made possible the realisation of a new meeting for the Directors of Probation Services, this time within the format of a workshop entitled, 'Leadership through change'. The workshop was held in Toledo and a total of 35 participants - representing 19 organizations from 13 countries - attended.

John Scott reminded participants that one goal was to create a relaxed atmosphere among directors, one that would allow them to discuss freely those problems that concern them most in their daily activities.

Several keynote speakers from across Europe gave interesting lectures, all of which were followed by lively debates. The first session was introduced by Mercedes Gallizo, General Director of Penitentiary

Institutions from Spain and Albert Batlle, Secretary of Penitentiary Services, Rehabilitation and Juvenile Justice of Catalonia. Both spoke of the important role that Directors of Probation Services have to play in promoting the execution of measures and penalties in an open environment, so as to reverse the trend of the increasing use of prison sentences.

It is worth noting that the participants all agreed that the CEP should invest more time and energy in lobbying with the European Institutions, although it was stressed that this would mean more formal and informal meetings with representatives of those European Institutions and that the Secretary General should maintain those relationships. It was agreed that this would imply a financial investment on the part of the CEP.

The participants at the evaluation concluded that the meeting was useful and stimulating and the CEP was asked to organise another event at some time in the coming 2 years. The Spanish hosts were thanked profusely for their hospitality and for their effective staging of the meeting. <<

*A report of the whole event can be found on the CEP's website:
<http://www.cep-probation.org/reports.html>.*

WORKSHOP IN LILLEHAMER

Due to a lack of space in this edition of the Bulletin, we are unable to publish an article about the CEP workshop on Community Sanctions, held in Lillehammer, Norway on 14-16 September, 2005. We can, however, direct you to the report on the workshop, which is available - in English - on our CEP web site <http://www.cep-probation.org/reports.html>.

The Offender Assessment System (OASys) in England and Wales

Dr Robin Moore

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OASys is the risk needs assessment tool used with adult offenders across the prison and probation services of England and Wales. Its development between 1999 and 2001 followed a growing recognition of the importance of systematic assessment and profiling of offenders, enabling the effective targeting of interventions in line with 'What Works' principles.

The development of OASys

The decision was taken to develop a new national assessment tool, combining static and dynamic risk factors, in order to fully:

- assess how likely an offender is to be reconvicted
- identify and classify offending related needs
- assess risk of serious harm, risks to the individual and other risks
- assist in managing the risk of harm
- link the assessment to the sentence plan
- indicate the need for further specialist assessments
- measure change during the sentence.

In meeting these purposes, the use of OASys has value for practitioners, managers and researchers. For practitioners, OASys aims to improve the quality and consistency of their assessment practice and their supervision planning. For managers, collated data can be used for resource planning, for assessing the tailoring of individual interventions and for monitoring effectiveness. For researchers, the collation of large amounts of standardised quantitative and qualitative data enable a range of research questions to be explored at both the local and national levels.

Key components

There are five main components of OASys:

1. Risk of reconviction and offending related factors

The main body of OASys consists of 12 sections, each relating to different offending related factors. The sections are as follows: (i) offending information; (ii) analysis of offences; (iii) accommodation; (iv) education, training and employability; (v) financial management and income; (vi) relationships; (vii) lifestyle and associates; (viii) drug misuse; (ix) alcohol misuse; (x) emotional well-being; (xi) thinking and behaviour; and (xii) attitudes. Most sections contain both dynamic and historic data, and research has

demonstrated that each area is closely related to the risk of reconviction. The sections vary, however, in how well they predict reconviction, so the contribution that each factor makes to the overall reconviction score is weighted accordingly. There are also questions at the end of each section that allow the assessor to link the offending related factors to the risk of serious harm, risks to the individual and other risks, and offending behaviour.

2. Risk of serious harm, risks to the individual and other risks

OASys includes risk of harm forms which draw together information from the earlier sections of OASys in a comprehensive and systematic way. These enable assessors to make informed judgments on the relevant issues under various headings.

3. OASys summary sheet

A summary sheet enables practitioners to draw together key information from the assessment of the offender and includes the scoring schedule.

4. Sentence planning

The 'sentence planning' component of OASys links sentence plans to offenders' individual assessments. By integrating sentence planning into the overall process of assessment, OASys assists the practitioner in clarifying the links between these two essential aspects of case management.

5. Self-assessment

The purpose of the OASys self-assessment questionnaire is to provide a more complete picture by allowing the offender the chance to comment on how they see their life. The questionnaire may identify issues that the offender has not raised in the interview or highlight differences of opinion that can usefully be discussed.

Electronic version

An electronic version of OASys is now used across the probation and prison services. This assists with the updating and review of individual assessments and also includes a reporting mechanism. The introduction of area to area 'connectivity' (November, 2005), through which OASys data is shared between the prisons and probation areas, is a further step forward, enabling practitioners to view all earlier assessments for individual offenders, irrespective of where they have been completed.

The data from all assessments is collated centrally within NOMS (National Offender Management Service) and analysed by a team of researchers. This team (O-DEAT – OASys Data, Evaluation and Analysis Team) has responsibility for the ongoing development of the assessment tool, for the provision of management information - both centrally and to local areas - and for various offender research projects. By the end of March, 2005, over 400,000 assessments had been collected within the O-DEAT database from the probation areas alone.

International links

O-DEAT have provided advice and information on risk needs assessment tools to a number of other countries. Workshops were conducted in the Czech Republic, providing an overview of risk needs assessment tools and presenting aggregated data from OASys. This demonstrated the potential for regular systematic reports on offender profiles and the targeting of interventions. Northern Ireland has been provided with regular updates regarding the implementation of OASys in England and Wales, while Belgium has been supplied with data following its roll-out of a similar assessment tool. Outside Europe, delegates from New Zealand have been provided with an overview of OASys, the O-DEAT database, and how the data is being used.

Returning to Europe, O-DEAT have established on-going links with a number of other probation services, assisting with the development of their own risk needs assessment tools. A probation team from the Netherlands visited O-DEAT in early 2003, and have since developed an assessment tool known as RISc. Level 1 of the RISc is based upon OASys. It consists of the same core 12 sections, a self-assessment, a risk of harm form and a responsibility section. Level 2 encompasses more specific in-depth assessments - triggered by level 1 - while level 3 links the offenders' needs to an individual sentence/supervision plan. The research team is now planning work on inter-rater reliability and construct validity.

Links between O-DEAT and the Norwegian probation service were established during 2004. OASys was directly translated into Norwegian, and in August 2004 a one-day seminar and two-day workshop were staged. The seminar covered the research which was necessary to develop the assessment tool, while the two-day workshop encompassed training in using the assessment and a consideration of the differences between the UK and Norwegian criminal justice systems. Piloting of the assessment followed and, in early 2005, further advice was provided on developing the IT system.

Most recently, links have been established between O-DEAT and the newly-formed Turkish probation service. This work forms part of an EU-funded twinning project between NOMS and the Turkish service. Two workshops are being staged; the first ten-day workshop is seeking to develop a paper-based guided risk needs assessment tool, while the second five-day workshop is looking at the long-term data requirements with a view to developing an actuarial scoring system.

Future work

While work has already been completed by O-DEAT to assess the validity, reliability and quality of OASys data, further important work is planned. A user-perspective study is scheduled, along with an inter-rater reliability study within the prison service. The inter-rater reliability study will measure the ability of OASys to deliver consistent assessments of offenders by asking multiple assessors to rate the same offender, thus assessing whether any variations in scoring reflect differences between the assessors rather than differences between offenders. The ability of OASys to measure changes in offenders' risk/needs profiles is being assessed, and a 24-month reconviction study will be completed in summer 2006. The links with the young offender assessment tool, Asset, are also being explored.

As for international work, O-DEAT remains keen to establish and strengthen ties with other European countries, as well as providing on-going advice regarding the development and scoring of the actuarial systems. The sharing of research findings would help to maximise the potential of risk needs assessment tools throughout Europe, and there is obvious scope for ground-breaking multi-national comparative analysis. <<

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Readers survey: the CEP Bulletin

The Editorial Committee

Last year, the CEP Board took steps to improve the communication between CEP members. In February 2005, a Communications Group was formed to undertake the development of a communications strategy. One of the issues at hand was exploring the possibility of a website. And one of the options considered was publishing a newsletter on the website, as opposed to the current method of distributing the CEP Bulletin.

In order to find out how many people read the CEP Bulletin Probation in Europe, in what function, and what they think of it in its current form, a questionnaire in English and French was added to the June edition of the CEP Bulletin in 2005.

Results in a nutshell

In the summer of 2005, we sent 2500 questionnaires to 38 organisations. Out of these 2500, 123 questionnaires were returned from 21 countries; a response of 4.92%. (Romania and Malta have a special position in this survey as they returned 86 questionnaires.) With the exception of these two countries, only 37 questionnaires were returned by the other 19 countries, mostly by probation workers and managers. This results in a fictitious response of 1.48%.

Therefore, in a way, the most significant result was the poor response – partly due to distribution problems. Furthermore, the results we could establish show that the readers of Probation in Europe are fairly happy with the contents. For instance, a vast majority agrees with the statement that, thanks to the bulletin, they know more about the European judicial policy and the development of probation work. The same applies to the information in the bulletin about activities of other European probation organisations. Furthermore, and on average, most readers feel more involved with the CEP, thanks to Probation in Europe.

A digital newsletter?

From the low response, it can be – cautiously – concluded that Probation in Europe is not very well

known and receives relatively little attention from the member organisations. Of course, further investigation could be undertaken to determine whether the bulletin is accurately distributed within the organisations that receive it. And also whether the survey was sufficiently brought to the attention of the readers.

However, even if this would lead to a list of possible improvements regarding the distribution, it wouldn't drastically change the overall picture of this survey. The response is still too low to draw a definite conclusion from the collected information regarding, for example, the appreciation of the contents and lay-out of the bulletin.

In view of the above and the relatively high production costs (editing, printing and mailing) of Probation in Europe, we are therefore considering whether to stop issuing the bulletin in its current form. It seems sensible to develop a new communication strategy, based on the vision and mission of the CEP. This strategy should precisely specify what message CEP wishes to communicate to which target group, and what means of communication is most suitable. The option of faster, less expensive and more flexible forms of spreading information by e-mail (newsletter) and internet should be further explored.

We express our appreciation for all respondents among the readers of the CEP Bulletin. In particular, we are grateful to our Romanian and Maltese colleagues, all of whom filled in and sent back the questionnaire. <<

Spreading Probation and Mediation Services throughout the new EU countries

The partnership between the Consultation and Information Centre EDUKOS (Slovakia), the Swedish Prison and Probation Administration, the Secretary of Penitentiary Services, Rehabilitation and Juvenile Justice (Catalonia, Spain), the Association for Development of Social Work in Criminal Justice (Czech republic), the Law University of Lithuania, the Foundation for Assistance for Youths in Threatened Social Groups 'PLUS' (Poland) and the Establishment of Punishment of the Youth (Slovakia) is implementing a project titled 'Another Way'. It is funded by the Grundtvig action (Adult education and other educational pathways) of the Socrates program of the European Community. It began in 2003.

The main objective of the project is to assist in establishing probation and mediation services in the countries that entered the European Union in 2004 and which were expected to create systems compatible with European standards in the fields of justice relating to sanctions that avoid imprisonment.

By learning about the functioning of probation and mediation services in partner countries and by collecting lessons learned, we are aiming to propose a model of training for PMSs. We are also intending to spread the philosophy of probation and mediation amongst a public not yet ready to understand alternatives to custodial punishments.

These objectives cannot, of course, be achieved within one project. It is necessary to continue with further projects and activities, in the future, that build on a single foundation. That is what we would like the project 'Another Way' to be. Each of the partners is a representative of a different type of institution, while each country represents a different system of probation and mediation service, prison service and community sanctions. There is a chance that by means of mutual communication and cooperation, we can develop and create valuable and well-funded outputs.

For more information, please contact Denisa Lejavová at edukos@zoznam.sk, <http://www.another-way.info>.

Drunk Drivers' Programme in Norway

The trial period for the Drunk Drivers' Programme in Norway began approximately 10 years ago and has been an alternative to incarceration for those caught driving under the influence of alcohol. The programme was established due to the widely held belief that incarceration had little effect on such offenders and that a protracted follow-up outside the prison environment with both education and control would be a far better alternative.

Alternative to prison

The programme constitutes an alternative to incarceration for those caught driving under the influence on numerous occasions, or who have been

found on at least one occasion driving with a blood alcohol content higher than 1.5 pro mille, and is designed to create a safer traffic environment by reducing the number of traffic accidents. This presupposes that drivers will abstain from using alcohol and, to achieve this aim, the probation service applies 20-30 hours of education, individual conversations and control for each offender. It also seeks to identify any need for curative treatment of alcohol or drug abuse. Although this follow-up is limited to one year, educational material and handbooks covering these topics have been developed by the Prison and Probation Staff Education Centre.

Nationwide testing

In 2003, the programme was expanded for a nationwide test. Since then, the number of effective sentences has more than doubled and recommendations have been made for an expansion of the programme's target group to include persons who abuse other drugs than alcohol, or combine their abuse of alcohol with other drugs. If the target group is thus expanded, we expect a considerable increase in the number of sentences incorporating this programme.

For further information or enquiries: anne.dahl@jd.dep.no.

Probation Board for Northern Ireland - Service User Evaluation

A recent independent survey of offenders by the Probation Board for Northern Ireland (PBNI) has produced encouraging results that will be used to guide service development. 142 offenders currently supervised by PBNI were questioned by PricewaterhouseCoopers.

The findings of the survey were overwhelmingly positive:

- Contact was frequent and meaningful – weekly contact at the commencement of supervision (94%); additional specialist services provided (65%); home visits (90%); risk assessment (84%) and supervision plans completed (82%).
- Probation Officers are flexible and available – local office is conveniently situated (82%); the Probation Officer is easy to contact (94%).
- Indications of an emphasis on offenders' social context – contact with families (44%), and with the local community (9%).
- Enforcement is rigorous but fair – requirements to adhere to conditions were explained (in 90% of cases); 98% of reported missed appointments received a formal response; enforcement was accepted as a fair response in 80% of incidents.
- Offenders held a positive view of supervising officers – friendly (82%), a good listener (75%); reliable (65%); fair (65%).
- Offenders believe that probation supervision will help stop re-offending (76%).
- There was a high level of overall satisfaction with the service provided – very satisfied (76%); quite satisfied (22%).

The knowledge gained from the survey will guide service development. Where there are positive results, PBNI will aim to maintain the level of performance that produced them. The survey also indicated some areas for improvement; these include explanation of the boundaries of confidentiality to offenders, and the understanding of their supervision plan, something a significant number of offenders could not recall.

A copy of the evaluation is available on the Probation Board for Northern Ireland's web site www.pbni.org.uk/eap/final_pbni_report.pdf. For further information, please e-mail: andrew.rooke@pbni.org.uk.

CEP Agenda, 2006 - 2007

2006:

21-23 June, St. Helier, Jersey, Channel Islands, Conference 'A Future for Probation? The Future IS Probation!' 25th Anniversary of the C.E.P.

21-23 September, Lisbon, Portugal. Workshop 'Standards in Probation: developing, implementing and evaluating'. Information: www.cep-probation.org.

27-28 October Dublin, Ireland. Board meeting.

2007:

27-28 April. Stockholm, Sweden. Board meeting.

10-12 May, Egmond aan Zee, the Netherlands. Seminar on Electronic Monitoring
Information: www.cep-probation.org.

24-25 May. Stockholm, Sweden. Workshop on Drugs interventions.
Information: info@cep.srn.minjus.nl.

28-29 June, France. Prison-probation Interface (including parole).
Information: info@cep.srn.minjus.nl.

27-29 September, Tallinn, Estonia. General Assembly and Congress.
Information: info@cep.srn.minjus.nl.

PRODUCTION

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INDEX, UTRECHT (NL)

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ISSN 1382-7790.