



**Reducing the use of custodial sentences
in line with European standards**

**STUDY ON COST EFFICIENCY
AND SOCIAL IMPACT
OF NON-CUSTODIAL SENTENCES AND
PROBATION**

YEREVAN 2014

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LIST OF ABBREVIATIONS

RA	Republic of Armenia
MoJ	Ministry of Justice
PD	Penitentiary Department
ASD	Alternative Sanctions Division at Penitentiary Department, MoJ
SPLD	Social, Psychological and Legal Activities Division at Penitentiary Department, MoJ
PI	Penitentiary Institution
CC	Criminal Code
CPC	Criminal Procedure Code
PC	Penitentiary Code

EXECUTIVE SUMMARY

The aim of the study (prepared and drafted by “Social Justice “NGO) is to analyse the financial efficiency of custodial and non-custodial sentences. This study will provide the state officials and other stakeholders with relevant information to help them develop an effective financial management, make informed decisions as well as have a foresight into the advantages and risks of the future Probation Service. It will as well inform the concerned parties about the social impact of Probation Service.

In this regard, this study consists of two parts. **Part I** presents the current situation related to financial resources spent on detainees and prisoners within the PIs such as cost analysis for one prisoner starting with direct costs including food, clean and adequate clothing and bedding, healthcare of detained people and prisoners, etc. In addition, the study provides a series of financial estimations regarding the development of the Probation Service (in particular, after its establishment), in different stages of the Criminal Justice.

Part II presents an analysis of the social impact of the Probation Service. The aim of this part is to demonstrate that the Probation Service is an effective way to decrease and prevent crimes, to reduce the overcrowding in penitentiaries and to better re-integrate the offenders into the society.

INTRODUCTION

The judicial reforms initiated in the Republic of Armenia (RA) back in 1990s brought forth a number of legislative changes which influenced the criminal legislation of the country in general and the policy of penalization in particular. The reforms that started in the field of justice and continue till date aim at establishing a system which will be based on rule of law, democratic values and protection of human rights.

After having declared European integration and introduction of European and international values as a priority direction in its foreign policy, the RA has undertaken a number of obligations the successful implementation of which will greatly influence the development of the country. The penitentiary system underwent a series of improvements and was transferred from the jurisdiction of Ministry of Internal Affairs under the jurisdiction of Ministry of Justice (MoJ) in 2001. This marked the launch of wide-scale reforms of the system. However, among other problems in the penitentiary system, the congestion of penitentiary institutions and the efficiency of rehabilitative and corrective work with detained and incarcerated people still remain a priority.

In this regard the reforms implemented throughout the justice system should progress from the traditional concept of imprisonment to the concept of resocialization and restorative justice the core essence of which is to reach the goals of punishment through the activities of Probation Service.

According to the 2012-2016 Strategic Program of Legal and Judicial Reforms of the Republic of Armenia and the Action Plan related to the Program endorsed by the President of RA on 2 July 2012, the priority actions for improving the effectiveness of criminal justice and the penal system include reforms of the penitentiary system, emphasizing the need for creation of a national Probation Service under the jurisdiction of MoJ of RA¹.

¹ Concept Paper on Introduction of Probation Service in the RA” recently approved by RA Security Council and uploaded in the official website of RA MoJ <http://moj.am/legal/view/article/598#sthash.NBOHYOLh.dpuf>

METHODOLOGY AND STRUCTURE OF THE STUDY

1. Methodology

The information and analysis about the topics addressed in this study have been received mainly from the sources indicated below using the following methodology:

- a) Collection and analysis of statistical data², including the number of prisoners and detainees who entered penitentiary institutions during 2012-2013 year, offenders who were granted early conditional release or were released on other grounds, the number of offenders serving alternative sentences as well as the number of offenders whose sentences were postponed and conditionally not executed and who are supervised by the Alternative Sanction Division (ASD) of the Penitentiary Department (PD) of the MoJ.
- b) Analysis of available legal acts and/or their drafts, study of documents and concept papers on relevant policy and in particular “Concept Paper on Introduction of Probation Service in RA” of the MoJ recently approved by RA Security Council”³.
- c) Analysis of international experiences and studies of other international organizations concerning the Armenian criminal justice system (e.g. OSCE, EU Advisory Group)⁴.

2. Structure of the Study

The study consists of two main parts: I) financial analysis of custodial and non-custodial sentences and II) social (non-financial) impact of introduction of a Probation Service in Armenia.

Part I presents the main purpose of the study, i. e. the estimation of financial resources of custodial and non-custodial sentencing as well as of the future Probation Service.

This section also includes information about the funds spent by the government on detained persons and offenders presently kept in penitentiary institutions as well as the shares and percentage correlations of these funds. This part of the study presents the correlation of financial resources from the point of view of expenditure for execution of custodial and non-custodial sanctions. All analyses have been done taking into account the estimated expenditure required for introduction of Probation Service as well as the financial and non-financial gains which the government can obtain within 1-2 years after the introduction of a Probation Service.

Part II. In addition to the cost-effectiveness of the Probation Services, the social (non-financial) aspects of probation are presented and analysed in the second part of the study.

Part II introduces and analyses in general terms the influences of the PIs on the crime rates and the probability of reoffending by offenders who have been confined to these institutions for a long period of time. The Probation Service is analysed from the point of view of its impact on the society as an alternative solution to custody.

The study is completed with **two annexes**:

Annex 1. Legal acts and /or their drafts used in the study

Annex 2. Institutions and officials who were interviewed and/or brought their assistance to the study.

² The statistical data have been received from the official websites of RA Police, RA Judicial Department and PD of RA MoJ.

³ The estimations and analyses presented in the study are based on the “Concept Paper on Introduction of Probation Service in RA” recently approved by RA Security Council.

⁴ CoE, “Reducing the use of custodial measures and sentences in the Republic of Armenia: Assessment report (Iuliana Carbutaru and Gerard de Jonge)” Yerevan, 2013, OSCE/”Social Justice NGO” “Creating a probation service in the Republic of Armenia: issues and peculiarities”, Yerevan, 2012, EU Advisory Group “Policy Paper” PSRA, Yerevan, 2011

PART I

1. COST EFFICIENCY OF CUSTODIAL AND NON-CUSTODIAL SENTENCES AND PROBATION

In order to assess the financial efficiency of the introduction of a future Probation Service, it is necessary to answer the following questions:

- a) What is the general description of the expenditure that the penitentiary system incurs presently for keeping a person in custody?
- b) What additional financial resources will be required for introduction of a full-fledged Probation Service in RA?
- c) What financial savings can be anticipated as a result of introducing a Probation Service?

Based on information received from above mentioned institutions, as well as the provision of “Concept Paper on Introduction of Probation Service in RA”, the introduction of a full-fledged Probation System in RA requires additional resources, as presented below:

Table 1.

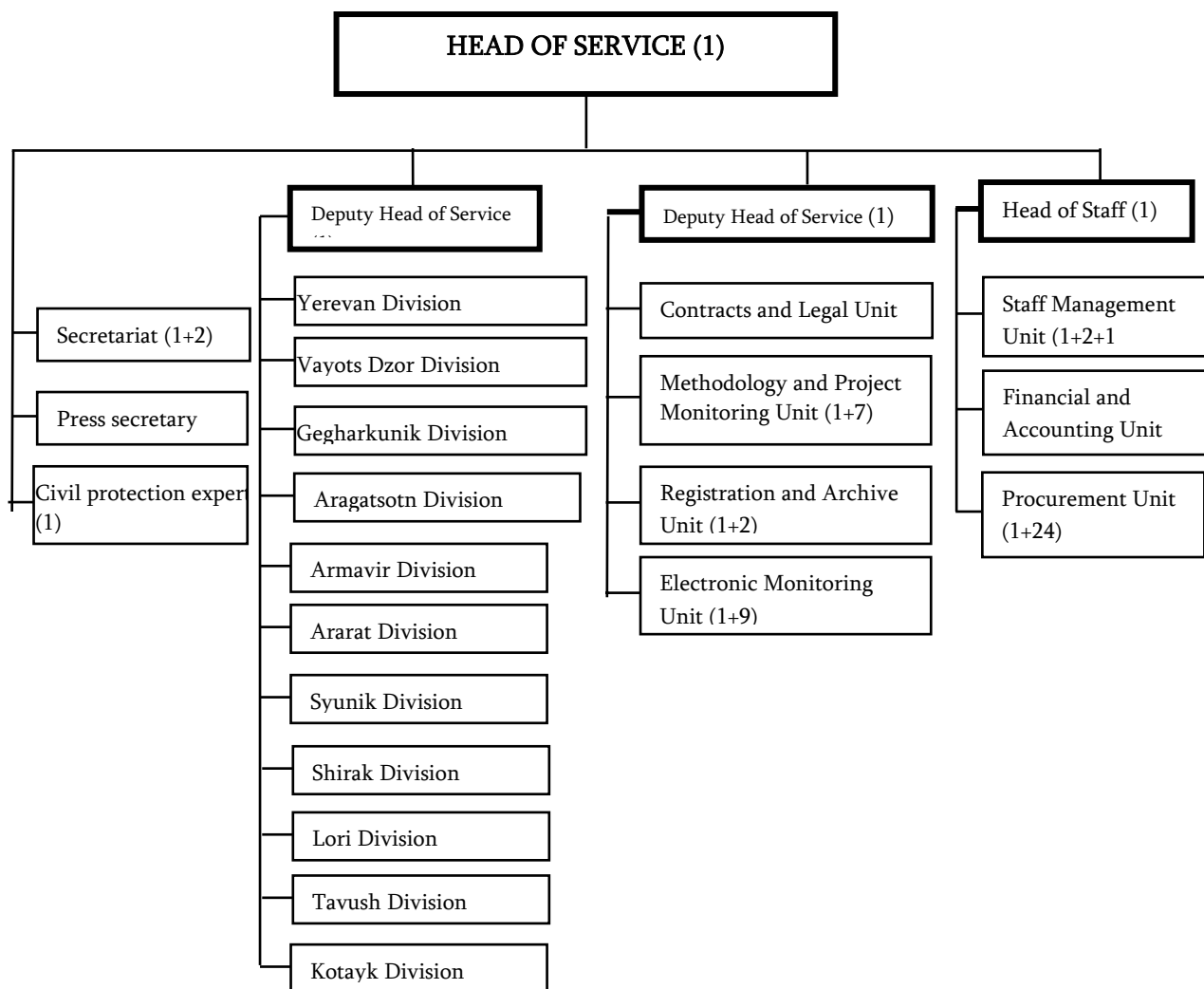
Main resources required to introduce a fully-fledged Probation Service ⁵

No	Factors/Standards	Presently functioning Alternative Sanctions Division of the PD of RA, MoJ	Future Probation Service
1	Staffing	83 (8 staff in central body/unit, 21 in Yerevan and 54 in regions)	200 (68 in central body, 31 in Yerevan and 101 in regions)
2	Territorial divisions	17 (10 in regions and 7 in Yerevan)	11 (10 in regions and 1 in Yerevan)
3	Locations	39 in regions and 2 in Yerevan (factually, only 2 are in the balance of RA MoJ)	40 in regions, 1 in Yerevan to serve the central body and Yerevan area
4	Means of transportation	11 passenger vehicles, of which 9 are subject to decommission	26 passenger vehicles 1 bus 1 van
5	Computers	25 computers 2 copy machines 1 scanner (all are subject to decommission)	185 computers 15 copiers, 45 printers, 15 scanners, 1 server

As indicated in Table 1, for the effective operation of a full-fledged Probation Service the estimated number of staff members must be increased up to 200 employees.

Staff distribution according to territories and subdivisions is introduced in the chart below:

⁵ See “Concept Paper on Introduction of Probation Service” <http://moj.am/legal/view/article/598>



The general 200 staff units are introduced in brackets (1st-head/manager +2nd a probation officer or other employees + 3rd-a psychologist + 4th a secretary + 5th deputy head)⁶.

1.1. Assessed standards and important factors

According to the above estimations, it is self-evident that the introduction of a Probation Service in Armenia requires certain additional investments, particularly in regards of staff and administrative resources.

However, before proceeding to the investments needed and/or savings gained from the operation of the future Probation Service, it is important to present a series of data on financial expenditures for custodial sanctions (detention and imprisonment). In particular, given the fact that the future Probation Service is an alternative to penitentiary system, the study presents the expenses incurred by the government for offenders in custody and places of confinement for the years 2012 and 2013⁷.

Therefore, 7 263 379.4 AMD were allocated to the PD in 2012, while in 2013 the sum was 8 486 001.4 AMD. In 2012, the number of detainees and prisoners was 4 674 (1 177 detained persons, 3 497 prisoners), while in 2013, it was 4 542 (1 104 people in detention, 3 438 prisoners⁸).

⁶ See "Concept Paper on Introduction of Probation Service" <http://moj.am/legal/view/article/598>

⁷ The information and data have been provided by the PD of MoJ. The data have been rounded and/or averaged in order to make the study more comprehensive and to give a general overview. For cost evaluation of the whole sphere, especially for more detailed and precise calculations more comprehensive approach and more time are required.

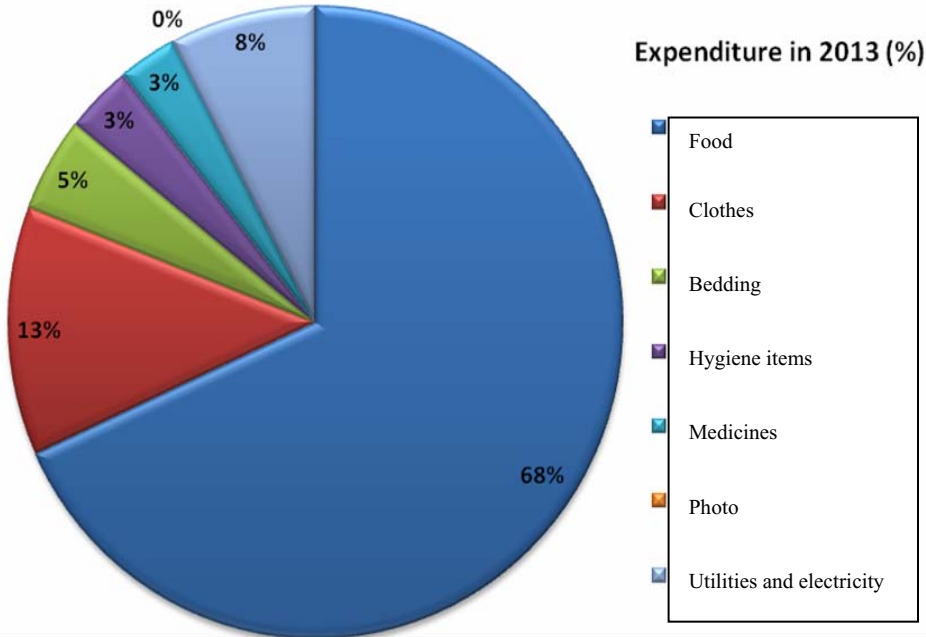
⁸ The number of convicts has reduced by 600 as a result of amnesty

The direct cost of one convict specifically includes food, clothing (except for detained people who can wear their every-day clothes as defined by the law), bedding, hygiene items, medicines, photo, utilities and electricity costs.

The distribution of costs in AMD is illustrated below:

DESCRIPTION	YEARS	
	2012	2013
Food	208 780	209 510
Clothes	43 313	39 141
Bedding	17 097	14 917
Hygiene items	11 880	10 704
Medicine	9 129	9 446
Photo	51	54
Utility and electricity costs	22 800	23 500
TOTAL	313 050	307 272

The percentage correlations of the table above are illustrated in the charts below. The data are based on the numbers of offenders. The percentages are almost the same regarding the detained persons, except for clothing cost:



It can be observed that during the two years the majority of the expenses is allocated for food, clothing, hygiene items, utilities and electricity almost without changes.

Based on the analysis of available data, the net expenditure per day for one prisoner/detainee makes about 840 AMD (in 2013 $307\,272/365 = 842$). This, combined with indirect costs for one offender⁹ results in about 4 500 AMD per day per person (for 2013).

Taking into account the fact that in case of proper functioning of the future Probation Service the number of offenders will drop by 1400-1500 (including prisoners and detainees, who will be transferred to the jurisdiction of the Probation Service, as presented in the next section of the study), then it is possible to conclude that the direct costs incurred for convicts will annually decrease approximately by 509 974 403 AMD.

⁹ Officer's salary, construction costs, etc.

In addition, it should be noted that the reduced number of prisoners and changes in criminal policy may require re-organization of the prison system (particularly PIs) which will generate savings due to the reduced number of employees of PIs (which employ 2 400 persons as of today)¹⁰. The above mentioned reduction, however, has to be carried out taking into account the optimal number of convicts, whom one employee of various subdivisions of a PI is able to control or work with in an efficient manner.

The above mentioned “small” saving will not be the only one once the Probations Service starts functioning fully. However, before proceeding to savings (which will be reflected upon in the next section), it is necessary to introduce what other criteria have been used while assessing the cost efficiency of the future Probation Service. In this regard it is very important to visualize how many offenders can benefit from the services in case the Probation is fully operational.

The analysis presented below is based on the statistical data, analyses and interviews with officials of PD of the MoJ. The information received was discussed and compared with the statistical data on the case-law found on the official website of RA Judicial authority and provided by the judicial department.

The analysis of statistical data presented below is carried out by comparing the years of 2012-2013, taking into account the information received from various institutions and the two amnesties that took place between 2009-2011, which significantly reduced the overcrowding of the PIs and ASD.

The analysis of RA **case law** and **execution of sanctions** highlights the following:

1. In 2012 the ASD and its units executed 1 811 alternative sanctions and measures, including fine, prohibition to hold certain posts or practice certain professions. Public works¹¹ and supervision was imposed over 1 288 offenders (overall 3 099 offenders), while in 2013 community sanctions and measures were imposed on 1 975 offenders and 1 676 were placed under supervision (overall 3 651 offenders)¹². Therefore, if the future Probation Service assumed the functions of the ASD, in present conditions the Probation Service would deal with about **3 400** offenders on average annually, out of which **2 000** offenders would be serving community sanctions and measures, while supervision would be exercised over about **1 400** offenders. Presently the ASD provides supervision over 180 offenders who have been granted early conditional release. If the number of offenders in custody decreases as a result of changes in criminal policies (therefore the number of offenders granted early conditional release), still this figure will increase due to the number of offenders who have been subjected to community sanctions and measures. These offenders, instead of serving their sentence in custody will be subjected to community sanctions and measures. As a result the above mentioned number of **3 400** offenders will remain almost unchanged for the Probation Service.

2. According to the “Concept Paper of Introduction of the Probation Service”, the future service will have the authority to present reports to the court about execution of community sanctions and measures instead, as well as reports on the execution of already applied alternatives to detention. The analyses show that presently the proportion of detained offenders pending trial among the general number of offenders in penitentiary institutions is 25%; and 75% are those who are serving custodial sentences. This suggests that the estimated number of 3 400 offenders under the jurisdiction of the Probation Service will increase (taking also into consideration the requirements and conditions of Article 122 of draft Criminal Procedure Code (CPC): among other measures of securing the presence of offenders pending trial this provision contains two new measures – administrative control and house arrest).

Even though, according to the draft CPC administrative control is to be carried out by police, by nature, these are preventive measures to be implemented by the Probation Service and may serve as effective alternative to detention as a measure of supervision pending trial. In this regard the analyses demonstrate that during 2012, RA courts received 2 621 solicitations to apply detention as preventive

¹⁰ The reforms of infrastructure of penitentiary service envisions changes in the number of penitentiary institutions as mentioned in the protocol of chapter 7 of “Draft of RA Government decision on approving the concept paper on development of “RA system of execution of sanctions and other measures of coercion” http://moj.am/storage/files/legal_acts/legal_acts_7396089543021_hayecakarg_qreakataroxakani_zargacman.pdf

¹¹ Hereafter, all these punishments, can be termed as “community sanctions and measures” to avoid repetitions

¹² Statistical data were provided by PD of RA MoJ

measure, of which 2 497 have been granted by the courts (95.2%). During 2013, RA courts received 3 172 solicitations to apply detention as preventive measure, of which 3 011 have been granted (95%). In parallel, the number of bails as an alternative to detention in 2012 has been 134, while in 2013 the number was 129. During 2012, 73 decisions on preventive measures have been annulled from among 2 497 decisions by higher instance court (Court of Appeal) while in 2013, 114 decisions have been annulled from 3 011.¹³

When comparing the mentioned numbers with the statistics received from the PD (regarding the fact that during 2012 the number of persons that entered PI as detainees was 1 859, while in 2013 it was 1 647)¹⁴, it can be concluded that the average annual number of persons who were subjected to detention as a measure of restraint was about 2 000. At the same time, according to paragraph 3 of Article 116 of the draft of RA CPC no substantiation is required for exercising detention as a measure of restraint when a person is accused of crimes of average and high gravity.

During 2012, 4 246 criminal cases were received by RA courts, while in 2013 the number was 4 039. If we note that during 2012, detention as a preventive measure has been exercised against 400 persons accused of crimes of average and high gravity, while in 2013 this number decreased to 350 for the same crimes¹⁵, then theoretically it is possible to apply house arrest and administrative surveillance against about **600** persons on average annually. These preventive measures will be implemented by the Probation Service.

3. When establishing Probation Services in various countries, the emphasis was initially put on working with offenders who committed crimes of small and average gravity. Assuming that the Service to be introduced in RA will also initially work with this group of offenders, it was important to analyse the case-law and the data regarding the offenders in custody according to the degree of gravity of crime. In particular, 3 727 persons have been sentenced in 2012 of which 2 737 with custodial sentences (including detention). Out of this figure 613 offenders have been sentenced up to one year of imprisonment, 444 offenders from 1 to 2 years of imprisonment, 386 offenders from 2-3 years of imprisonment, 517 offenders received a custodial sentence of 3-5 years, 173 offenders were imprisoned for 5-8 years, 20 offenders will stay in custody for 8-10 years, and 39 offenders were imprisoned for 10- 15 years. One person will serve a life sentence. 19 offenders from the above mentioned number were sentenced for murder, inflicting wilful severe damage to health, and violence. Of the mentioned number, 544 offenders were convicted to short-term arrest, while the punishment was conditionally not executed in relation to 762 offenders¹⁶.

If we exclude the prisoners, who were confined to more than 3 years of imprisonment from the above mentioned number, as well as those whose sentence was conditionally not applied, then it is possible to conclude that about **1 200 offenders**¹⁷ may serve alternative sentences instead of imprisonment, which will be supervised by the future Probation Service.

According to the well-grounded assumptions mentioned and analysed in this study, as well as taking into account the fact that the proper existence and functioning of the newly-established Probation Service will largely depend on the fast-paced changes in the area of criminal justice and criminal legislation,¹⁸ then the number of persons under jurisdiction of the Probation Service will reach 5 200 between 2016-2017¹⁹.

It should be noted that the estimations have been done for 2016-2017, since it is anticipated that the introduction of a fully-fledged Probation Service will be called to life within this time period.

¹³ Statistics is provided by RA Judicial Department (www.court.am)

¹⁴ Statistics is provided by PA of RA MoJ

¹⁵ Statistics is provided by RA Judicial Department

¹⁶ Statistics is provided by RA Judicial Department (www.court.am)

¹⁷ Due to the absence of some statistical data, as well as short term of the project the text does not analyse the unity of the degree of gravity of the crime, the article and duration of the sanction, as they may often not coincide. In particular, the punitive measure of a person convicted for a grave crime may be less than 5 years and does not correspond to the category of crimes of smaller or average gravity.

¹⁸ It was assumed that the criminal justice in RA should pass from punitive policy to restorative justice which is the main ideology of probation and its non-financial principles.

¹⁹ While reckoning the presented data the significant reduction of the number of imprisoned people due to the three amnesties proclaimed during the last 6 years were taken into account which eased the congestion of penitentiary institutions.

Other than having analysed the case-law and the practices related to the execution of sanctions, the estimations in the study are based on the amounts of technical resources and means necessary for further effective operation of Probation Service.

4. One Probation officer can effectively work on average with 40-50 offenders on probation²⁰.

5. No construction or capital renovation cost for buildings and facilities are envisioned here as the buildings mainly exist in Yerevan while in regions they will probably be rented. This said, the area of offices located in the regional centres/capitals will be limited to 120 sq. m., and the other offices will have an area of 30 sq. m., (except for Yerevan). While introducing the mentioned estimation an attempt was made to remain in line with the already ratified “Concept Paper of Introduction of Probation Service in Armenia”. In principle, each regional subdivision should conduct group work within the scope of rehabilitative and surveillance activities which are more effective in terms of behaviour correction, positive influence on offenders, etc. Various sources²¹ mention optimal numbers of participants for group work or training sessions (8-12 offenders). The present study presumes that it is possible to conduct parallel group work with numerous offenders in 2-3 rooms. In this regard the area of the rooms has to correspond to such group activities.

1.2. Additional financial resources required for introduction of a fully-fledged Probation Service in Armenia

1.2.1. Salaries and benefits

The estimation of funds for salaries has been done taking into account 117 additional staff members. The calculations have been based on the average salary rate presently in force and which is envisioned to increase by 10% from 1st July 2014. Based on the appropriate projects of RA government, and in particular the 2014-2016 middle-term expenditure project where it is mentioned that the salaries of state employees will increase by 10% before 2016, the average monthly salary of a probation officer will make 220 000 AMD.

1.2.2. Rent of office space

The cost estimates for office space rent are based on the assumption that the area of offices located in regional centres will be about 120 sq. m. and the area of other offices will be 30 sq. m. (except for Yerevan) based on the nature of functions performed by offices located in various places. Hence, taking into account the prices for liveable (administrative) space rent in various regions of RA it is projected that in 2016-2017 the price for one sq. m. of administrative space in RA regional centres will be about 2 000 AMD, and in other parts of the regions the average price will be 1 000 AMD. Thus, the annual cost of administrative space rent will make 39 600 000 AMD ($2\ 000 * 1\ 200 * 12 + 30 * 30 * 1\ 000 * 12 = 39\ 600\ 000$).

1.2.3. Acquisition of equipment (mainly computer units), computer maintenance and purchase of stationery.

The costs for acquisition of computer units will make 40 700 000 AMD ($220\ 000 * 185 = 40\ 700\ 000$ AMD).²²

The budget line for “Computer maintenance and stationary” is 4 000 000 AMD, of which 3 000 000 AMD is allocated for computer maintenance, and 1 million is for purchase of stationery.

²⁰ The mentioned figures are presented in numerous international analyses. These figures are presented also in the Concept Paper as well as in the surveys with appropriate officials of RA MoJ.

²¹ Ethical Principles of Psychologists and Code of conduct (2010 amendments), American Psychological Association (APA) <http://www.apa.org/ethics/code/index.aspx>

²² One computer unit costs 220 000 AMD and includes the cost of scanners, copiers, printers and server.

1.2.4. Acquisition of transportation means and their maintenance

The costs for acquiring means of transportation will make about 180 000 000 AMD. It is envisioned to purchase 26 passenger vehicles, one bus and one mini-bus ($6000 * 26$) + 24 000 (2 buses).

The annual maintenance costs for means of transportation sum up to 20 000 000 AMD, which include the fuel prices for 26 passenger vehicles and two buses ($26 * 5 * 500 * 22 * 12 = 17\ 160$ AMD) as well as maintenance and repair costs totalling 2.9 million AMD.

1.2.5. Business trips

Business trips will require 4.6 million AMD. Here only the costs of meals and accommodation within the RA have been taken into account for 200 people per day²³ ($23\ 000 * 200$). The costs of business trips abroad have not been reflected here as it is assumed that these will be covered by foreign loans and grants.

1.2.6. Communication, electricity, heating and other utilities

Communication costs will make 15 million AMD annually, while the costs for electricity, heating and other utilities will make 175 million AMD. These have been estimated based on the methods and rates documented in the appropriate decisions of RA government.²⁴

1.2.7. Insurance Costs

Insurance costs will make 2 million AMD, of which 800 000 AMD will be used for insurance of transportation means, while the remaining 1.2 million will be spent on insurance of real estate/ fixed assets.

1.2.8. Furniture and Furbishing

Furniture acquisition will require 28 million AMD. This figure includes work stations for each employee and one bookshelf per three employees. Besides it is planned to obtain safes and soft furniture for managing officers of Probation Service as well as furnish the consultation rooms ($117 * 110\ 000$ AMD + $50 * 200 + 5.100\ 000$ AMD for other furniture). It is also projected to purchase 60 air conditioners at 200 000 AMD each.

1.2.9. Equipment necessary for electronic monitoring²⁵

In recent years more and more people are placed on electronic monitoring (EM). In 2006, a European overview indicated that there were 75 000 offenders on EM. One hundred thousand offenders are estimated to be on EM in the USA. There is a lack of recent data, although the continuing take-up of EM by new countries suggests expansion. Nonetheless, more up to date research is needed. Recently a pressure group has suggested that the use of GPS-EM in England and Wales could feasibly be increased to 120 000 persons per day in five years.²⁶

When estimating the required financial means for electronic monitoring equipment for RA, we assumed that after the introduction of a full-fledged Probation Service house arrest will be applied to at least 500 convicts (electronic monitoring might be used also for other cases as well as for supervision after release or intensive type of supervision, depending on further Policy of RA in this sphere). The price for distance electronic monitoring equipment for one offender will be 2 625 00 AMD (500 Euros) which also includes the cost of the equipment located in the centre of electronic monitoring²⁷.

²³ The estimations of allowances for business trips have been done based on the rates approved by the decree No 2335 of RA Government issued on 29 December 2005.

²⁴ Decision No 629-N of RA Government dated 28 April, 2005 on "approving the norms for estimation of heating, electricity and fuel as separate budgetary expenses for RA state bodies in the draft of the state budget of RA". Decision No 1536-N of RA Government dated 23 September, 2004 on «Defining the norms for expenses for communication and utilities for state agencies of RA».

²⁵ The price of electronic monitoring equipment is hardest to calculate as the prices of their production and sale greatly vary from country to country, starting from 15 Euros up to a few hundred Euros. In this regard our calculations are based on an above average price, and more savings can be expected in case the equipment is purchased at lower price.

²⁶ http://www.cepprobation.org/uploaded_files/Final-report-EM2012.pdf

²⁷ <http://www.correct.state.ak.us/probation-parole/electronic-monitoring>, page 2; <http://www.urban.org/UploadedPDF/412678-The-Costs-and-Benefits-of-Electronic-Monitoring-for-Washington-DC.pdf>, page 4; <https://www.ncjrs.gov/pdffiles1/nij/234460.pdf>, page 14; <http://www.johnhoward.ab.ca/pub/pdf/monitorupdate.pdf>, page 19; <http://www.coe.int/t/DGHL/STANDARDSETTING/PRISONS/PCCP%20documents%202013/Analysis%20questionnaires%202012.pdf>, page 2; <http://www.tm.lt/dok/Renginiai/Monitoringas20110303/Bungerfeldt.pdf>, page 5;

Thus the general requirement for additional financial resources necessary for complete introduction of Probation Service will make approximately 841.27 million AMD.

At the same time, once the Probation Service is fully introduced, the average annual cost will make about 519.57 million AMD given the fact that the period of use of non-financial assets, in particular vehicles, is 8 years, while that of equipment is 5 years. The computers must be replaced once in three years.

The estimate of extra financial resources required for introduction of a full-fledged Probation Service in Armenia is presented in the table 2 below.

Table 2.

Extra financial resources required for full-fledged introduction of Probation Service in Armenia

Budget lines	Funding /thousand AMD/
Salaries and benefits	334 620
Rent of office space	39 600
Acquisition of equipment (mainly computers and accessories)	40 700
Computer maintenance and stationery	4 000
Acquisition of means of transportation	180 000
Annual cost of maintenance of means of transportation	20 000
Business trips	4 600
Communication	15 000
Electricity, heating and other utilities	17500
Insurance costs	2 000
Furniture	28 000
Air conditioners	12 000
Equipment necessary for electronic surveillance	131 250
Unforeseen expenses	12 000
Total	841 270

1.3. Financial gains of introduction of Probation Service in Armenia

Studies show that the full introduction of a Probation Service may result in financial savings and amounts recovered for the benefit of the state.

Thus, the average annual cost for one person in custody (convict, detained person) in 2016 will make about 2,4 million AMD, in case when the net amount spent by the state on one detainee exceeds the amount of money spent for one person in custody by 150 000 AMD which includes the additional amount spent on transportation of detained individuals²⁸. Therefore, if approximately 1400 convicts and detainees are transferred from penitentiary institutions to the future Probation Service, or in other words will be subjected to alternative sanctions, then the amount saved will make $2.4 \cdot 1400 = 3\,360$ million AMD.

On the other hand, the analysis of the available data show that about 30% of offenders subjected to alternative sanctions pay fines²⁹, the average amount of which is 145 000 AMD; hence the state budget will additionally gain 60.9 million AMD ($1400 \cdot 0.3 \cdot 145 = 60.9$ million AMD).

²⁸ The estimations are based on the data provided by the PD of the MoJ of RA.

²⁹ In 2012 the total amount of fines to be paid by 1001 offenders was 311 454 350 AMD, of which only 470 fines have been paid, and the money factually levied from offenders was 144 695 583 AMD.

In 2013 the total amount of fines to be paid by 1009 offenders was 359.045.067 AMD, of which only 423 fines have been paid, and the money factually levied from offenders was 138.597.237 AMD.

In addition, 15% of convicts that have been sentenced to alternative sanctions are currently involved in public works³⁰. Since each person engaged in public works gets paid 2 000 AMD daily by social service agencies then the additional amount gained by the state annually will make $1400 \cdot 0.15 \cdot 60\,000 \cdot 12 = 151\,200\,000$ AMD.

Thus, as a result of full-fledged introduction of Probation Service the amount saved will make 3 572.1 million AMD ($151.2 + 60.9 + 3360 = 3\,572.1$). If 841.2 million, i. e. the additional costs required for full introduction of Probation Service AMD is deducted from this amount, then the net benefit of complete introduction of Probation Service will make 2 730.9 million AMD.

Thus, it became evident that the establishment of a Probation Service can indeed generate savings. It is as well an economic alternative to imprisonment. At the same time it needs to be emphasized that the introduction of any new institution -in this case state Probation Service - requires additional financial investments. Hence, in the initial stages of establishment of Probation Service the government will have to raise funds to shape the new institution, hire and train staff, furnish their offices, etc.

However, it should be mentioned that addressing the financial issues will not be a sustainable guarantee for the effective operation of Probation Service if the approach of decision makers remains the same towards punishment policy, the person who committed the crime and providing for public safety in general.

The second part of this study will present the social impact and non-financial benefits of the Probation Service.

³⁰ **During 2012** based on the solicitations of ASD, 435 convicts were engaged in public works as a mode of punishment, 20 convicts were subjected to community sanctions in lieu of imprisonment based on their own applications; for 13 persons the custodial sentences were replaced by milder ones (468 persons in total). Of these, 143 are still pending and only 98 are working presently; contracts are being signed for 35 people, while 10 individuals do not work (7 are under investigation, 1 is sick and solicitations have been submitted for 2 persons). 96 public works have been factually carried out; the sanctions inflicted on 201 persons have been suspended (199 are in custody and 2 people are in military service), the cases of 16 persons have been dismissed (6 new crimes, 2 offenders released by amnesty, 1 person released based on disability, 1 released based on the verdict of court of appeal, 2 released due to law change, 4 people died), the punishment of 4 convicts was ceased due to having committed a new crime, public works inflicted on 8 convicts have been replaced by custodial sentences based on solicitations from the above department.

During 2013, 522 delinquents were subjected to community sanctions as punishment, of which 484 were based on the solicitations of the department of execution of alternative sanctions, 24 convicts were subjected to public works in lieu of imprisonment based on their own applications, for 14 people the custodial sentences were replaced by milder ones. Of these, 64 are still pending and out of this number 31 persons work presently, contracts are underway for 17 persons, and 16 offenders do not work (8 are under investigation, solicitations have been submitted for 6 individuals, one person is sick and another one is subject to amnesty), 124 public works have been factually carried out, the sanctions inflicted on 181 offenders have been suspended (180 offenders are in custody one serving their military service term), the cases of 137 offenders have been dismissed (124 amnesty, 7 new crimes, 1 law change case, 2 deaths, 1 extradition, 1 pensioner, 1 case was reversed by court of appeal), the punishment of 8 offenders was ceased due to having committed a new crime (they were detained), public works inflicted on 8 convicts have been replaced by custodial sentences based on solicitations from the department.

2. THE SOCIAL (NON-FINANCIAL) BENEFIT AND IMPACT OF PROBATION

2.1. Conceptual changes of punishment

As it was presented above, Probation Services in Criminal Justice System and particularly the Probation Service to be introduced in RA is cost effective, (taking into account the decreased direct expenditures on one detainee and/or prisoner). Moreover, Probation Service can help generate savings as opposed to the current Penitentiary System. However, apart from cost effectiveness, the Probation Services proved their essential role in decreasing crimes, especially re-offending, as well as in alleviating the overcrowding in penitentiaries and better integration of the offenders into society. A number of elements are emphasized in the theory of criminal rights. Their combination forms the notion of punishment and reflects its essence. The purpose of punishment is not only legal, but also philosophical and psychological which has always occupied the minds of most prominent philosophers and psychologists of various times.

While presenting the significance of practical aims of punishment it is important to remember the views of English philosopher J. Bentham (1748-1832)³¹. Back in 18-19th centuries he was supporting three conditions for not inflicting punishment. First, punishment cannot be inflicted upon if that does not compensate for the damage caused by the crime. Second, the expenses for the punishment to be executed cannot cost the government more than the damage caused by the crime. Third, in case the damage can be indemnified in a more efficient manner: *“The value of the punishment must not be less in any case than what is sufficient to outweigh that of the profit of the offense”*³².

The phenomenon of punishment goes back into past centuries. It has started from theoretical changes and resulted in deep value and viewpoint changes. It has stood aside through various epochs of history having recorded numerous achievements, of which the psychological approaches to punishment and its gradual humanization is worthy of special attention, which attaches importance to the factor called «human being» and particularly correction of a person who committed a crime as an utmost purpose of punishment itself. The peculiarities of punishment and conditions thereof are quite specific as such; they greatly influence the development and expression of positive attitude toward correction, formation of appropriate attitudes for psychological interventions, etc.

The RA has also introduced changes in formulating the aims of the punishment. In this regard sufficient changes have been made to the aims of punishment in RA Criminal Code (CC) which entered into force on 1st August 2003 which defines that: “The aim of the punishment is to restore social justice, correct the person who is subjected to punishment and prevent crimes”³³. The abovementioned stipulates that the CC first of all refers to the restoration of social justice. Restoring social justice as an aim of punishment originates from Article 10 of CC³⁴: “punishment and other measures stipulated by criminal law should be just, correspond to the gravity of the crime, the circumstances in which it has been committed and the personality of the offender: restoration of social justice is possible if the offender has been subjected to such a punishment which is necessary and sufficient to correct him or her and prevent from committing new crimes”. Thus the RA Criminal Law attached importance not only to the idea of punishment, but also to the offenders along with their age and individual characteristics, psychological state at the time of committing the offense and other peculiar conditions. Still, the public holds the misleading opinion (especially in the case of increase in criminality) that the guarantee for prevention of crimes is the aggravation of punishment for crimes. Punishment is one of the means with the help of which the government affects the criminality and keeps down it at a certain level. Punishment is the last and extreme measure which should be imposed only when the society is no more able to prevent the crimes. It is more convenient and effective for the government to prevent the crime than punish the offender.

³¹J. Bentham “An Introduction to the Principles of Morals and Legislation”, XIV.9

³² <http://www.econlib.org/library/Bentham/bnthPML14.html#idem>

³³ CC, Article 48, part 2

³⁴ CC, Article 10

The analysis of the above mentioned information shows that despite numerous similarities and differences, crimes do not have a common cause; and criminals do not represent a homogeneous group. The majority of the issues the existence of which contributes to committing of crimes belong to the domain of psychology or are at the psychological and emotional level even if certain reasons are rooted in the social and economic instability and unfavourable circumstances. Overcoming these issues may be one of the best ways for a person's rehabilitation and prevention of recidivation. In this regard, in order to more effectively carry out the further rehabilitation of the convicts it is necessary to ensure their social and psychological readiness towards re-adaptation before inflicting the sanction, as well as during the whole period of execution of the sanction.

2.2. *Negative impact of prisons*³⁵

Confinement to a penitentiary institution (depending on the punitive measure, number of previous convictions, etc.) affects the person negatively and often contributes to his or her rapid degradation up to obtaining pathological conditions. Therefore, among the issues to be addressed by penitentiary institutions special attention is paid to studying the personal psychological characteristics of the convict, application of appropriate psychological interventions, useful employment, getting education, having a job, etc.

The social environment of prisons should not be neglected as this is different in its nature and affects the person and his or her behaviour. This social environment owns a number of factors that negatively affect the behaviour and psychological state of the convict.

The negative social environment of a PI is mainly characterized by the following:

- Forced isolation from the society
- Regulated regime in all daily activities
- Forced inclusion into a single-sex group.

The convicts have an internal requirement to survive in this environment which certainly affects the degradation of individuals and brings forth qualitative changes in them.

A person's degradation is greatly influenced by the inability to maintain personal space in interactions. Studies show that the convicts who find themselves in the same limited space for many years surrounded by the same people are not only condemned to imprisonment but also to "forced" interaction with one another. In such circumstances the convicts acquire a need to strictly protect their personal space, particularly in the context of interpersonal relations, and this may not always be successful.

A person faces emotional isolation also when arrested, detained, sentenced for a definite period or when sentenced to life imprisonment. Among necessary protective measures to maintain connection with outside world are writing letters, making phone calls, the possibility to watch TV, be allowed to see relatives (short and long-term visits), listen to radio, use library, the right to subscribe to newspapers, etc. Emotional isolation is one of the main hindrances of psychological adaptation. In these conditions well-expressed impairments of psychological processes are possible among convicts and detainees particularly in the form of hallucinations and illusions in small chambers of penitentiary institutions. In such cases the convicts can as well find themselves in the conditions of partial emotional isolation, which is expressed by lack of information, insufficient stimuli, etc. In this regard Zuckerman's studies show that people who experience emotional isolation have difficulty focusing their attention, solving problems, particularly those requiring logic. In case of emotional isolation, the ability of arriving into logical conclusions, abstraction, doing arithmetic calculations and verbalization is greatly impaired.³⁶

³⁵ In this section the term "Prison" is used as a place of imprisonment both for detainees and convicts. The same meaning is also ascribed to the terms "penitentiary institution", "correctional institution" or "places of custody".

³⁶ Zuckerman, M., et al. Experimental and subject factors determining responses to perceptual and social isolation. *J. Abnorm. Psychol.* 1968, 73, 183-194.

In this regard, according to World Health Organization, 450 million people on earth suffer from mental or behavioural disorders.³⁷ These disorders are particularly widespread in prisons.³⁸ Mental disorders may as well develop during the custody as a consequence of existing conditions such as congestion, various types of violations, forced isolation, absence of own space, insufficient health services, etc.

The degree of suicide risk can grow under the pressure of all mentioned conditions, which can represent the total sum of negative influences of all above listed conditions.³⁹

The efficiency of re-adaptation of a former convict in the society depends not only on the personality of the convicts released from prison, his or her viewpoints, character traits, nature, intellect, legal awareness, existence and characteristics of work skills, but also the conditions of the outside world as well as those under which the convict found himself while being in confinement and which can have great impact when he or she is in liberty.

The initial adaptation in a penitentiary institution is a relatively responsible stage when the convict runs into conditions totally different from his former life and faces the issue of getting adapted to new requirements.

The second stage starts approximately after 5-6 months when the personal counter-reactions of the convicts start developing in response to social isolation. The convicts acquire a sustainable “syndrome of liberty deprivation” which makes them similar to one another. This similarity is expressed in their gait, facial mimics, gestures, their attitude towards the work of prison administration staff, etc.

A heavier and more stressful stage of adaptation is the period preceding the release. The expectations of release are often quite heavy which is connected with the difficulties that await them in freedom (interpersonal relations, characteristics of interaction with the surroundings, family, place of employment, etc.). Therefore, the expressions of aggression, high sensitivity and other mental conditions become possible. None the less, no matter what the stress, it is coupled with well-expressed reactions of vegetative and endocrine systems. Long-lasting stress can result in cardio-vascular disorders and pathological disorders of other systems. When stressed, the cognitive processes and the ability to perform complex actions suffer most. The attention span is decreased, the processes of comprehension are impaired, the volume of memory and actions of elementary thinking decrease.

The presence of such peculiarities makes the fusion of the theories of offender punishment and rehabilitation more important, particularly emphasizing the rehabilitation as the aim of punishment.

2.3. From punishment to rehabilitation

Rehabilitation in a PI for the last 20-25 years has been largely criticized by theorists of various countries based on the fact that “nothing works” in prevention of crimes. Rehabilitation cannot reduce criminality as it does not target the unpunished (“uncaught”) offenders due to which the worsening of economic situation will anyway lead to filling the “vacant” places among criminals.

The purpose of rehabilitation is to enable the person to avoid committing a crime and carrying on with his life properly. Effective rehabilitation depends not only on the methods of intervention and provider and receiver of appropriate service, but also on those conditions under which these activities are being implemented. For example, a reason for not completing medical treatment may be both the insufficient qualification of the medical personnel, the approach of penitentiary system to the psychological activities as well as lower level of claims towards them; authoritarian management style, lower level

³⁷ Information sheet: Mental health and prisons, International Committee of the Red Cross, Geneva, Printed by Nove Impression, Switzerland, 2003, page 4

³⁸ Brinded PM et al. Prevalence of psychiatric disorders in New Zealand prisons: a national study. *Australia and New Zealand Journal of Psychiatry*. 2001, 35: 166-73. Brugha T et al. Psychosis in the community and in prisons: a report from the British National Survey of psychiatric morbidity. *American Journal of Psychiatry*. 2005;162:774-80. Holley HL, Arboleda-Flórez J, Love E. Lifetime prevalence of prior suicide attempts in a remanded population and relationship to current mental illness. *International journal of offender therapy and comparative criminology*, 1995;39(3): 190-209.

³⁹ Brinded PM et al. Prevalence of psychiatric disorders in New Zealand prisons: a national study. *Australia and New Zealand Journal of Psychiatry*. 2001;35:166-73. Brugha T et al. Psychosis in the community and in prisons: a report from the British National Survey of psychiatric morbidity. *American Journal of Psychiatry*. 2005;162:774-80. Holley HL, Arboleda-Flórez J, Love E. Lifetime prevalence of prior suicide attempts in a remanded population and relationship to current mental illness. *International journal of offender therapy and comparative criminology*, 1995, 39(3): 190-209.

of cooperation among various services. The following three factors will ensure the best results: the place to carry out the intervention, target groups and models of changes. In this regard American scientist Ross C. Brownson⁴⁰ find that the interventions are not effective in the area of regime (liveable area) since the environment necessary for changes does not exist. They find that the social conditions and organizational structure of prisons unambiguously hinder the implementation of behavioural change projects. Other facts also support this notion: the existing environment affects the anti-social behaviour much more. Therefore; it is more expedient to influence the commitment of repeat offenses before confinement and after the release.

The base of social rehabilitation of convicts should be the change of behaviour towards these people at all levels: macro-level (society in general), meso-level (social institutions, team/staff, organizations, etc.); micro-level (family, relatives, a narrower circle of relations). The issue is about the general humanization of societal attitude towards the punished person. A humanistic society does not revenge; but shows compassion, patience and loyalty.

On one hand the result of rehabilitation of convicts is the feeling of guilt, repentance, on the other hand it's the acquisition of social immunity and the tolerance towards the influences of social environment. Such a result can be achieved only when a convict's disposition to have a new lifestyle is reinforced by the system of social conditions necessary for its realization. While deciphering the narrower meaning of rehabilitation the main purpose still remains prevention of commitment of offense. When quoting Emma Palmer, R. Blackburn finds that "the final aim of rehabilitation is to ensure public safety, and focusing on the requirements of the offender is only a route to reach the above mentioned goal"⁴¹

When studying the practice of repeated crimes, the criminologists came into the conclusion that insufficient psychological readiness for living in new conditions triggers recidivism.

The convict, having moral and practical preparedness (a decision to let go of criminal life, presence of skills and profession) and finding himself in special circumstances (certainly not unfriendly public disposition towards a former convict, rejection, often also hostile attitude) comes across such situations and issues that he or she is not prepared to handle. By saying preparation of convicts' adaptation to new conditions it is meant the changes in their psychology (mental state, feelings, and emotions), formation of a disposition to lead a public life, development of a prospective plan for behaviour.

The released convicts face the quite difficult issue of quickly and effectively re-adapting to the public norms and large-scale public relations. The issue gains more significance due to the fact that even though the person has the advantage of selective communication within the society, the society has its stable negative disposition to the former prisoner to which the released person has to adapt.

2.4. Alternative solutions and their impact: probation

The interpretation of the word "probation" means test or trial. There are various approaches toward the definition of the notion of probation. Some authors find that the essence of probation is in partial or total suspension of the sentence in exchange of which the offender gains freedom under the monitoring of the Probation Service and in presence of special conditions. As described in another source, probation is a method of conducting activities with specially selected offenders. It is described by conditional suspension of punishment and establishing surveillance over the offender. According to another definition, probation is a wide concept, a special method of punishment which is based on social and pedagogical principles and is described by establishing surveillance over the offender and providing assistance to the latter. The next approach describes probation as a free system which is practiced for those offenders who stand apart by their criminal personality, nature of committed offense, attitude toward the functioning system and the purpose of which is to enable them to change themselves and find their place in the social environment.⁴²

⁴⁰ American Journal of Preventive Medicine, Volume 22, Number 4S

⁴¹ Ronald Blackburn "The Psychology of Criminal Conduct: Theory, Research and Practice", John Wiley & Sons Ltd, 2008, page 177

⁴² Handbook on Probation Services, UN Interregional Crime and Justice Research Institute, Publication No. 60, Rome / London, March 1998, page 6

None the less, the legal explanation of the term “probation” was provided by the Committee of Ministers of the Council of Europe in the Recommendation CM/Rec (2010)/1 to member states on European Probation Rules (hereinafter European Probation Rules). According to the European Probation Rules “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”.⁴³

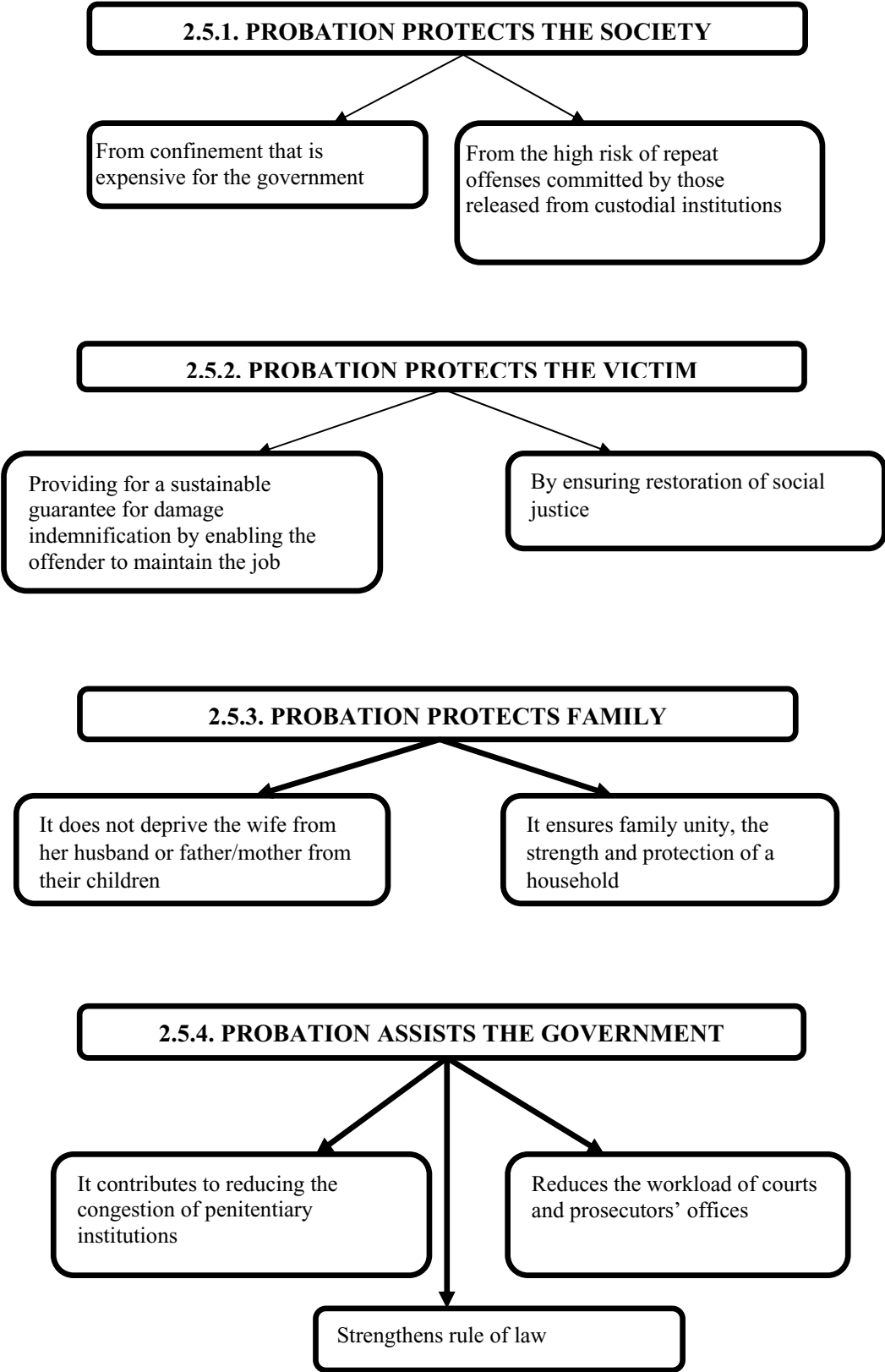
Probation is an alternative to custody for those offenders who have been assessed as representing lower risk for public safety. In itself the State Probation Service is an alternative to Penitentiary Service. It is an alternative not only by the types of punishment and wear of uniform, but also by adhering to another ideology, core notion, methodology and dispositions. If the main purpose of custodial institutions is the implementation of “freedom deprivation” as a type of punishment and correction of the convict, then Probation is an institution that enables the person to function/live in the society, grants a “second chance”, assists and supports him or her. It does not only and to a large extent help (from encouragement point of view) the person who committed an offense but also the society itself to have law-abiding citizens. In particular, the creation of Probation Service places the punitive, penalization and criminal justice systems in general in a qualitatively new domain.

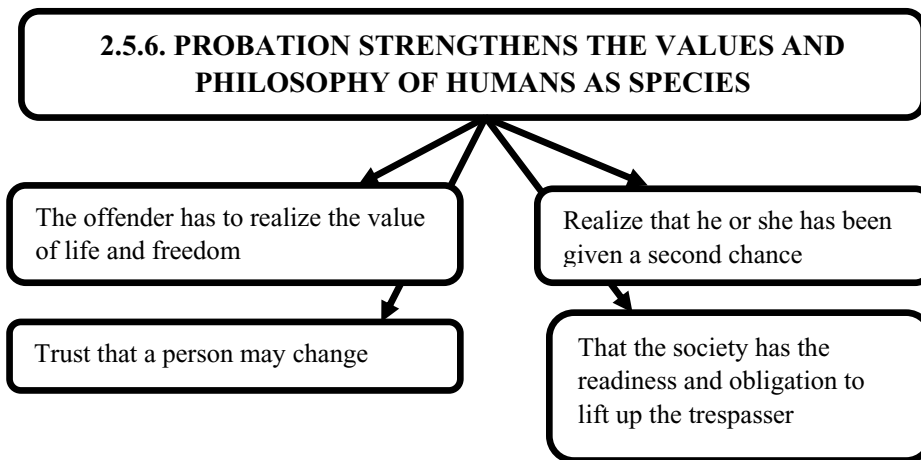
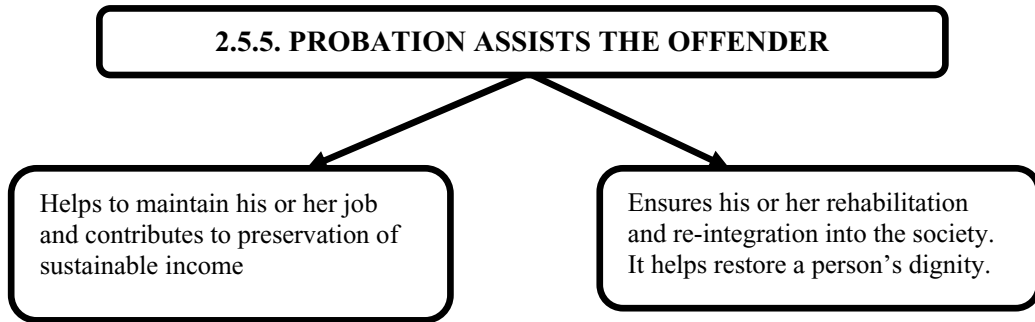
The Probation Service targets the Human being and the society transitioning from the theory and practice of "crime punishment" toward the ideology of "punishing the person, individual" and moreover, transitioning from the theory of "punishment" to the approach of "rehabilitation".

The abovementioned immediately brings forth new approaches of criminal practice attaching importance to "non-criminalization" of a person for the benefit of public safety and its maintenance.

⁴³ RecommendationCM/Rec (2010)/1 to member states on the Council of Europe on European Probation Rules (see “Definitions”)

2.5. Probation as an integral and support institution for the whole society





CONCLUSIONS

The RA has undertaken a commitment to transit from traditional ideology of imprisonment to the principles of Restorative Justice, prioritizing the introduction and development of alternative sentences and measures. This new approach is also reflected in the 2012-2016 Strategic Program of Legal and Judicial Reforms ratified by the President of RA on establishment of State Probation Service. Moreover, the Concept Paper on Establishment the Probation Service was adopted by the National Security Council of RA in February of 2014.

Apart from political, strategic and ideological reforms the establishment of Probation Service implies financial investments. Particularly, approximately 840 million AMD will be needed, of which about 240 000 000 AMD will make the start-up costs. However, regardless of costs, the fully-fledged Probation Service is expected to produce financial and non-financial benefits at the expense of decreasing the number of prisoners and detainees in PIs (thus decreasing the overcrowding of PIs), and increasing community sanctions (public works) for future offenders.

In this regard, the creation of the Probation Service within Criminal Justice System proves its cost-effectiveness in the long-term period.

The study also shows that the above mentioned advantages of Probation will prove to be less effective if there is no State approach and belief that for a certain type of offenders (e.g. committing crimes of low and medium gravity) the prisons are not only ineffective in ensuring one of the important goals of the punishment – the correction of prisoner, but also raise challenges for the Penal system, the convicts and the whole society. The results of the study indicate that the PIs can increase the criminal behaviour of prisoners and affect their reintegration into society. Therefore, not only the cost effectiveness of the Probation Service is of vital importance, but its social impact as well. Probation will enable the less dangerous offenders to serve their sentences remaining in the society, without isolation from their families and environment and refraining from a range of bad influences of the prisons.

Thus, based on the above mentioned circumstances and the results of the present study, it can be stated that Probation possesses at least three advantages: **First**, instead of putting into custody the offender who is harmless or represents a low risk for the society (regardless of the gravity of the committed offense), Probation enables the offender to remain in the society thus keeping the unity of the family, an employed person's presence and efficiency in the labour market, his workplace, as well as enables the offender to rehabilitate within the society without acquiring the "stereotype" of a lawbreaker.

Second, taking into account the fact that by remaining within the society the offender maintains his or her job and sustainable income; viable guarantees are created that he or she may be able to compensate the damage of the victim caused due to offense.

Third, taking into account the fact that probation service is considerably less expensive than custody, it can as well be a more effective means of rehabilitation. Thus, very often ensuring public safety can be achieved without having to resort to custodial sentences and the costs associated therewith.

Probation assists in management, visibility and prognosis of risks associated with crimes and recidivism.

Probation makes sure that those who committed offenses express their personal potential fully and become proper citizens who fulfil their responsibilities.

Probation as well strives to change the quality of life of the offender, of the victim and of the public at large and to improve the societal lifestyle.

ANNEXES

ANNEX1

LIST OF MAIN LEGAL ACTS AND/OR DRAFTS USED IN THE STUDY

1. RA Criminal Executive Code.
2. RA Law on Treatment of Arrestees and Detainees ratified on 06.02.2002
3. RA Law on Criminal-Executive Service ratified on 08.07.2005.
4. RA Law on “Social security of military servants and the members of their families” ratified on 27.10.1998
5. Decision No 413-N of RA Government dated April 10, 2003 on “approving the average daily ratio of food, amount of clothing and the periods for their use, the amounts of bedding and items of hygiene and the periods for their use by convicts in the penitentiary institutions under the authority of the Ministry of Justice of the Republic of Armenia”.
6. Decision No 825-N of RA government dated May 26, 2006 on “Approving the organization of medical, sanitary and prophylactic assistance to arrestees and detainees and the use of healthcare facilities by them as well as the order of engaging the medical personnel for that purpose”.
7. Decision No 351-N of RA Government dated April 2, 2009 on “Approving the order of escorting and guarding the arrested and detained individuals by RA Police attached to the government of RA”.
8. Decision No 1543-N of RA Government dated August 3, 2006 “On approving the internal regulations of places for holding the detainees and correctional institutions of the penitentiary service of the Ministry of Justice of Armenia”
9. Decision 2335-N of RA government dated 29 December, 2005
10. Decision No 629-N of RA Government dated 28 April, 2005 on “approving the norms for calculation of heating, electricity and fuel as separate budgetary expenses for RA state bodies in the draft of the state budget of RA”.
11. Decision No 1536-N of RA Government dated 23 September, 2004 on “Defining the norms for expenses for communication and utilities for state agencies of RA”
12. RA Draft Law on Criminal Procedure Code ratified on 29.11.2013
13. RA Draft Law on “Probation Service” ratified on 03.07.2013
14. RA Concept Paper on Probation Service ratified on 04.02.2014

ANNEX 2

INSTITUTIONS AND OFFICIALS THAT WERE INTERVIEWED AND CONTRIBUTED TO THE STUDY

1. **Nikolay Arustamyan** (Counsellor to Minister), Ministry of Justice of RA
2. Penitentiary Department of RA MoJ (Head of department, colonel general **Hayk Harutyunyan**)
 - 2.1. **Aram Harutyunyan** (head of financial department, colonel of justice)
 - 2.2. **Samvel Manoukyan** (Head, department of registration of detained and arrested persons, colonel of justice)
 - 2.3. **Levon Avetisyan** (Head of Department of Execution of Alternative Sanctions, Lieutenant colonel of justice)
3. RA Police (**M. Hakobyan**, lieutenant colonel of Police, Head of legal department)