

# The European Probation Rules

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# European Probation Rules

- There are already European Prison Rules
- Probation Rules attempt to set out the implications of the Convention for the organisation, policies and practice of probation agencies
- Drawing on expert advice and experience from several countries

# The Need for Probation Rules

- Consistency and continuity across Europe
- This includes developing good probation practice – especially good assessment and effective interventions to try to change offenders' behaviour
- Probation needs to be better understood by Judges and Prosecutors and by the general public if alternatives to prison are to achieve their potential
- EU Framework agreements (947)

# Structure of the Rules

- Preamble
- Scope and definitions
- Basic Principles
- Organisation and staff
- Accountability and relations with other agencies
- Probation Work
- Complaint procedures, inspection and monitoring
- Research, evaluation, work with the media and the public
- A Glossary
- An Explanatory Memorandum

# Basic Principles

1. Probation agencies shall aim to reduce offending by establishing positive relationships with offenders in order to supervise, guide and assist them and to promote their successful social inclusion. Probation thus contributes to community safety and fair justice process.

2. Probation agencies shall respect the human rights of offenders. All their interventions shall have due regard to the dignity, health, safety and well-being of offenders.

4. Probation agencies shall take full account of the individual characteristics, circumstances and needs of offenders in order to ensure that each case is dealt with justly and fairly. ...

# Basic Principles

9. Probation shall remain the responsibility of public authorities even in the case when services are delivered by other agencies or volunteers.

12. Probation agencies shall work in partnership with other public or private organisations and local communities to promote the social inclusion of offenders. Co-ordinated and complementary inter-agency and inter-disciplinary work is necessary to meet the often complex needs of offenders and to enhance community safety.

# Some general questions

- Have the Rules made a difference to probation in your country?
- What has helped or hindered this process?
- Are other steps needed at European level to support implementation?
- Are there examples of good practice to share?

# Some questions for discussion

- How do prison and probation services involve other government departments /agencies, local authorities and private institutions in the provision of a wide range of services to prisoners /offenders?
- Are there examples of excellent coordinated activity between prison authorities and probation agencies that could be replicated in other jurisdictions?
- Do problems over the availability of regular employment / accommodation jeopardise conditional release? Are there examples of good practices to overcome such problems?
- Are there examples of good practices by probation officers carrying forward into the community work commenced with an offender within a prison? (“Through the gate”)
- Can zealous enforcement of probation sentences lead to more imprisonment? How can this be avoided?