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**EUROPEAN COMMITTEE ON CRIME PROBLEMS**  
**(CDPC)**

**Council for Penological Co-operation**  
**(PC-CP)**

**QUESTIONNAIRE  
ON TREATMENT MEASURES ALTERNATIVE  
TO IMPRISONMENT**

**Document prepared by the Directorate General  
Human Rights and Rule of Law**

## Introduction

The European Committee on Crime Problems (CDPC) entrusted the Council for Penological Co-operation (PC-CP) to examine the issue of treatment measures alternative to imprisonment, their nature, the type of offenders who may be subject to such measures and whether and how consent is obtained by the authorities in case of their imposition and execution.

The PC-CP debated the issue at the meetings of its Working Group in September 2013 and in February 2014 and decided to entrust Prof Anthony Beech, University of Birmingham, United Kingdom with drafting of a report which would take stock of the current situation in Europe and which would allow the CDPC to further debate the issue and if needed to agree on certain guidelines addressed to its national delegations.

In order to be able to reflect correctly the different legal systems it was decided to send out a questionnaire to the national authorities of the Council of Europe member states.

The below questionnaire contains two definitions, one of which is contained in a Council of Europe standard-setting text and the other one is intended to clarify what is meant under the term "alternative treatment measures" for the purpose of the present questionnaire.

Your help in gathering sufficient and reliable information on the subject is very precious and we wish to thank you in advance for your replies. **Your reply should be sent to the following address mail: [DGI.PC-CP@coe.int](mailto:DGI.PC-CP@coe.int) and should reach the Secretariat not later than 15 May 2014.**

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### Suggested definitions:

**Community sanctions and measures:** "[those] sanctions and measures] which maintain the offenders in the community and involve some restriction of his liberty through the imposition of conditions and/or obligations, and which are implemented by bodies designed in law for that purpose. The term designates any sanction imposed by a court or judge, and any measures taken before or instead of a decision on a sanction as well as ways of enforcing a sentence of imprisonment outside a prison establishment (Committee of Ministers Recommendation n° R(92)16, Appendix - Glossary, para. 1)."

**Alternative treatment measure:** a type of community sanction or measure to which an offender consents or is obliged to undergo, which keeps or will eventually keep the offender in the community and which involves, apart from supervision, also specific assistance and treatment (particularly psychological or medical, [including psychiatric and pharmaceutical]). Such measures may be used as direct alternatives to imprisonment or after release (including as a condition of release) from prison.

1. Do such alternative treatment measures exist in your legal system?

- Yes  No

2. If the answer is "yes", for what types of offenders?

- a) Substance addicted offenders:  Yes  No
b) Sex offenders:  Yes  No
c) Other offenders (like violent offenders, domestic violence offenders, etc. please specify):

- Yes type of offender.....
 Yes type of offender.....
 Yes type of offender.....

3. How are these measures regulated? (e.g. law, by-law or internal regulations)

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4. Please list the alternative treatment measures provided for in your jurisdiction.

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5. Please specify for each measure whether the offender's consent is required or not?

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6. Please specify how the duration of the different alternative treatment measures is defined and decided.

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7. By which authority is imposition of the different alternative treatment measures decided (police, prosecutor, court, prison authority, probation agency, other [specify])?

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8. Is compliance and completion of the alternative treatment measure(s) assessed and managed in your jurisdiction, by which agency and using what tools?

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9. Any other comments

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Thank you very much for your co-operation!