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EUROPEAN COMMITTEE ON CRIME PROBLEMS
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Council for Penological Co-operation
(PC-CP)

**The Use of Quasi Compulsory Measures (QCM)
as alternatives to Imprisonment
in Europe**

Document prepared by
Anthony Beech & Zoe Stephenson (revised)
University of Birmingham, United Kingdom

Background of the study

Following a written proposal made by the Belgian delegation to the CDPC related to quasi-compulsory measures and the subsequent paper prepared by the Secretariat [document CDPC (2012)13 rev], the CDPC, at its 63rd plenary meeting in December 2012 debated the issue and instructed the Secretariat to re-examine the issue of the necessity of a new instrument in this field for its next Plenary meeting.

At its 64th plenary meeting held in May 2013 the CDPC agreed to entrust the PC-CP with the examination of the issue of quasi-compulsory measures as an alternative to imprisonment.

At its 65th plenary meeting (December 2013) the CDPC took note of the proposal made by the PC-CP to study the situation in the Council of Europe member states and to prepare a report on the issue which should be presented at one of the next CDPC plenary meetings. It also took note of the draft outline structure and contents of the said report and instructed the PCCP to develop a transversal approach and not exclusively to deal with treatment issues;

At the 3rd PC-CP WG meeting in June 2013 was considered document CDPC (2012)13rev as well as other studies and reports and a discussion was held with a representative of the Council of Europe Pompidou Group. The conclusion was that three main groups of offenders may be subjected to such quasi-compulsory measures, namely: drug (substance) addicted; violent (domestic violence) offenders and sex offenders.

Professor Anthony Beech, scientific expert with extensive knowledge of the subject was invited to make presentation at the 4th PC-CP WG meeting in September 2013 at which he was entrusted with the task to prepare a draft report on this issue.

Professor Beech presented at the 5th PC-CP WG meeting in February 2014 a draft preliminary structure of the report, which included a definition, the types of offenders for which such measures may be used and an overall assessment of these. In order to collect as much information as possible for a report covering the situation in Europe the PC-CP WG drafted a questionnaire and sent it out to the national authorities. Replies were received from 32 Council of Europe member states. Professor Beech was requested to analyse the replies and present a more developed draft of his report at the PC-CP Working Group meeting in September 2014 with a view to debating and finalising the report at the PC-CP plenary meeting in November 2014.

The below report and its appendices A to G are the outcome of this work.

As outlined in the initial report, the aim of the following report is to reflect on the current usage of quasi-compulsory measures (QCM) as alternatives to imprisonment within Europe. A summary of questionnaire responses obtained from countries within the Council of Europe organisation is provided. Of the potential 47 countries, 32 returned completed questionnaires; the responses varied in terms of the level of detail provided. Responses may not have been exhaustive regarding, for example, the alternative treatment measures provided in each country. The report is based mainly on information provided in the questionnaire; further clarification/information may be required in order to gain a more detailed accurate picture.

Difficulties in conducting comparative research in the field of alternatives to custody across Europe is due to differences in terminology used among different jurisdictions (McIvor, Beyens, Blay & Boone, 2010) as well as social and cultural differences (McNeill & Beyens, 2013). However, the need for a technical knowledge of community sanctions/offender supervision across countries has also been highlighted (Morgenstern & Larrauri, 2013) with a view to cooperation between countries. In addition, we also require a shared canon of values, based on human rights principles. So people want and need to know whether they believe in the same things' (Morgenstern & Larrauri, 2013, p. 126). As such, the following report aims to provide an insight into the practices of alternatives to imprisonment by providing frequencies of practices across 32 countries but without aiming to make explicit comparisons between countries.

The aim of the questionnaire was to collate some preliminary information regarding the types of offenders for which alternatives to prison are provided; the regulation of said measures; the types of alternative measures and sanctions available; offender consent; duration of measures; authorities who impose measures; and the assessment and management of compliance and completion of alternative treatment measures. The report summarises the results obtained following the collation of questionnaire responses (See appendices A-G for further information). A background to each question will be provided and collated responses will be reported. It is designed to be informative rather than evaluative; however, it is felt that information provided may be instrumental in informing suggestions regarding directions for future evaluative research in the area of alternatives to imprisonment.

A. Types of offenders for whom alternative treatment measures and sanctions exist

All countries who completed the questionnaire confirmed that alternative measures to imprisonment existed within their legal system. There was some variation in the type of offenders for whom such measures were provided. Types of offenders included: substance addicted offenders; sex offenders; offenders with mental health problems; violent offenders; domestic violence offenders. As for the specific groups, that we have been asked to be specifically considered, these are: substance abusers, sex offenders, and intimate partner (domestic violence) offenders. As for a brief summary, the results found the following as regards these three main groups:

Substance addicted:

Treatment programmes offered. The majority of countries (N = 26, 81.3%) reported the use of substance misuse treatment programmes for offenders with substance abuse issues, as follows: Albania, Andorra, Azerbaijan, Belgium, Croatia, Cyprus, Denmark, Estonia, France, Georgia, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Monaco, Portugal, Romania, Slovenia, Spain, Sweden, Switzerland, The Netherlands Turkey, UK.

Not offered/not reported: Treatment not offered in Czech Republic, Finland, Malta, Moldova, Montenegro, San Marino.

Consent required: Croatia, Cyprus, Estonia, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Monaco, Portugal, Romania, Spain, Sweden, The Netherlands Turkey, UK.

Consent not required: Albania, Andorra, Azerbaijan, Belgium, France, Georgia, Slovenia, Switzerland.

Sex offenders:

The majority of countries, 26 out of the 32 countries (81.3%) report some sort of treatment measures as alternatives to imprisonment for sex offenders in: Andorra, Belgium, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Ireland, Latvia, Lithuania, Malta, Moldova, Monaco, Montenegro, Portugal, Romania, San Marino, Slovenia, Spain, Sweden, The Netherlands, Turkey, UK.

Not provided/reported: Albania, Azerbaijan, Croatia, Hungary, Italy.

Specific treatment programmes offered Of the countries who reported alternative treatment measures for sex offenders, seven countries make mention of 'specialised' treatment programmes for sex offenders (21.9%): Belgium, Denmark, Estonia, Ireland, Latvia, Spain, UK.

Consent required: Consent is required by Belgium, Denmark, Estonia, Ireland, Latvia, UK

Consent not required: Spain.

Intimate partner violence (IPV) offenders:

Twelve countries (37.5%) report treatment measures as alternatives to imprisonment for IPV offenders: Denmark, Finland, The Netherlands, Ireland, Lithuania, Malta, Portugal, San Marino, Spain, Sweden, UK.

Treatment programmes offered in: Denmark, The Netherlands, Ireland, Spain.

Consent required: Consent for treatment is required by Denmark, Finland, The Netherlands, Ireland, Lithuania, Malta, Portugal, San Marino, Sweden, UK.

Consent not required: Spain.

B. Regulation of measures and sanctions

How alternative measures are regulated was one topic raised in the questionnaire. In the majority of countries (90.6%) it was stated that measures are regulated by the legal sanctions of the respective country. Exceptions were found in the cases of Denmark and the Netherlands where measures can also be regulated by by-laws and internal regulations. Sweden also stated that measures could be regulated by internal regulations.

C. Alternative treatment measures provided

Community sanctions and measures (QSM) consist of a range of obligations which are attached to a suspended sentence, conditional sentence, or alternative sentence. Obligations fall broadly into three main categories, i.e. control/surveillance, rehabilitation, and reparation (Durnescu, Enengl & Grafl, 2013). As regards community service, jurisdictions exist across countries in terms of the level of difficulty/severity of tasks required to be carried out by offenders (McIvor et al., 2010). In addition, as outlined above, there is variation regarding the types of offenders for whom rehabilitation programmes are provided. A summary of information provided by each of the 32 jurisdictions on each category is provided below:

Control/surveillance

The recent increase in the use of electronic monitoring is seen as a positive advancement due to the 'the certainty and speed with which non-compliance can be detected' (Durnescu et al., 2013, p. 28). The measure can be used to enforce house arrest or ensure an offender does not associate with criminal peers or enter certain areas. Despite certain negative consequences cited such as psychological pressure and stigmatisation, strengths of the measure include the ability of the offenders to continue with their daily life and spend more time with their family (Hucklesby, 2009).

Responses to the questionnaire indicate two countries (6.3%) apply house arrest, five countries have control over where an offender will reside (for certain offenders like sex offenders?) (15.6%) and four countries made mention of prohibiting offenders from contact with specific peers (12.5%). The use of electronic monitoring in order to enforce restrictions was reported by 12 countries (37.5%). The figure regarding usage of electronic monitoring differs from that reported by The Council of Europe Annual Penal Statistics (2011) (60%), this may be due to differences in jurisdictions included in the study and accuracy of responses or omission of detail regarding the enforcement of obligations.

Rehabilitation

Efficacy of electronic measures notwithstanding, there is a need for more quality interventions and a further focus on motivation to change in order to decrease the likelihood of recidivism (Hucklesby, 2009). The 'What Works?' movement (McGuire & Priestley, 1995) has received much attention in the UK and beyond over the last two decades; the need to ascertain which treatment programmes reduce the likelihood of recidivism is of obvious interest to those in correctional services both in prison and the community (Robinson & Crow, 2009). The need to consider the criminogenic needs to offenders (in particular pro-criminal attitudes and cognitions) is now well established (Andrews & Bonta, 2010) and treatment programmes have been designed to address specific types of offenders (e.g. sex offenders, violent offenders, substance addicted offenders, domestic violence offenders). It is further suggested that practical needs are to be addressed such as employment and education (Andrews & Bonta, 2010), as well as issues which pose a barrier to behavioural change such as mental health issues (Ward, Day, Howells, & Birgden, 2004). In the UK significant reductions in recidivism have been found for cognitive behavioural programmes delivered in probation (Friendship & Debidin, 2006). In addition, reductions in recidivism have been found for offenders who complete substance misuse programmes (Holloway, Bennett & Farrington, 2005), sex offender treatment programmes (Hanson et al., 2002; Losel & Schmucker, 2005) and employment projects (Friendship & Debidin, 2006).

As mentioned above, alternative measures are provided for a range of offender types. The majority of countries (87.5%) reported the use of substance misuse treatment programmes for offenders with substance abuse issues. The remaining four countries reported that measures were in existence for offenders with substance addiction issues but did not specify whether this involved a treatment programme per say. Two countries (6.3%) provided treatment programmes specifically for offenders with gambling addiction issues. Ten countries (31.3%) reported providing programmes for offenders with mental health issues. Where specified, provisions made ranged from inpatient treatment in an institution (18.6%), outpatient treatment was provided in 9 jurisdictions (28.1%). Twenty-six out of the 32 countries (81.3%) reported treatment measures alternative to imprisonment for sex offenders. Of these, seven countries make mention of specialised treatment programmes for sex offenders (21.9%). Regarding programmes specific to violent offenders, responses indicated the presence of programmes aimed at violent offenders (e.g. anger management) were provided in 12.5% of countries. In addition 12.5% of countries offered programmes specifically for domestic violence offenders. Employment/vocational courses were provided in four countries (12.5%); similarly, education courses were provided in 12.5% of countries.

Reparation

Despite a lack of quantitative evidence regarding the effectiveness of community service (relative to imprisonment) in Europe (Bouffard & Muftic, 2007), offenders have reported positive gains from carrying out community service (Gelsthorpe & Rex, 2004), for example, vocational skills, self-confidence and a sense of achievement. However, criticisms have also been made by offenders such as the work being boring and dirty

(van de Dorpel, Kamp & van der Laan, 2010, cited in Durnescu et al., 2013). Community service measures are reported as being used by 28.1% of the responding countries. This figure is not reflective of data provided by The Council of Europe Annual Penal Statistics (2011) where a significantly higher percentage report the use of community service as an alternative measure, this may be due to lack of detailed information provided by questionnaire respondents.

Further types of reparation reported were the use of fines (6.3%), and compensation to the victim (12.5%). In addition a restorative justice approach was outlined by Lithuania. More specifically, the offender is obliged to apologise to the victim and to support a victim during the time period of treatment. Despite methodological flaws in research investigating the effectiveness of restorative justice approaches (e.g. the lack of randomised control groups/self-selection bias) research has shown a small reduction in rates of recidivism following restorative justice programmes (Latmier, Dowden & Muise, 2005).

D. Offender consent

As highlighted by McNeill (2014), contrary to popular belief, some offenders would prefer a short prison sentence to supervision in the community. Non-custodial 'sanctions or measures also restrict – and have the potential to violate – personal liberties and rights' (Morgenstern & Larrauri, 2013, p. 125 – 126). The Council of Europe therefore recommend that, where possible, an offender's consent will be gained for alternative sanctions and measures; it is necessary to ensure an offender is willing to co-operate and comply with sanctions placed on them in the community (Morgenstern & Larrauri, 2013). However, this does not necessarily translate into offenders effectively volunteering for sanctions as offenders should be made aware of the potential negative consequences of failing to comply (e.g. a return to court for re-sentencing) therefore consent is gained through coercive means (Robinson & Crow, 2009). Countries within The Council of Europe differ regarding views on obtaining consent from offenders (Morgenstern & Larrauri, 2013) as reflected in questionnaire responses from countries in this study.

Seven countries (21.9%) (Albania, Andorra, Azerbaijan, Georgia, San Marino, Slovenia and Malta) stated that consent was not required for any of the alternative measures and sanctions provided in their country. A further 16 countries (50%) specified that consent was not required for some measures with notable exceptions for each jurisdiction where consent is required:

Belgium: Community sanction or measure;

Croatia: Certain treatment obligations;

Cyprus: Community work, order for conditional discharge and drug misuse treatment;

Czech Republic: Conditional suspension and settlement;

Finland: Monitoring sentence (offender and other residents); community service and probationary liberty under supervision;

France: Parole; community service; electronic surveillance; surveillance; sanction repair; suspension of sentence due to a medical order, familial, professional, social reasons;

Germany: Medical treatment of an invasive nature or treatment of addiction; obligation for residence in a particular home or institution;

The Netherlands: Generally a suspended sentence with obligation to undergo treatment is not imposed without consent although consent is not required by law;

Latvia: Release from punishment; conditional release from prison and criminal liability; substance misuse treatment;

Lithuania: Substance misuse treatment; electronic monitoring; community work;

Moldova: Release from penal punishment; postponement of punishment for pregnant women and who have children under the age of eight;

Montenegro: Community service;

Spain: Substance addition treatment;

Switzerland: Community service;

Turkey: Community service;

United Kingdom: Substance addition treatment; mental health treatment.

Common trends in sanctions and measures for which consent from offenders is required include community service, electronic tagging, substance misuse programmes, treatment programmes (e.g. sex offender treatment, anger management programmes etc...), and transfer from prison to probation. Nine countries (28.1%) (Denmark, Sweden, Estonia, Hungary, Italy, Ireland, Romania, Portugal and Monaco) stated that consent was required for all sanctions and measures. The types of sanctions and measures provided in said countries were in the areas of treatment programmes and surveillance through electronic tagging. Making comparisons between countries regarding the issue of consent is problematic given the variation in sanctions and measures provided – please refer to appendices C-D for further detail regarding sanctions provided and consent.

E. Duration of alternative treatment measures

Jurisdictions vary in the severity and duration of punitive measures used (McIvor et al., 2010). Whether the duration of alternative sanctions or measures for an offender are considered proportionate to the offender's crime is a matter of debate among governments (McIvor, 2010). Furthermore, where the duration of community service is considered by some to be of a disproportionate duration; whether very long duration constitutes and infringement of human rights is a matter of contention (Morgenstern & Larrauri, 2013). Respondents varied in the level of detail provided regarding the duration of alternative treatment measures.

Specific minimum and maximum duration of measures and sanctions were provided by some countries (43.8%). Three countries (9.4%) provided the minimum and maximum number of hours for which offenders are required to carry out community service obligations. Minimums of 50 hours and 60 hours were reported by the Czech Republic and Montenegro respectively. Maximum duration of community service was reported as 300 hours (Czech Republic), 360 hours (Montenegro) and 720 hours (Switzerland).

Four countries (12.5%) specify that, where an offender has a specific health issue (Azerbaijan, Moldova, Turkey) or mental health (Malta) issue, the duration is decided by the doctor or clinician. In addition, four countries (12.5%) (Croatia, Italy, Monaco, and Slovenia) refer to the length of the prison sentence as determining the length of community sanction/supervision; the length of community/probation sentence should not be of lesser duration than the original term of imprisonment decided in court. Monaco noted that community sanctions can last up to a year longer than the original prison sentence length.

In addition to the impact of the type of crime committed upon non-custodial sentence length (as can be inferred from responses from all countries), factors explicitly cited as determining the duration of probation sentence/supervision included the length of treatment programmes (Albania and Spain), individual characteristics and social/family situation of the offender (France), age (Finland, Moldova and Switzerland), and the needs of the offender (Cyprus). A further ten countries (31.3%) stated that the decisions regarding duration of supervision, sanctions and measures were decided upon based on individual level factors although did not specify particular factors (Georgia, Germany, Hungary, Ireland, Lithuania, Malta, Romania, Sweden, Turkey and the UK).

Specific time frames were provided by thirteen countries, however, it must be noted that set time frames may also exist in other countries but have not been reported at this time. Information provided varied in accordance with the types of measures and sanctions used; as such it is necessary to report information from individual countries that provided specific time frames independently:

Croatia: Set time for mandatory psychosocial treatment (2 years) and for mandatory treatment for addiction (3 years)

Czech Republic: Probation period of up to 5 years; maximum time in treatment of 2 years (this 2 year period can be repeated if considered necessary)

Denmark: Community sanctions maximum 1 year; for sex offenders a maximum of 2 years; treatment programmes 6 month to 1 year period

Estonia: Minimum duration of treatment programme of 18 months and maximum of 3 years

Finland: Probation duration minimum of 1 year, maximum of 3 years; under 21 year olds maximum duration of 1 year and 3 months; under 18 year olds maximum of 1 year

Germany: Normally a maximum of 5 years although this can be indeterminate in certain cases

The Netherlands: For violent offenders no maximum duration exists; for non-violent offenders a maximum of 4 years; no maximum duration for conditional release; electronic monitoring for a maximum of 1 year; conditional TBS (involuntary commitment for psychiatric or psychological treatment) measures for a maximum of 9 years (however, the maximum duration may be indeterminate if the offender violates terms

Latvia: Conditional sentence requires a minimum of 6 months and a maximum of 5 years; probation supervision lasts between 1 and 3 years

Moldova: Educational measures can be enforced until the age of 18

Monaco: Conditional release is a minimum of 3 years and a maximum of 5 years

Portugal: The duration of sanctions/measures is a maximum of 5 years

Switzerland: In the case of treatment for offenders with mental disorders there is a 5 year maximum duration (however, this can be extended for a further 5 years if considered necessary); for addiction treatment the maximum duration of treatment is 3 years (although this can be extended by 1 year if necessary); for young adults the maximum duration is 4 years; outpatient treatment for offenders with mental disorders can last a maximum of 5 years although can be extended by a further 5 years if considered necessary

UK: Probation supervision will last for a minimum of 12 months; the probation licence period is indeterminate

F. Authority imposing alternative treatment measures

As highlighted by Boone and Herzog-Evans (2013), in looking at alternative measures and sanctions used across Europe it is necessary to consider which authority is involved in the decision making process as a starting point for investigating on what factors these decisions are made. There is variation across different jurisdictions regarding the bodies responsible for decision making; in the majority of jurisdictions the court/judiciary is solely responsible for decision making which is considered to constitute 'an essential guarantee in terms of fairness and due process' (Boone & Herzog-Evans, 2013, p.71), however, in other jurisdictions decision making may be extended to prison or probation agencies.

Fifteen countries (46.9%: Albania, Andorra, Azerbaijan, Cyprus, Croatia, Estonia, Georgia, Germany, Italy, Moldova, Montenegro, San Marino, Spain, Sweden and Switzerland) stated that the court is the sole authority that can make decisions regarding the imposition of alternative treatment measures. A further nine countries (28.1%) specify that decisions may be imposed by the court but that, for certain areas, a prosecutor can impose decisions (Czech Republic, France, Hungary, Latvia, Moldova, Montenegro, Portugal and Romania). More specifically, in Moldova a prosecutor may impose decisions for more minor issues such as warnings and obligations to repair damage, in Montenegro public prosecution can be used for juveniles, in Romania a prosecutor can be used in the pre-trial phase, and in Portugal a prosecutor is used for drug offenders.

Five countries note that conditional release decisions can be made by authorities other than the court. In Denmark and Ireland decisions can be made by prison authorities; in Finland prison authorities or the Criminal Sanctions Agency are able to impose such decisions; decisions in Lithuania are made by the Conditional Release Commission (comprising of representatives of penitentiary institutions, prison departments, other national and municipal institutions and NGOs); and in Slovenia conditional release can be granted by the parole commission.

Information regarding the extent to which judges are able to use their own discretion regarding the type and duration of measures is not provided in the majority of cases, however; the respondent from the Netherlands notes that decisions made by the court are constrained by the human rights law and requirements of proportionality. Furthermore, it is noted by Ireland, the UK and the Netherlands that advice/reports from the probation services are used to help inform decisions in court regarding alternative measures.

Although decisions regarding sanctions and measures are made by the court in Turkey and the UK, both countries note that more general requirements/type of obligations can be decided upon by probation services. Additionally, in the UK, prison Governors and Directors are able to impose post sentence drug appointment conditions.

Distinct procedures exist in six countries:

Belgium: When imposing measures for offenders with mental health needs, decisions are made by a Social Protection Committee consisting of magistrates, lawyers and psychiatrists;

Finland: The Criminal Sanctions Agency imposes a supervision and enforcement plan;

France: The public prosecutor can impose sanctions and measures;

Ireland: An offender can be placed in a Domestic violence programme at the decision of the court and also through the probation service, social workers, health workers, spouse/partners, and through self-referral;

Malta: Decisions can be delegated to probation, parole and prison services;

Monaco: The Director of Legal Services and Director of Judicial Services can impose decisions regarding an offender's parole.

G. Assessment and management of compliance and completion of alternative treatment measures: Agencies and tools

In order to answer the question as to *what works* in offender management and to subsequently improve practices, it is necessary to look to the management of alternative treatment measures across countries (McNeill & Beyens, 2013). Prior to investigating the effectiveness of specific measures within the range of cultures it is necessary to gain an overview of how measures and sanctions are assessed and managed, by whom and using what methods. As noted above, there is variation in terms of the amount of detail provided by each respondent; as such there may be omissions of information in the summary provided below. In addition, although there is consistency in names for certain agencies (e.g. Probation Services), it is noted that variation may exist in specific practices used across jurisdictions based on within each service.

Probation Services were reported as being the agency responsible for ensuring compliance and completion of alternative treatment measures by twenty-one (65.6%) jurisdictions (Albania, Belgium, Croatia, Czech Republic, Denmark, Estonia, France, Georgia, Germany, the Netherlands, Ireland, Latvia, Lithuania, Malta, Monaco, Portugal, Montenegro, San Marino, Turkey, UK and Sweden). Offender non-compliance to measures

and sanctions is reported and changes may be made to the offender's sentence by the courts or relevant authority.

Other agencies cited as being responsible for offender compliance and completion of measures included:

Andorra: Police; prison services; social services; doctors; forensic physicians;
Azerbaijan: Psychiatrists/forensic psychiatry expertise commission;
Cyprus: Welfare officers;
Czech Republic: The State Prosecutor Office is responsible for protective treatment;
Estonia: Medical institutions;
Finland: Criminal Sanctions Agency;
France: The public prosecutor;
Hungary: The authority who made decision regarding the type of measure to be used;
Ireland: Where an offender participates in a community support scheme a Community based agency worker manages measures;
Lithuania: National and municipal institutions, NGO's and volunteers;
Moldova: For medical measures specialised institutions manage/assess treatment;
Romania: The Centre for Drug Addition Prevention;
San Marino: Unspecified public and private institutions;
Spain: General Secretary of Prison;
Sweden: Social Services;
Turkey: Controllers Board and judicial inspectors;
UK: An offender will be allocated a 'responsible officer' to enforce measures; however, this will change in the near future to public sector 'enforcement officer'.

Specific assessments used by which to measure an offender's progress are noted by ten countries (31.3%). No mention of specific assessments may denote an absence of assessment measures or failure to report information. Information was provided by:

Albania: A national risk assessment tool (similar to the Offender Assessment System (OASys) used in the UK);
Azerbaijan: Psychiatrist assessments;
Belgium: Regular meetings between probation officers, treatment providers and offenders;
Croatia: Actuarial assessment tool – SPP;
France: Assessments specific to therapeutic injunctions;
Ireland: A range of actuarial risk assessment tools (e.g. RM2000, LSI-R);
Lithuania: Unspecified risk assessment methods;
Malta: Psychometric assessments;
Spain: The effectiveness of measures is evaluated by correctional professionals and academics.

Conclusions

The current report has highlighted some uniformity regarding the type of offenders for which alternative sanctions and measures are provided as well as reporting the types of measures used (i.e. control/surveillance, rehabilitative, and reparative).

Research into the use of control/surveillance measures has been conducted on a large scale (The Council of Europe Annual Penal Statistics, 2011); however, there remains a lack of research into the use of rehabilitative and reparative measures used within probation services across Europe, with the extant literature largely focusing on drug-related offences. Searching for commonalities between countries is thought to be an effective method to embark upon creating a knowledge base as to effective practice in probation services (Robinson & Svensson, 2013). As such, there is a need for further research in the area of rehabilitative programmes in existence across countries within the Council of Europe.

As outlined in the initial report, the root of approaches to rehabilitation within probation services is the issue of supervision. Therefore, research into the process of rehabilitation in probation must be considered within the context of factors such as offender consent and the management of measures. Where quantitative data exists within jurisdictions this could be used to assess treatment effectiveness, however, the need for qualitative research into the effectiveness of programmes and practices is necessary in order to also highlight commonalities and differences and consider cultural differences.

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Appendix A

Types of offenders for which measures exist	
Albania	<ul style="list-style-type: none"> - Substance addicted - Psychological needs - Psychiatric needs - Health needs
Andorra	<ul style="list-style-type: none"> - Substance addicted - Sex offenders - Alcohol addicted - Other addiction (e.g. gambling) - Mental disorders/requiring psychological treatment
Azerbaijan	<ul style="list-style-type: none"> - Psychological needs - Psychiatric needs - Alcohol and drug additions
Belgium	<ul style="list-style-type: none"> - Substance addicted - Sex offenders - Psychological needs/mentally disordered (violent and property offenders)
Croatia	<ul style="list-style-type: none"> - Substance addicted - Violent offenders - Mentally incapacitated (only if with diminished capacity)
Cyprus	<ul style="list-style-type: none"> - Substance addicted - Sex offenders - All offenders, except those who are convicted for crimes punishable with specific penalties prescribed by the Law (e.g. premeditated murder for which the obligatory punishment is a life sentence)
Czech Republic	<ul style="list-style-type: none"> - Substance addictions - Sex offenders - Mental disorder - Less serious offenders (taking into account character and personal circumstances)
Denmark	<ul style="list-style-type: none"> - Substance addicted - Sex offenders - Violent offenders - Domestic violence offenders - Psychological needs
Estonia	<ul style="list-style-type: none"> - Substance addicted - Sex offenders
Finland	<ul style="list-style-type: none"> - Substance addicted - Sex offenders - Individual basis (e.g. it may be necessary to imprison addicted offenders and domestic abusers in some cases due to difficulties in imposing community sentences/monitoring)
France	<ul style="list-style-type: none"> - Substance addicted - Sex offenders - All offenders who have not completed the fixed period of their sentence

Georgia	<ul style="list-style-type: none"> - Substance addicted - Sex offenders - Offenders who have a suspended sentence - Any type of offender in theory - depending on the individual
Germany	<ul style="list-style-type: none"> - Substance addicted - Sex offender - Any type of offender in theory
The Netherlands	<ul style="list-style-type: none"> - Substance addicted - Sex offender - Violent offenders - Domestic violence
Hungary	<ul style="list-style-type: none"> - Substance addicted
Ireland	<ul style="list-style-type: none"> - Substance addicted - Sex offenders - Burglars, car thieves, violent offenders, domestic violence perpetrators, any offender(s) who are assessed as being likely to benefit from ‘treatment’ measures or interventions. - For the Community Support Scheme described below - all categories of offenders, <u>except</u> manslaughter and death by dangerous driving cases.
Italy	<ul style="list-style-type: none"> - Substance addicted - AIDS sufferers (or other serious immunodeficiency) - Offenders with serious health issues that require frequent medical care in the community
Latvia	<ul style="list-style-type: none"> - Substance addicted - Sex offenders - Children aged 11 to 18 years old - Children with mental dysfunction or behavioural disorders - Offenders with mental disorders or with diminished mental capacity
Lithuania	<ul style="list-style-type: none"> - Substance addicted - Sex offenders - Violent offenders - Domestic violence offenders - All offenders who fall under probation supervision following valid legislation and procedures
Malta	<ul style="list-style-type: none"> - Substance addicted - Sex offenders - Violent/aggressive offenders - Domestic violence offenders - Juvenile offenders
Moldova	<ul style="list-style-type: none"> - Substance addicted - Sex offenders - Violent offenders - Public order offenders - Patrimony (inheritance?) offenders
Monaco	<ul style="list-style-type: none"> - Substance addicted - Sex offenders - First time offenders or those who served under 6 months for a previous offence is eligible for alternative to imprisonment
Montenegro	<ul style="list-style-type: none"> - Substance addicted - Sex offenders - Minor offenders (subject to the decision of the court based on perceived risk to society) for which a prison sentence under 5 years would be given

Portugal	<ul style="list-style-type: none"> - Substance addicted - Sex and domestic violence offenders can receive treatment in specialised institutions, have conditions imposed, or be required to participate in a domestic violence programme where deemed appropriate
Romania	<ul style="list-style-type: none"> - Substance addicted - Sex offenders
San Marino	<ul style="list-style-type: none"> - Substance addiction - Sex offenders - Violent offenders - Domestic violence offenders
Slovenia	<ul style="list-style-type: none"> - Substance addicted - Sex offenders - Dependent on the severity of the crime/length of sentence
Spain	<ul style="list-style-type: none"> - Substance addicted - Sex offenders - Domestic violence - Traffic crime - Intrafamilial violence
Sweden	<ul style="list-style-type: none"> - Substance addicted - Sex offenders - Violent offenders - Domestic violence offenders
Switzerland	<ul style="list-style-type: none"> - Swiss criminal law does not make a distinction between different types of offenders in relation to sanctions or measures.
Turkey	<ul style="list-style-type: none"> - Substance addicted - Sex offenders - All type of offenders can benefit from any alternative treatment measures. For some special offenders (violent offenders, domestic violence offenders, high risk offenders, organized crime offenders etc.) it can be applied under special conditions.
United Kingdom	<ul style="list-style-type: none"> - Substance addicted - Sex offenders - Offenders with mental health needs - Those with specific needs in relation to offending, e.g. domestic violence, anger management, alcohol misuse (non-addictive)

Appendix B

Q3: How are these measures regulated? (e.g. law, by-law or internal regulations)	
Albania	<ul style="list-style-type: none"> - Treatment measures are provisioned as part of obligations charged on the offender during the undergoing of an alternative sentence. Such measures are provisioned in the Albanian Criminal Code, while methodology and practical regulations are provided by internal regulations.
Andorra	<ul style="list-style-type: none"> - Regulated by the law of the Criminal Code of 21 February 2005 By the law of the Code of Criminal Procedure of 21 February 2005
Azerbaijan	<ul style="list-style-type: none"> - Regulated by criminal and criminal procedure codes of Azerbaijan Republic
Belgium	<ul style="list-style-type: none"> - Psychiatric treatment and sex offender treatment in the community under the Probation service is imposed by law. Any offender (even if considered fully responsible for their crime) can be required by the prosecutor, judge or prison director to undergo psychiatric treatment in the community. The Probation Service provides social reports for the prison director or judge so individualised conditions can be imposed (e.g. psychiatric treatment).
Croatia	<ul style="list-style-type: none"> - Regulated by the Criminal Code - as special obligation imposed with conditional sentence or with conditional release, or as security measure imposed with prison sentence, fine, community work or conditional sentence. Only security measure of mandatory psychosocial treatment of violent offenders is additionally regulated by the "Regulation on mandatory psychosocial treatment".
Cyprus	<ul style="list-style-type: none"> - Regulated by Law (e.g. the Criminal Code Cap.154 as amended, the Criminal Procedure Law Cap.155 as amended, the Probation and Other Ways of Treatment of Offenders Law L.46(I)/96, the Prohibition of Domestic Violence Law, L.119(I)/2000, the Juvenile Offenders Law cap.157 as amended, the Care and Treatment of Drug Addicts Law L.57(I)/1992).
Czech Republic	<ul style="list-style-type: none"> - The alternative treatment measures are regulated by Penal Code of the Czech Republic (Act No. 40/2009 Coll.) and by Code of Criminal Procedure (Act. No.141/1961 Coll.).
Denmark	<ul style="list-style-type: none"> - Regulated by law, by-law and internal regulations.
Estonia	<ul style="list-style-type: none"> - These measures are regulated by law.
Finland	<ul style="list-style-type: none"> - The provisions on these measures are regulated by the Criminal Code of Finland and by Acts on different criminal sanctions.
France	<ul style="list-style-type: none"> - Measures regulated by law (code of criminal procedure).

Georgia	<ul style="list-style-type: none"> – Measures are regulated by the Criminal Code of Georgia. Particular in its Article 65 the Georgian Criminal Code sets out the procedure.
Germany	<ul style="list-style-type: none"> – They are regulated by law.
The Netherlands	<ul style="list-style-type: none"> – The measures are all regulated by law, but can be further specified in by-law or internal regulations.
Hungary	<ul style="list-style-type: none"> – Measures are regulated by the Law (Penal Code/Ministry of Justice) and the Director General of the prison service.
Ireland	<ul style="list-style-type: none"> – Probation measures are regulated by law which can be either by Statute or Court Judgements (common law). Domestic violence perpetrators programmes are regulated by internal regulation. The Community Support Scheme is regulated by legislation, the Criminal Justice Act 1960 and the Criminal Justice (Temporary Release of Prisoners) Act 2003.
Italy	<ul style="list-style-type: none"> – Measures are regulated by the Law (Penitentiary Act) and by the Decree of the President of the Republic.
Latvia	<ul style="list-style-type: none"> – Measures are regulated by Criminal law. – Law On Application of Compulsory Measures of a Correctional Nature to Children prescribes the types and the procedures for application of compulsory measures of a correctional nature. – Cabinet Regulation prescribes procedures for the mandatory medical treatment of children having mental dysfunction or behavioural disorders.
Lithuania	<ul style="list-style-type: none"> – Criminal code of the Republic of Lithuania and Penal Sanctions enforcement code of the Republic of Lithuania. Other legislation.
Malta	<ul style="list-style-type: none"> – Measures are regulated by Law.
Moldova	<ul style="list-style-type: none"> – Regulated by organic laws, regulations approved via government decisions, and regulations approved by the order of the Head of the Probation Service.
Monaco	<ul style="list-style-type: none"> – Regulated by the Penal and Criminal Code.
Montenegro	<ul style="list-style-type: none"> – Prescribed by the Criminal Code of Montenegro (sentence of community service, a suspended sentence and a suspended sentence with supervision), the Law on Minor Offences of Montenegro (community service, a suspended sentence and a suspended sentence with supervision) and for juvenile offenders offenses law on the treatment of juveniles in criminal proceedings. The method of execution and supervision of alternative sanctions is regulated by the Law on Execution of Criminal Sanctions for Juvenile Law on the treatment of juveniles in the criminal proceedings.

Portugal	<ul style="list-style-type: none"> - Regulated by law.
Romania	<ul style="list-style-type: none"> - Regulated by law.
San Marino	<ul style="list-style-type: none"> - Regulated by law.
Slovenia	<ul style="list-style-type: none"> - Measures are regulated by the Criminal code.
Spain	<ul style="list-style-type: none"> - These measures are regulated by law (Organic Law 5/2010 of the Penal Code) and by two regulations (Decree 190/1996 and Regulation Penitentiary Decree 8/2011 of criminal penalties and alternative measures to prison).
Sweden	<ul style="list-style-type: none"> - Regulated by law and Swedish Prison and Probation Service, SPPS internal regulations.
Switzerland	<ul style="list-style-type: none"> - Alternative treatment measures are regulated in Swiss law. Especially articles 37, 56-64 of the Swiss Criminal Code (CC, http://www.admin.ch/opc/en/classified-compilation/19370083/index.html) are applicable.
Turkey	<ul style="list-style-type: none"> - All community sanctions are regulated by law and regulations.
United Kingdom	<ul style="list-style-type: none"> - Primary legislation governs alcohol, drug and mental health treatment requirements of community orders and suspended sentence orders. The Secretary of State accredits programmes dealing with e.g. domestic violence, sex offending, anger management, etc. which are delivered under e.g. programme requirements of such orders. Probation providers specify and provide activities to deal with less serious offending within other sanctions imposed by the courts, e.g. activity requirements.

Appendix C

Q4: Please list the alternative treatment measures provided for in your jurisdiction.	
Albania	<ul style="list-style-type: none"> - Medication or rehabilitation inside a health care institution or undergoing a medical or rehabilitative treatment programme - Drugs and alcohol treatment programmes
Andorra	<ul style="list-style-type: none"> - Electronic control measures - Obligation to reside permanently at home ('house arrest') - Community service - Therapeutic outpatient treatment clinics - Special educational programmes
Azerbaijan	<ul style="list-style-type: none"> - Outpatient compulsory supervision and treatment at the psychiatrist - Mandatory treatment in a psychiatric hospital of the general type - Mandatory treatment in a psychiatric hospital of the specialized type - Mandatory treatment in a psychiatric hospital of the specialized type with intensive supervision
Belgium	<ul style="list-style-type: none"> - Specialized treatment for sex offenders (residential / outpatient) - Specialized treatment for substance addicted offenders (residential / outpatient) - Specialized treatment for domestic violence offenders (outpatient) - Residential psychiatric treatment (hospital, nursing house, etc...) - Outpatient psychiatric treatment - Outpatient psychosocial treatment <p>(List is not limitative as individual prosecutors, judges or the prison directors can make decisions regarding sanctions)</p>
Croatia	<p>Special obligations:</p> <ul style="list-style-type: none"> - Treatment or continuation of treatment necessary to eliminate health problems which can propel perpetration of new criminal offence - Treatment or continuation of treatment of drug, alcohol or other addiction in health institution or other specialized institution or rehabilitation in therapeutic community - Participation or continuation of participation in procedure of psychosocial therapy in health institution or in legal entity, or with natural persons specialized for rehabilitation of violent behaviour. <p>Security measures:</p> <ul style="list-style-type: none"> - mandatory psychiatric treatment - mandatory treatment of addiction - mandatory psychosocial treatment (of violent offenders)
Cyprus	<ul style="list-style-type: none"> - Suspension of sentence of imprisonment - Fine - Payment of compensation to the victim - Giving Security to keep the Peace and be of Good Behaviour - Giving Security to come up for judgment (i.e to discharge an offender instead of passing a sentence subject to entering into a personal recognisance or a recognisance with sureties as the court may think fit, for an amount that the court thinks appropriate; undertaking thereby to appear before the court at a future date or when called upon to answer for any violation of the terms of the recognisance) - Supervision Order (this order can be placed upon the offender after the expiry of his/her prison sentence for a period of up to 5 years) - Probation Order - Order for Community Work - Order of Absolute or Conditional Discharge - Committing a minor offender to the care of a relative or other fit person - Order for the treatment of a drug addict at a drug withdrawal centre

Czech Republic	<p>Substantial Alternative Treatment covered by Penal Code</p> <ul style="list-style-type: none"> – Conditional Prison Sentence – House Arrest – Community Service – Protective Treatment <p>Procedural Alternative Treatment covered by Code of Criminal Procedure</p> <ul style="list-style-type: none"> – Conditional Suspension of the Criminal Prosecution – Settlement
Denmark	<ul style="list-style-type: none"> – Sex offender treatment – Substance abuse treatment – Alcohol abuse treatment – Anger management programme – Psychological/psychiatric treatment – Gambling addiction treatment – Domestic violence treatment programme
Estonia	<ul style="list-style-type: none"> – Addiction treatment of drug addicts to a person who committed a criminal offence due to drug addiction – Complex treatment of adult sex offenders
Finland	<ul style="list-style-type: none"> – Supervision of conditional imprisonment – Juvenile penalty – Community service – Monitoring sentence – Probationary liberty under supervision – Supervision of conditional release
France	<ul style="list-style-type: none"> – Therapeutic injunction – Suspended sentence with probation – Socio-judicial surveillance – Parole – Electronic surveillance – Outside investment – Work of general interest – Stay with the obligation to perform work of general interest – Day fines – Sanction repair – Adjournment to put to the test – Compulsory residence with surveillance fixed or mobile electronics – Suspension or split sentence on grounds of medical order, family, professional or social – Suspension of sentence for medical reason – Electronic Surveillance end of sentence (SEFIP)
Georgia	<ul style="list-style-type: none"> – The prohibition of changing the place of permanent residence – The prohibition of contact that may involve the offender to antisocial activities – The prohibition of site visit determined – Requiring financial assistance to his family – The requirement to pass cures alcoholism, drug addiction or venereal diseases <p>(List not exhaustive)</p>
Germany	<p>Directions during the operational probationary period: The court may direct the convicted person to:</p> <ul style="list-style-type: none"> – undergo medical treatment of an invasive nature or treatment for addiction; or – reside in a suitable home or institution – undergo psychiatric, psycho— or socio-therapy (therapy direction) <p>Directions for the duration of the supervision: The court may direct the convicted person to:</p> <ul style="list-style-type: none"> – present himself at certain times or at certain intervals to a doctor, a psychotherapist or the forensic ambulance service – undergo psychiatric, psycho— or socio-therapy (therapy direction)

The Netherlands	<ul style="list-style-type: none"> - Conditional release under supervision (mentally ill offenders) - Forced clinical treatment (mentally ill offenders) - Electronic monitoring (where the prison sentence was 6 months or more) - Admission in a clinical healthcare institution where offenders will be treated for their addiction, mental illness and/or intellectual disability. - An obligation to undergo outpatient treatment by a specialist or in a healthcare institution, which could include treatment for addiction (e.g. alcohol, drugs, gambling) - A stay in sheltered accommodation or emergency accommodation <p>(The Netherlands also has a number of treatment programmes for aggression and domestic violence)</p>
Hungary	<ul style="list-style-type: none"> - Medical treatment for offenders with substance misuse issues - Participation in educational programmes about drug consumption
Ireland	<ul style="list-style-type: none"> - Sex offender treatment programmes - Residential/non residential drug/alcohol treatment programmes - Anger management programmes - Parenting programmes - Domestic violence perpetrator programmes - Cognitive skills based offending behaviour programmes <p>Early release conditional on them engaging with a Community Support Agency who assist with issues such as:</p> <ul style="list-style-type: none"> - Work training - Education - Drug addiction support - Social welfare payments - General desistance from crime
Italy	<ul style="list-style-type: none"> - Assignment to the probation service for drug-addicted or alcohol-addicted offenders undergoing a programme of rehabilitation or intending to undergo such a programme - Measures alternative (Home detention/Probation service) to detention for subjects suffering from full-blown AIDS or by a serious immunodeficiency - Home detention for offenders with particularly serious health conditions demanding constant contacts with healthcare services in the community
Latvia	<ul style="list-style-type: none"> - Placement of juvenile offenders in a correctional educational institution (drug and alcohol addiction treatment provided where necessary) - Medical treatment <p>Measures listed below can contain treatment aspect:</p> <ul style="list-style-type: none"> - Probation supervision (this is one of additional punishments) provide that official of State probation service oblige sentenced person to undergo specific probation program, for example sex offender program, addiction prevention program, anger management etc., or apply different kind of other obligations. - Conditional Release from Criminal Liability- prosecutor can apply obligation to undergo treatment of alcohol, drug or other addiction. - Conditional sentencing (punishment is not enforced in prison, but person is left in society with conditions/obligations, so conditional sentencing is not a separate punishment but a form of enforcement of the punishment) – court can obligate a person to undergo specific probation program, for example sex offender program, addiction prevention program, anger management etc., or apply different kind of other obligations. - Conditional release from prison – court can obligate a person to undergo specific probation program, for example sex offender program, addiction prevention program, anger management etc., or apply different kind of other obligations.

Lithuania	<p>One or more alternative treatment measures may be imposed upon court decision:</p> <ul style="list-style-type: none"> – Measures of punitive impact (for adults); Disallowance to use a special right; Withdrawal of the right to be engaged in a specific job or occupation; Compensation for or elimination of material damage; Works free of charge; Contribution to victims fund; Property confiscation; Disallowance to approach a victim; Participation in programs for correction of violent behaviour; Expanded property confiscation <p>In case of a suspended sentence court may impose one or more inter-related measures of punitive impact and (or) obligations:</p> <ul style="list-style-type: none"> – Apologize to victim; Support a victim during the period of treatment; Get addiction treatment upon an inmate’s consent; Educate and supervise one’s minor children, take care of their health status, maintain them; Start working or studying, continue work or studies; Participate in behaviour correctional programs; Do not leave home at specified time provided it is not related to work or studies; Do not leave the city (region) of residence without a permission or a supervising institution; Do not access specified places and avoid specified persons or groups of persons; Do not use psychotropic substances; Do not possess, use or obtain specific items or do not get involved in specific activities <p>Educational measures for juveniles:</p> <ul style="list-style-type: none"> – Warning; Compensation for or elimination of material damage; Educational works free of charge; Placement to parental education and supervision or to other legal or natural entities that care for children; Behaviour restriction; Placement to a special educational institution <p>*It should be noted, that different legal institutions exist in the Lithuanian legislation, which establish that an offender is not imposed a court sentence but the above mentioned obligations. A court may release an offender from criminal liability in case an offender and a victim settle the differences; in case of a bail, when an offender is assigned a guarantor; if a person or a criminal act is not longer considered dangerous; due to minor offence; in case of mitigating circumstances; when an offender cooperated in disclosing criminal acts of an organised group or criminal alliance.</p>
Malta	<ul style="list-style-type: none"> – Probation Act and Mental Health Act
Moldova	<p>Safety measures - Medical coercion measures:</p> <ul style="list-style-type: none"> – Psychiatric institution hospitalization with a normal supervision; Psychiatric institution hospitalization with a strict supervision <p>Safety measures - Educative coercion measures:</p> <ul style="list-style-type: none"> – Warning; committing the minor under the parent’s supervision, to the person who substitutes the parents, or specialized state bodies; the minor obligation to repair the damage. In applying this measure the financial situation of the minor is taken into consideration; the minor obligation to pass a medical treatment of the psychological rehabilitation. <p>Housing the minor, by the court decision, in a special study and re-education institution or in a curative and re-education institution.</p> <p>Penal punishment release measures:</p> <ul style="list-style-type: none"> – Sentence with a release on parole – Conditional release before term – Release from the execution of the punishment of the serious ill persons – Postponement of the punishment execution for pregnant women and who have children under the age of 8 years
Monaco	<ul style="list-style-type: none"> – Surveillance measures (probation knowledge of residence and movements) – Support (support for social rehabilitation and family and vocational rehabilitation) provided by the Ordinance on the social rehabilitation of offender – Measures include special obligations by the court (e.g. obligation to exercise a professional activity or to follow a course of education or training, establishing residence in a particular place, to comply with control measures or treatment or care, such as hospitalization for detoxification particular, contribute to family expenses, repair damage, etc ...) – Split execution – Parole: the offender eligible for parole may be subject to measures of assistance and control to facilitate and verify their reclassification
Montenegro	<ul style="list-style-type: none"> – Suspended sentence – Suspended sentence with supervision – Community service – Conditional release

Portugal	<ul style="list-style-type: none"> - Coercive measures applied to the accused drug offenders treatment - Temporary suspension of the process applied to drug offenders - Monitoring drug offenders at the request of Attorney / Department - Suspension of the sentence with the imposition of conditions and / or obligations treatment applied to drug offenders
Romania	<ul style="list-style-type: none"> - Integrated care programme for drug consumers.
San Marino	<ul style="list-style-type: none"> - Judicial probation, probation without judgment with pardon.
Slovenia	<p>Instructions may include the following tasks to be performed by the offender on conditional sentence with custodial supervision or by the offender on parole:</p> <ul style="list-style-type: none"> - To submit himself to a course of medical treatment at an appropriate institution, also treatment of alcohol or drug addiction with his consent - To attend sessions of vocational, psychological, or other consultation - To qualify for a job or to take up employment suitable to his health, skills, or inclinations - To spend income according to the duties relating to family support - Prohibition of association with certain persons; - Restraining order to keep the perpetrator away from the victim or some other person - Ban on access to certain places
Spain	<ul style="list-style-type: none"> - Participate in formative programs - Drug treatment - Psychological treatment for perpetrators of domestic violence - Driver education - Sexual offender treatment - Environmental protection - Animal welfare, and other similar, etc...
Sweden	<ul style="list-style-type: none"> - Probation - Probation with contract treatment - Intensive supervision (Electronic monitoring, includes treatment programme)
Switzerland	<ul style="list-style-type: none"> - Community service - Therapeutic treatment for additions - Therapeutic treatment if required by the offender or necessary for public safety
Turkey	<ul style="list-style-type: none"> - Attendance of educational institutions; prohibition from activities/places; seizure of driving licence; obligation of community service; Probation measures; effective remorse; obligation of paid employment; comply with treatment or medical checks; prohibition of possessing or carrying gun; Not being allowed to visit certain places specified or being allowed to visit certain places; Prohibition of contacting with certain individuals and institutions; obligation of attending an educational program so as to gain a profession or a craft if the defendant has no professions or crafts; Obligation of employment as paid in public institution or under the supervision of someone else who specifically performs the same profession or craft; prohibition from visiting/going certain places and performing certain activities; obligation of attending certain activities or certain institutions/ programmes.
United Kingdom	<ul style="list-style-type: none"> - Drug treatment - Alcohol treatment - Mental health treatment <p>(Requirements of Community orders and suspended sentence orders)</p> <ul style="list-style-type: none"> - Sex offenders can be required to participate in sex offender programmes available under a programme requirement

Appendix D

Q5: Please specify for each measure whether the offender's consent is required or not?	
Albania	<ul style="list-style-type: none"> – Consent is not required for either measure.
Andorra	<ul style="list-style-type: none"> – Consent of the offender is not required.
Azerbaijan	<ul style="list-style-type: none"> – The consent of the offender is not required for all kind of treatment measures.
Belgium	<ul style="list-style-type: none"> – Alternative treatment measure for interned persons released in the community: no consent required. – Alternative treatment measure for accused or condemned persons who are considered fully responsible for their acts: consent required (consent is given when the person accepts a community sanction or measure in court, after referral to the Probation Service offender's consent is not required).
Croatia	<ul style="list-style-type: none"> – The offender's consent is required for described special obligations, but not for security measures.
Cyprus	<ul style="list-style-type: none"> – The offender's consent is only required with respect to Orders for Community Work, Orders of Conditional Discharge and Orders for the treatment of drug addicts at drug withdrawal centres.
Czech Republic	<ul style="list-style-type: none"> – The offender's consent as such is not required in case of the substantial alternative treatment measures; however, imposing a conditional imprisonment or a community service depends on the character and personal circumstances of the offender. Thus the offender's opinion and determination is always sought. House arrest is subject to the offender's signature of a written pledge to the effect that during the period of time stipulated he will remain resident at a determined address and will provide all the necessary co-operation during any checks. – In the case of procedural alternative treatment such as conditional suspension or settlement, the consent of the accused is required.
Denmark	<ul style="list-style-type: none"> – The offender's consent is required for all measures. Non-compliance with the treatment order or conditional parole may result in breach of the community order or revocation of the parole licence.
Estonia	<ul style="list-style-type: none"> – The offender's consent is required for each measure
Finland	<p>Consent is not required for:</p> <ul style="list-style-type: none"> – Supervision on conditional imprisonment – Juvenile penalty – Supervision of conditional release (but the supervised person is obliged to participate in the drawing up of the supervision plan and to keep in contact with the supervisor in accordance with the plan) <p>Consent is required for:</p> <ul style="list-style-type: none"> – Community service. A prerequisite for the imposition of community service is that the offender consents to serving his or her sentence as community service. – Monitoring sentence. Consent of the offender and those living at the address is a prerequisite for the imposition of a monitoring sentence. – Probationary liberty under supervision. A prerequisite for the placement of a prisoner in probationary liberty under supervision is that the prisoner signs a written commitment and consent to the preparation and enforcement of probationary liberty under supervision.

France	<p>No consent for:</p> <ul style="list-style-type: none"> – Therapeutic injunction – Suspended sentence with probation – Socio-judicial surveillance – Day fines – Adjourment to put to the test <p>Consent for:</p> <ul style="list-style-type: none"> – Parole – Placement under electronic surveillance outside investment – Work of general interest – Stay with the obligation to perform work of general interest – Sanction repair – Compulsory residence with surveillance fixed or mobile electronics - ARSE / M – Suspension or split sentence on grounds of medical order, family, professional or social – Suspension of sentence for medical reason – Electronic Surveillance at the end of sentence (SEFIP)
Georgia	<ul style="list-style-type: none"> – In the given case, the Georgian legislation does not provide consent of the offender.
Germany	<ul style="list-style-type: none"> – The direction to undergo medical treatment of an invasive nature or treatment for addiction; or to reside in a suitable home or institution may only be given with the consent of the offender – The direction to present himself at certain times or at certain intervals to a doctor, a psychotherapist or the forensic ambulance service or to undergo psychiatric, psycho— or sociotherapy (therapy direction) does not need the consent of the offender.
The Netherlands	<ul style="list-style-type: none"> – The obligation to undergo treatment in the Netherlands may be imposed as a condition attached to a suspended sentence. A suspended sentence with this condition attached is generally not imposed without consent of the sentence person, however consent is not required by law. – It is general practice for the judge to ask the sentenced person to agree with the conditions / probation measures that are attached to the suspension of a custodial sentence. If the sentenced person does not consent to treatment, it will generally not be imposed as a condition to a suspended sentence. In general they will choose another measure. This however does not apply to the TBS-measure in a closed setting. For this measure consent is not required.
Hungary	<ul style="list-style-type: none"> – Yes. The offender has to sign a statement that he is willing to participate and he will follow the rules of the measure of the director general of the prison service (Nr. 1-1/54/2003) about the cases of convicted persons and persons in pre-trial detention who are located in the substance prevention unit and the measure of the director general of the prison service Nr. 1-1/14/2009. (V.13.) about prisoners who are participants in medical treatment for substance addicted persons or in education about drug consumption
Ireland	<p>The offender's consent is required for:</p> <ul style="list-style-type: none"> – Sex offender treatment programmes – Residential/non residential drug/alcohol treatment programmes – Anger management programmes – Parenting programmes – Domestic violence perpetrator programmes – Cognitive skills based offending behaviour programmes. <p>– In some instances, a domestic violence perpetrator can be court-mandated to attend a programme.</p> <p>– For the Community Support Scheme, the offender is required to sign a consent and agreement form which sets out the conditions. They are also required to sign a legal document in accordance with the legislation</p>
Italy	<ul style="list-style-type: none"> – The offender's consent is required

Latvia	<p>Offender's agreement is necessary for:</p> <ul style="list-style-type: none"> - Release from Punishment or Serving of Punishment; - Conditional release from prison; - Conditional Release from Criminal Liability; - In addition to the referred to compulsory measures of a correctional nature and upon the consent of a child or parents (guardian) thereof, or Orphan's court, may impose an obligation on the child to undergo treatment for alcohol, narcotic, psychotropic or toxic substances or other addictions; - In imposing a conditional sentence, the court may impose, for a person who has committed a criminal offence due to alcoholism, narcotic, psychotropic addiction or toxic substance addiction, the obligation to undergo treatment for alcoholism, narcotic addiction or toxic substance addiction, with his or her consent. <p>Without offender's agreement:</p> <ul style="list-style-type: none"> - All the basic and additional punishments: community service, probation supervision, Compulsory Measures of a Correctional Nature to Children, Compulsory Measures of a Medical Nature
Lithuania	<p>An offender's consent is required in case when the following probation measures are imposed by the court:</p> <ul style="list-style-type: none"> - Treatment of addictions - Intense supervision (electronic monitoring) - Community work
Malta	<ul style="list-style-type: none"> - Although, the offender's consent is not required, the offender signs a declaration whereby he/she will abide by the conditions imposed by court.
Moldova	<ul style="list-style-type: none"> - For safety measures consent is not required for medical coercion measures and educative coercion measures. - For penal punishment release measures consent is required for sentence with a release on parole, conditional release before term, and Postponement of the punishment execution for pregnant women and who have children under the age of 8 years. However, consent is not required for release from the execution of the punishment of the serious ill persons.
Monaco	<ul style="list-style-type: none"> - The offender's consent is not a legal requirement. However, parole may be granted only if the applicant so requests. Section 413 of the Penal Code provides that "the convicted person has the right to deny parole." - For other measures, they are an opportunity for the judge and not an obligation. Thus, if such a measure on the reclassification is not accepted by the offender, there is little chance it will be successfully executed. It happened in practice that some have expressed their desire to serve a prison sentence rather than be subject to placement under the regime of the test free for several years.
Montenegro	<ul style="list-style-type: none"> - Consent is only required for community service.
Portugal	<ul style="list-style-type: none"> - The offender's consent is required for all these measures.
Romania	<ul style="list-style-type: none"> - Consent is required.
San Marino	<ul style="list-style-type: none"> - Consent not required
Slovenia	<ul style="list-style-type: none"> - It is not foreseen for the convict to specifically consent on the measures because the measures themselves are part of an alternative sanction or of the measure which replaces or shortens the imprisonment.

Spain	<ul style="list-style-type: none"> - Consent for the treatment of addiction is required. - Consent is not required for other treatment. - In some cases (suspensions of conviction) the convicted person may accept or reject the suspension. But if he accepts the suspension of sentence, it assumes that the treatments judge shall impose. In other cases, treatment is required if the judge or the court decides.
Sweden	<ul style="list-style-type: none"> - Consent is required for all measures.
Switzerland	<ul style="list-style-type: none"> - With exception of community service the offender's consent is not required.
Turkey	<p>The offender's consent is required for:</p> <ul style="list-style-type: none"> - Community service sanctions within the scope of Turkish Penal Code - Obligation of Community Service sanctions within the Code on Enforcement of Sanctions and Security Measures
United Kingdom	<ul style="list-style-type: none"> - Consent is required for an alcohol treatment requirement, a mental health treatment requirement and a drug rehabilitation requirement as part of a community order or suspended sentence order. Failure to consent can lead to the offender being sentenced to custody. Consent is not required for other requirements of these orders. - For the post prison release drug appointment condition, the offender's consent is not required. However, only attendance is mandated not engagement with treatment itself.

Appendix E

Q6: Please specify how the duration of the different alternative treatment measures is defined and decided.	
Albania	<ul style="list-style-type: none"> – Duration is dependent on supervision period, or dependent on the length of specific programmes
Andorra	<ul style="list-style-type: none"> – The court determines the duration based on the individual (e.g. nature of the offence, damage caused). The court determines whether or not an offender can be placed on parole depending on their decision as to whether it is felt the offender would benefit from social rehabilitation. If an offender's behaviour in the community does not meet the conditions imposed, a decision can be made by the court or duty judge to revoke parole.
Azerbaijan	<ul style="list-style-type: none"> – Extension, change and cancellation of forced measures of a medical nature shall be carried out by the court on presentation of information from the medical institution (doctors/psychiatrists) which is carrying out compulsory treatment. The offender is assessed by doctors/psychiatrists, not less than once in six months for decision on the cancellation or change of such measures. This could result in the extension of compulsory treatment. Where there is a positive change in an offender's mental condition compulsory treatment may be terminated and relevant files passed to public health services.
Belgium	<ul style="list-style-type: none"> – The duration of an alternative treatment measure for the offender is indefinite (until a decision of definitive release). – The duration of an alternative treatment measure for offenders who are considered fully responsible for their acts depends on the type of community sanction or measure obtained and the judicial decision (for example: parole 3-6 months, judicial mediation 6 months, probation for traffic violation 1 year (minimal), probation for property offences and violent offences 3 years (average), probation for severe violent and sexual offences 5 years (maximal), provisional and conditional release from prison (depends on the duration of the prison sentence not executed.)
Croatia	<ul style="list-style-type: none"> – Duration of a special obligation or security measure can't last longer than the prison sentence/probation period. Additionally, mandatory psychosocial treatment (of violent offenders) can't last longer than 2 years, and mandatory treatment of addiction can't last longer than 3 years.
Cyprus	<ul style="list-style-type: none"> – The duration of these measures is defined and decided by the court on a case by case basis, depending on its' appreciation of the needs of the accused for reform.
Czech Republic	<ul style="list-style-type: none"> – The conditional prison sentence is possible if the sentence does not exceed the length of 3 years. The probation time is from one to five years. The house arrest is possible to impose up to 2 years and the community service may consist from 50 to 300 hours. The length of all the above mentioned measures is decided by a judge or a court on the basis of the usual principles applied when imposing a sentence. – The protective treatment shall last as long as it takes to satisfy the purpose, but no longer than 2 years. If the treatment is not completed, the court shall decide on its continuity. The protective treatment may be imposed repeatedly but always for maximum of 2 years. If there is a risk that after release the convicted commits another criminal offence, the court shall impose a supervision over the behaviour of the convicted for up to 5 years. – For the conditional suspension of the criminal prosecution the court shall stipulate a probation period from six months to two years. If the nature and seriousness of the committed offence, the circumstances under which it was committed or the situation of the accused so justify, the court and, in the preliminary hearing, the public prosecutor shall decide on the conditional suspension of the criminal prosecution only if the accused also fulfils additional requirements: to undertake to refrain, during the probation period, from a particular activity in connection with which they committed the offence; or to deposit into the court's account, and in a preliminary hearing into the public prosecution's account, a monetary sum intended for the State for financial assistance to victims of criminal activity under a special legal regulation, and providing such sum does not seem disproportionate to the seriousness of the offence, and with regard to the person of the accused, taking account of their life so far and the circumstances of the case, such decision may be reasonably deemed sufficient. In this case a probation period might be extended to up to 5 years.

Denmark	<ul style="list-style-type: none"> - The duration of the treatment measure in community sanctions is typically 1 year, however sex offender treatment typically has a duration of 2 years. The duration of treatment as a condition of release from prison is typically 6 months to 1 year.
Estonia	<ul style="list-style-type: none"> - The duration of the different alternative treatment measures can be minimum 18 months and maximum 3 years. The specific term is decided by the court.
Finland	<ul style="list-style-type: none"> - In the Finnish penal system, conditional imprisonment is used to a considerable extent. Sentences not exceeding two years may be imposed as conditionally. When considering conditional imprisonment attention is paid to the seriousness of the offence, the culpability of the offender as manifested in the offence and the criminal history of the offender, which can require the imposition of an unconditional sentence of imprisonment. In practice, sentencing to conditional imprisonment means that the sentence is not enforced unless, during the probationary period, the sentenced person commits a new offence that leads to unconditional imprisonment. The probationary period is at least one and at most three years. - A young person who has committed an offence when under 21 years of age may be subjected to supervision for at most one year and three months in order to reinforce conditional imprisonment. Supervision may be ordered if it is to be deemed justified in view of the promotion of the social adjustment of the offender and the prevention of further offences. The supervision period ends at the latest when the probation period of the conditional imprisonment ends. - A juvenile penalty may be imposed for an offence committed before the age of 18 years, if this is deemed justified in order to promote the social adaptation of the offender and the prevention of new offences. The duration of a juvenile penalty is at least four months and at most one year. - A monitoring sentence can be imposed if the offender has been sentenced to a maximum of 6 months in prison; the monitoring sentence will be for the same time period as the sentence.
France	<ul style="list-style-type: none"> - The duration is fixed based on acts committed and the personality, material, family and social situation of the individual offender.
Georgia	<ul style="list-style-type: none"> - It is the trial court competent to decide whether or not to apply to an offender against this kind of measurement. When taking the decision the judge takes into consideration all aspects of the case.
Germany	<ul style="list-style-type: none"> - The duration of the alternative treatment measures depends on the individual case. The court may give the directions for the duration of the supervision or during the probation period or for a shorter period. The probation period is usually between two and five years. The period of supervision shall last no less than two and no more than five years. But the court may also make an indeterminate supervision order.

<p style="text-align: center;">The Netherlands</p>	<ul style="list-style-type: none"> - The TBS-measure in a closed setting is imposed for 2 years. After 2 years the courts can decide to extend this period with 1 or 2 years. There is no maximum duration, as long as the crime for which the measure is imposed was aimed at or caused danger to the integrity of a human body. If this is not the case, the maximum duration of the measure is 4 years. Conditional release under supervision is possible (with the exception of the capped TBS-measure). This conditional release can be extended by the courts for 1 or 2 years, the maximum duration is 9 years. In May 2014 a law will be handled by the House of Representatives of the Parliament, which abolishes the maximum duration of 9 years. If this law is approved by the House of Representatives of the Parliament and the Senate, the conditional release could be extended for as long as necessary and proportionate. - For the conditional TBS is consent of offenders who are mentally ill regulated by law and thereby required. (When the offender does not agree with the conditions the courts can decide to impose a TBS-measure, if the crime was aimed at or caused danger to the integrity of a human body, or imprisonment). The conditions can be the same as by a conditional release. For example, an admission in a clinical healthcare institution. The conditional TBS-measure could be imposed by the courts for 2 years. After those 2 years the courts can decide to extend this period with 1 or 2 years. The maximum duration of the conditional TBS-measure is 9 years. If the offender violates the imposed conditions the conditional TBS-measure can be changed in a TBS-measure in a closed setting with no maximum duration. - The Penitentiary Programme applies to detainees who are sentenced to 6 months imprisonment or more. The duration is no more than one sixth of the sentence, with a minimum of 4 weeks and a maximum of 1 year. Electronic Detention applies to detainees who are sentenced to 6 months imprisonment or more. The measure starts when at least half of the sentence is served in prison and has a maximum duration of 1 year. - The conditional release applies to detainees who are sentenced to 1 year imprisonment or more, even if they participate in Electronic Detention. For detainees sentenced to more than 1 year but no more than 2 years imprisonment, conditional release starts after they served 1 year plus one third of the rest of the sentence in prison. For detainees sentenced to more than 2 year imprisonment, conditional release starts after they served two thirds of their sentence in prison. The conditions and their duration are imposed by the Public Prosecution Service, the period for which the special conditions can be imposed can never be longer than the period of condition release. It can however be shorter.
<p style="text-align: center;">Hungary</p>	<ul style="list-style-type: none"> - The duration depends on legal regulation decided upon the request of the prisoner.
<p style="text-align: center;">Ireland</p>	<ul style="list-style-type: none"> - For Probation measures, duration is not defined in statute, but is set down by the sentencing court. Discretion is generally given by the courts to the supervising Probation Officer in regard to treatment measure timeframes. - For domestic violence perpetrators, there are weekly contacts between the partner-contacts and the partners/ex-partners during which the perpetrator's behaviour is discussed and the information is passed to the programme facilitator, who then decides what treatment measures are appropriate. - Offenders participating in the Community Support Scheme may be released shortly after committal, once appropriate support structures are in place and once the assessment process recommends their release. Under the Scheme, offenders are subject to set conditions until they have completed their sentence.
<p style="text-align: center;">Italy</p>	<ul style="list-style-type: none"> - The measures last as long as the duration of the sentence imposed.

Latvia	<ul style="list-style-type: none"> - In imposing conditional sentence, the court shall prescribe a term of probation of not less than six months and not exceeding five years. The term of probation shall commence on the day of the coming into effect of the court judgment. The specified term of probation may not be less than the applied period of deprivation of liberty; - In conditionally releasing from criminal liability, the public prosecutor shall determine for the person a probationary period of not less than three and not exceeding eighteen months; - Probation supervision – the court can apply for one to three years, the prosecutor – for half of maximum length of sentence provided in Article of Criminal law. - Conditional release from prison – the court can apply conditional release from prison for the length of unserved part of prison sentence. - Compulsory correctional measure for children – the court can applied limitations of behaviour form 30 days to one year, placement in correctional education institution can be applied form one to three years, but no longer as child reach age of 18. - Compulsory Measures of a Medical Nature – the court can apply to the length which depends on mental health status of person.
Lithuania	<ul style="list-style-type: none"> - The duration of different alternative treatment measure is established by court taking into consideration an offender’s personal, social, etc circumstances.
Malta	<ul style="list-style-type: none"> - The alternative treatment measure is referred to in Malta as Treatment Order. The duration of the Treatment Order in the Probation Act is decided by the Court whilst the Treatment Order’s duration under the Mental Health Act is decided by the responsible clinician.
Moldova	<p>Medical coercion measures</p> <ul style="list-style-type: none"> - Application, changing/prolonging the medical coercion measures is decided by the court. The request of the offender or his representative can be checked once every 6 months. The application time is not certain, depending on the evolution of the sickness. <p>Educative coercion measures</p> <ul style="list-style-type: none"> - These are settled up to the age of 18 years, with the exception of the warning for the persons who are the first time light and less heavy offenders <p>Penal punishment release measures</p> <ul style="list-style-type: none"> - Sentence with a release on parole is applied for offenders whose imprisonment punishment is less than 5 years and in imprudence up to 7 years. It is applied when it is irrational to execute the punishment, and where the offender displays exemplarily behaviour and honest work. - Conditional release before term is applied for the inmates who execute unpaid work cleaning the penitentiary and if the correction of the convicted person is possible without the complete execution of the punishment. - Release from the execution of the punishment of the serious ill persons – the persons who in the punishment execution time got a mental illness (leading to them being not responsible for their action). They are liberated from detention applying the medical coercion measures. - Postponement of the punishment execution for the pregnant women and who has children under the age of 8 years.
Monaco	<ul style="list-style-type: none"> - Parole: The order made by the Director of Judicial Services granting parole fixed the implementing rules and conditions under which the granting or maintaining freedom is conditional and the nature and duration of control measures or assistance. This is provided for in section 412 of the Penal Code which states that this period may not be less than the remaining to be served on the day of release sentence if it is a temporary punishment. However, it may exceed the maximum for a period of one year. - Execution split: Each fraction is a weekly detention (usually the weekend (2 days)). The law provides that it will be suffered many detentions that there will be times 7 seven days in the length of the sentence to be executed. An order made by the court in the enforcement of sentences specifies the number of detentions run and the day and time of the nuts. - Test Freedom: The Penal Code provides that the court may decide to issue a stay of execution of sentence with placement under the freedom of trial for a period which shall not be less than three years nor greater than 5 years.

Montenegro	<ul style="list-style-type: none"> - Community service cannot be less than sixty hours nor more than three hundred sixty hours and is determined by the time which may not be less than thirty days nor more than six months. - A suspended sentence is a cautionary measure in which the court imposes a punishment of imprisonment of up to two years and determines the period of probation, which may not be less than one year nor more than five years.
Portugal	<p>The duration of the different alternatives of treatment is determined in accordance with the provisions of the Penal Code and Criminal Procedure Code:</p> <ul style="list-style-type: none"> - Applied after its incorporation as the accused judge's decision - Can last up to 5 years - Is applied by the Prosecutor / Public Ministry when the subject, years before the accused made, discontinue treatment prematurely or refuses to do treatment - Can be applied to sentences up to 5 years probation
Romania	<ul style="list-style-type: none"> - The measure is decided until the final court decision is issued in a particular case.
San Marino	<ul style="list-style-type: none"> - Is the offender displays good behaviour, the sentence is short. - For domestic violence and sexual violence offenders the sentence is heavier.
Slovenia	<p>Suspended sentence with custodial supervision:</p> <ul style="list-style-type: none"> - Custodial supervision shall be applied by the court when it reaches the opinion that during the term of suspension the implementation of such a measure is appropriate. This measure shall be applied by the court for definitive period of time within the limits of the suspension term, specified by the suspended sentence. <p>Conditional release with custodial supervision:</p> <ul style="list-style-type: none"> - Custodial supervision can last until the term, for which he or she was sentenced.
Spain	<ul style="list-style-type: none"> - The characteristics of each program determine the duration of treatment.
Sweden	<ul style="list-style-type: none"> - Defined by law and decided by court or defined by law and decided by SPPS.

<p style="text-align: center;">Switzerland</p>	<ul style="list-style-type: none"> - Community service: The maximum duration is 720 hours. Four hours of community service corresponds to one day of a custodial sentence. *General remark regarding therapeutic measures: Where the requirements for a measure are no longer fulfilled, it is revoked. - Treatment of mental disorders: As a general rule the maximum duration is 5 years. If the requirements for parole have not yet been fulfilled after five years and if it is expected that the treatment will reduce the risk of further felonies or misdemeanours being committed in which his mental disorder is a factor, the court may at the request of the executive authority order an extension for a maximum of five years in each case. - Treatment of addiction: The maximum duration normally amounts to a maximum of 3 years. If the requirements for parole have not yet been fulfilled after three years and if it is expected that the treatment will reduce the risk of further felonies or misdemeanours being committed in which his dependence is a factor, the court may at the request of the executive authority on one occasion only order an extension for a maximum of one further year. In the event of an extension and the recall to custody following parole, the deprivation of liberty associated with the therapeutic measure may not exceed a maximum of six years. - Measures for young adults: The maximum duration is 4 years. In the event of the recall to custody following release on parole, it may not exceed a maximum of six years. The measure must be revoked when the offender reaches the age of 30. - Out-patient treatment: The period of out-patient treatment may not normally exceed five years. If the continuation of the out-patient treatment is considered necessary at the end of the five-year period in order to reduce the risk of further felonies and misdemeanours in which a mental disorder is a factor, the court may at the request of the executive authority continue the treatment for a further period of one to five years.
<p style="text-align: center;">Turkey</p>	<ul style="list-style-type: none"> - The duration of all different alternative treatment measures are defined and decided by the court. - When it is treatment from addiction and is under the authority of medical institution (under the Ministry of Health), the duration period is defined by related medical institution and after the treatment process is completed begins one year the supervision and control process by the Probation branch. - The offenders ordered to comply with treatment or medical checks within Criminal Procedure Law are sent to the medical institution directly and duration of treatment period is defined by the related medical institution.
<p style="text-align: center;">United Kingdom</p>	<ul style="list-style-type: none"> - Legislation sets the maximum length of these requirements. The courts set the actual length within those limits. - Legislation sets the maximum length of the licence period. Legislation not yet commenced will introduce a new post licence rehabilitative ‘post sentence supervision period’ which will mean the offender is supervised by providers of probation services for a minimum of 12 months, regardless of whether their custodial period and licence period would have been shorter. For those sentenced to more than 2 years imprisonment this period does not apply as the licence period will be 12 months or more in any case. Licence periods for some sentences can last for life.

Appendix F

Q7: By which authority is imposition of the different alternative treatment measures decided (police, prosecutor, court, prison authority, probation agency, other [specify])?	
Albania	– The court is the only authority that can impose such measures.
Andorra	– Measures may be imposed in both instruction phase in hearing phase and implementation phase of the sentence by the court or judge
Azerbaijan	– Imposition of the different alternative treatment measures is decided by courts of Azerbaijan Republic
Belgium	<ul style="list-style-type: none"> - Interned persons: Social Protection Committee (presiding magistrate, a lawyer representing the bar and a psychiatrist) - Accused or condemned persons who are considered fully responsible for their acts: Prosecutor (judicial mediation); Prison director (provisional release); Judge (release on parole, probation, conditional release, electronic monitoring, limited detention).
Croatia	– By the court – in criminal proceedings and when deciding on conditional release.
Cyprus	– The Judiciary.
Czech Republic	<ul style="list-style-type: none"> – Substantial alternative treatment measures are always imposed by the court. – Procedural measures are decided by a prosecutor in the preliminary hearing or by a court after the indictment was filed.
Denmark	– All community sanctions (treatment measures) are decided by court. Release on parole, including specific conditions, is decided by prison authorities.
Estonia	– The alternative treatment measures can be decided by the court.

<p style="text-align: center;">Finland</p>	<ul style="list-style-type: none"> - Supervision of conditional imprisonment is ordered by a court. The Criminal Sanctions Agency is responsible for the enforcement of supervision. The Agency draws up a supervision plan together with the sentenced and the person having custody of the sentenced. A supervisor of the Criminal Sanctions Agency is responsible for the actual supervision. - Juvenile penalty is imposed by a court. The Criminal Sanctions Agency must, at the request of the prosecutor or court, draw up an enforcement plan for a juvenile penalty before the penalty is imposed. The Criminal Sanctions Agency may, after a juvenile penalty has been imposed, issue orders necessary for the enforcement of the penalty. The orders shall be based on the enforcement plan and concern the more detailed contents of the supervision appointments and other tasks or programmes. - Community service is imposed by a court. The Criminal Sanctions Agency carries out a suitability assessment at the request of the prosecutor. The Criminal Sanctions Agency is responsible for the enforcement of community service. - Monitoring sentences are imposed by a court. The Criminal Sanctions Agency assesses, at the request of the prosecutor, the conditions for imposing a monitoring sentence. The Criminal Sanctions Agency draws up and confirms an enforcement plan for a monitoring sentence, when the sentence is to be enforced. - Decisions on the placement of a prisoner in probationary liberty under supervision are made by the director of prison or in case life-sentenced prisoners by the Central Administration Unit of the Criminal Sanctions Agency. - Decisions on the supervision of the conditionally released are made in prison. If it is a question of a life sentence prisoner the decision is made by the Helsinki Court of Appeal.
<p style="text-align: center;">France</p>	<ul style="list-style-type: none"> - Trial courts or the enforcement of sentences: Suspended sentence with probation; parole; placement under electronic surveillance; outside investment; stay with the obligation to perform work of general interest; day fines; suspension or split sentence on grounds of medical order, family, professional or social; suspension of sentence for medical reason - Trial courts: Socio-judicial surveillance; work of general interest; sanction repair; adjournment to put to the test - Public prosecutor or judge or juvenile court or judge of freedoms and detention or jurisdictions judgment: Therapeutic injunction. - Investigating judges, judge freedoms and detention, trial courts: Compulsory residence with surveillance fixed or mobile electronics - Public prosecutor on the preposition DFSPiP: Electronic Surveillance end of sentence
<p style="text-align: center;">Georgia</p>	<ul style="list-style-type: none"> - Decisions regarding the imposition of alternative treatment measures are taken by the examining judge based on the merits of the criminal case.
<p style="text-align: center;">Germany</p>	<ul style="list-style-type: none"> - The court shall determine the different alternative measures.
<p style="text-align: center;">The Netherlands</p>	<ul style="list-style-type: none"> - It is left to the court's discretion (in the case of a suspended sentence) or the Public Prosecution Service's discretion (in the case of conditional release) to determine what conditions should be attached (within the general limitations set by fundamental human rights and the requirements of proportionality). This decision is generally taken on the basis of advice by the Probation Service (both in the case of a suspended sentence and in the case of conditional release) and the Custodial Institutions Agency (in the case of conditional release). - The list of conditions in Dutch law is not exhaustive and conditions may be combined. Some conditions may be controlled by electronic monitoring. The Netherlands as executing state will not apply electronic monitoring if it is not explicitly part of the judgment imposed by the issuing state. - This is only different for the Penitentiary Programme and Electronic Detention. These measures are decided by the Custodial Institutions Agency. They decide which detainees meet the criteria to take part and which conditions are imposed.
<p style="text-align: center;">Hungary</p>	<ul style="list-style-type: none"> - Police, prosecutor or court depending on the stage of the procedure.

Ireland	<ul style="list-style-type: none"> - Normally for Probation measures, the courts specify the alternative treatment measure on the recommendation of Probation Officers, but not in all cases. - The Irish Prison Service, on behalf of the Minister for Justice, may grant supervised release from custodial sentences to undertake treatment measures. - Domestic violence perpetrators are referred to programmes in a number of ways, including by the Courts, Probation Service, Social Workers, Health workers, spouses or partners of the men and through self referral.
Italy	<ul style="list-style-type: none"> - They are granted by the Supervisory Court upon request of the concerned person.
Latvia	<ul style="list-style-type: none"> - Court and Prosecutor.
Lithuania	<ul style="list-style-type: none"> - Court. Only in case of conditional release, a conditional release commission may suggest court to impose alternative measures. It should be noted that members of the commissions are representatives of penitentiary institutions, prison department, NGOs, other national and municipal institutions.
Malta	<ul style="list-style-type: none"> - The main authority responsible for the imposition of the different treatment measures is the Court, which can on occasions delegate its authority to the Department of Probation and Parole and to the Correctional Services (prison).
Moldova	<ul style="list-style-type: none"> - Medical coercion measures are applied by the court - Educative coercion measures: <ul style="list-style-type: none"> - Warning – is applied by the court, prosecutor. - Committing the minor under the parents supervision, to the person who substitutes the parents, or specialized state bodies is applied by the court, prosecutor. - The minor obligation to repair the damage is applied by the court or prosecutor. - The minor obligation to pass a medical treatment of the psychological rehabilitation is applied by the court. - Housing the minor, by the court decision, in a special study and re-education institution or in a curative and re-education institution is applied by the court. - All the penal punishment liberation measures are applied by the court decision.
Monaco	<ul style="list-style-type: none"> - Parole: Granted by order of the Director of Legal Services after obtaining the opinion of the Attorney General, the Director of the Stop House, Judge of the Penal Enforcement and Government Counsellor for Interior if the offender is intended to reside in the Principality. In cases where the offender does not fulfill its obligations, the Director of Judicial Services may, upon the proposal of the judge to sentence enforcement, oversee and monitor the parolee meets its obligations, revoke parole. - Execution split: The court or the court of appeal may decide. It is then up to the judge to sentence enforcement to issue an order to set the terms. The Attorney General and the Director of the Remand are advised and must report to the enforcement judge sentences delay or absence of the offender. In case of non fulfilment of its obligations by the offender, the judge of the sentences may, after hearing the failed, to withdraw the benefit of the execution and fractional prescribe his immediate arrest. - Test freedom: It is decided by the judge and controlled by the penalty enforcement judge and a probation officer who assists and is placed under his authority.
Montenegro	<ul style="list-style-type: none"> - The Court when it comes to adult offenders. For minors it can be the public prosecution.
Portugal	<ul style="list-style-type: none"> - Court and Attorney / Public Ministry (only monitoring drug offenders favourite request of the Prosecutor / Public Prosecution in the temporary suspension of the process conditioned by the agreement of the Magistrate Criminal).

Romania	<ul style="list-style-type: none"> – Prosecutor, either at the request or ex officio during the pre-trial phase, as well as during the trial at the disposal of a judge.
San Marino	<ul style="list-style-type: none"> – The court.
Slovenia	<ul style="list-style-type: none"> – Conditional sentence with supervision is decided by the court. Conditional release with supervision is decided by the commission on parole.
Spain	<ul style="list-style-type: none"> – The courts.
Sweden	<ul style="list-style-type: none"> – Decided by the court. Enforced by SPPS, probation agency.
Switzerland	<ul style="list-style-type: none"> – All measures listed in question 4 can only be imposed by a court.
Turkey	<ul style="list-style-type: none"> – Probation, community sanctions and treatment measures are given by court. – The offenders executing their imprisonment (period) under Probation within the scope of the Code on Enforcement of Sanctions and Security Measures, numbered 5275 (CGTİHK), article 105/A, are given by court and the type of obligations are defined by the probation branches in accordance with their risk and needs analysis.
United Kingdom	<ul style="list-style-type: none"> – The courts decide whether to impose drug/alcohol/mental health treatment requirements, helped by reports from public sector providers of probation services who will have liaised with treatment providers about appropriate treatment plans, so that the court can be satisfied that arrangements have been or can be made for the treatment intended to be specified in the order. Providers of probation services decide on treatment measures provided under more general requirements such as programme or activity requirements. – For post sentence drug appointment conditions, it is the Secretary of State, acting via the Governor or Director of the prison from which they are being released, who sets the conditions. Providers of probation services will make recommendations to the Governor / Director of the prison, based upon advice from treatment providers. The Governor / Director must be satisfied that arrangements have been or can be made for the appointment which will be specified in the condition.

Appendix G

Q8: Is compliance and completion of the alternative treatment measure(s) assessed and managed in your jurisdiction, by which agency and using what tools?	
Albania	<ul style="list-style-type: none"> – The agency responsible for supervising compliance and completion is the probation service. Issues are assessed by using a national risk assessment tool similar to the Offender Assessment System (OASys) used in the UK.
Andorra	<ul style="list-style-type: none"> – The implementation of measures is supported by the police, acting on functions of the judicial police, prison services, social services or the different doctors care unit dependencies, and physician’s forensic service.
Azerbaijan	<ul style="list-style-type: none"> – Treatment measures are carried out in specialized psychiatric facilities according to “Psychiatric Assistance” law of Azerbaijan Republic. Extension, change and cancellation of forced measures of a medical nature shall be carried out on the basis of conclusions of the doctor’s commission (psychiatrists) according to the Criminal Code of Azerbaijan Republic. Work of the forensic psychiatry expertise commission is controlled by the forensic psychiatry expert committee centre of the Ministry of Health.
Belgium	<p>Compliance and completion of the alternative treatment measures is assessed and managed by the Probation Service using the following tools:</p> <ul style="list-style-type: none"> - periodic reports with the dates of the fixed consultations in the past, dates of the missed consultations which are not justified, difficulties arisen during supplying treatment and situations of acute social danger (legal obligation for the specialized outpatient treatment of sex offenders) - meeting between probation officer, treatment provider, offender - contacts by telephone, email, ... between probation officer and treatment provider - certificate of presence at consultation
Croatia	<ul style="list-style-type: none"> – The Probation service is responsible for enforcement of alternative sanctions and measures and for management of alternative treatment measures. Person/institution responsible for enforcement of special obligation (alternative treatment measure) writes expert report to the probation service about achieved results in treatment and then probation service writes a report to the court about achievements in individual sanction/measure program in a whole, including alternative treatment measure. – Probation officers use actuary assessment tool SPP – system of offender assessment. SPP is used to assess probability of reoffending and causing serious harm. This instrument is applied initially and it represents basis of creation of individual sentence/measure programme, according to detected criminogenic needs of offender. The same instrument is used to evaluate achievements during and at the end of enforcement of sanction/measure.
Cyprus	<ul style="list-style-type: none"> – Alternative treatment measures are managed and assessed by welfare officers who are appointed by the Minister of Labour and Social Security to supervise implementation of such measures. In addition, in case of breach of the conditions of any court order imposing alternative treatment measures, there is power to bring the offender before the court and deal with him/her in accordance with the relevant law under which the order against him/her was issued. In addition, the court can amend or review such orders whenever it thinks fit.
Czech Republic	<ul style="list-style-type: none"> – Except for the protection treatment the rest of the alternative punishments are within the scope of the jurisdiction of the Probation and Mediation Service which aims to offer effective and socially beneficial solution of crime-related conflicts and at the same time organises and provides for efficient and dignified execution of alternative sentences and measures with emphasis on victim interests, community protection and crime prevention. In general probation officers shall help both the convicted and the court with the execution of a punishment by informing, advising and consulting the execution itself mainly with the convicted but also control the execution of punishment. The control of protective treatment is executed by the State Prosecutor Office.
Denmark	<ul style="list-style-type: none"> – Compliance and completion is assessed and managed by the Probation Service. In case of non-compliance the Probation Service compiles a breach report. The court (community sanctions) or the Department of Prisons and Probation (parolees) assess whether the community sanction/parole licence is breached and decides the possible consequences.

Estonia	<ul style="list-style-type: none"> – The alternative treatment measure(s) are assessed and managed by the probation service in cooperation with medical institutions.
Finland	<ul style="list-style-type: none"> – For adult and juvenile offenders the Criminal Sanctions Agency will inform the prosecutor where an offender neglects his/her alternative treatment measures. The Court may extend the supervision period or impose unconditional imprisonment upon the individual depending on the extent of neglect of treatment and individual level factors. Where an offender commits a further crime whilst on supervision they will be imprisoned.
France	<ul style="list-style-type: none"> – Assessments for therapeutic injunctions are managed by the Director General of the regional health agency. The assessment is given to the judicial authority. – Other measures are mostly enforced by the prison insertion and probation (SPIP) service) and the public prosecutor for the sanction repair. The SPIP implements the execution of alternative measures decided upon by judicial authorities. – The Prison insertion and probation service shall contribute, on referral to the judicial authorities, in the preparation of decisions of Justice criminal nature; it may be responsible for the execution of surveys and measures precedent judgment. Insert the Prison and Probation Service implements control measures and ensure compliance with the obligations imposed on convicted. – The Prison and probation service ensures that the person who is entrusted submits to control measures and comply with the obligations that are imposed. It reports to the principal magistrate of the evolution of the execution of the measure condemned. – After the court decision and the referral, the SPIP performs an assessment of the situation and the offender. He elaborates and implements a monitoring plan individualized including interviews and modalities of collective responsibility (programs for the prevention of re-offending in particular). – Adapted for the treatment of persons placed under judicial control, the SPIP is also based on the specificity and the expertise of local institutions and associations in matters of access to care, to accommodations, to the formation and employment, the rights of people in great difficulty. It develops and coordinates a network of associations and private partners to enable the access of people to measures to reduce re-offending.
Georgia	<ul style="list-style-type: none"> – Monitoring the conduct of the offender against whom "testing" is applied, is provided by the Probation Office of the Prison and Probation Department Georgian. If the offender does not comply with the conditions of these measurements, the Probation Office shall inform the judge who made the decision on treatment alternatives. In this case, the judge may revoke its previous decision and order the offender liable to a penalty depriving his freedom.
Germany	<ul style="list-style-type: none"> – The probation officer shall offer assistance and care to the convicted person. In cooperation with the court he shall supervise the fulfillment of any conditions and directions as well as of any offers and assurances. He shall report on the way the convicted person is conducting himself, at intervals determined by the court. He shall inform the court as to serious or persistent violations of the conditions, directions, offers or assurances. – The supervising authority shall supervise the conduct of the convicted person and the fulfillment of the directions in cooperation with the court and with the support of the probation officer.
The Netherlands	<ul style="list-style-type: none"> – The Public Prosecution Service is generally responsible for supervising compliance with the conditions attached to conditional release. As noted above, in some cases the the Custodial Institutions Agency is responsible. – The Public Prosecution Service/ the Custodial Institutions Agency will order the Probation Service to assist the person concerned in complying with the conditions attached to the conditional release. Subsequently, the Probation Service will supervise compliance. – In case of non-compliance with the conditions the Public Prosecutor may demand the revocation by court. The Public Prosecutor then decides in consultation with the probation officer involved whether the case should be brought before a judge or whether another formal warning should be issued. In case of non-compliance with the conditions under the responsibility of the the Custodial Institutions Agency, this organization decides whether or not to revoke the sentence.
Hungary	<ul style="list-style-type: none"> – The decision making authority handles the case and supervises the completion of these measure upon documents.

Ireland	<ul style="list-style-type: none"> - Compliance with Probation supervised measures is managed by the Probation Service, with cases of non-compliance being returned to Court, where appropriate. For some specialist treatments, NGO treatment providers also work in collaboration with the Probation Service. The Probation Service use the LSI-R, YLS –CMI, RM2000, Stable and Acute 2007, SARA Assessment tools. These tools highlight the risk/need areas requiring treatment. - For domestic violence perpetrators, following the completion of their programme, there is limited ongoing assessment of the behaviour of the offenders through contact with the partner as part of the programme but many women will remain in contact with women’s support services. Offenders who are court-mandated to attend the programme have their post-programme behaviour monitored by the Courts and the Probation Service. - Under the Community Support Scheme, the Community Based Agency worker will make contact with the Irish Prison Service when an offender does not attend as required. Non-compliance results in a return to custody. Statistics in relation to compliance on this Scheme is maintained on a continuous basis by the Irish Prison Service.
Italy	
Latvia	<ul style="list-style-type: none"> - Conditionally sentenced persons, persons, who are conditionally released from criminal liability, persons on probation supervision and persons who are conditionally released from prison, are supervised by State Probation Service. State Probation Service is evaluating compliance and completion of alternative sanctions applied to clients, because in case of not fulfilment of obligation, or breach of law, Service are obligated to inform court for decision on change of sanction.
Lithuania	<ul style="list-style-type: none"> - Probation services are in charge of the supervision of offenders with alternative measures. Probation staff evaluates an offender’s behaviour, risk of re-offending by means of adapted risk assessment methods, applies behaviour correctional programs, monitor the compliance with pro probation conditions. Other national and municipal institutions, NGO’s and volunteers participate in effective probation within the scope of their competences. The Prison Department under the Ministry of Justice of the Republic of Lithuania manages and assesses the activities of probation services.
Malta	<ul style="list-style-type: none"> - Compliance and completion of offender’s on a supervision order are assessed by the Probation Officer and those offenders serving any incarceration sentence are assessed by professionals in prison. Tools used by Probation Officers are supervision and psychometric assessments.
Moldova	<ul style="list-style-type: none"> - Medical coercion measures are executed by the specialized curative institutions, and as a tool is applied the Execution Code of the Republic of Moldova nr 443 from 24.12.2004. - Educative coercion measures are executed by the probation body of the Republic of Moldova. Legal execution tools are as follows: Penal Code nr. 985 from 18.04.2002; Execution Code nr. 443 from 24.12.2004, Penal Procedure Code nr. 122 from 14.03.2002; Directive regarding the execution of the educative coercion measures approved via the Central Probation Office Head Order nr. 103 from 09.09.2013. - Penal punishment liberation measures are executed by the probation body. Legal application tools are as follows: Penal Code nr. 985 from 18.04.2002; Execution Code nr. 443 from 24.12.2004; Directive regarding the organisation of the sentence and post penitentiary activities in reference to the adult and juvenile convicted persons , which is approved via the Central Probation Office Head Order nr. 168 from 30.12.2013.
Monaco	<ul style="list-style-type: none"> - The Judge Penal Enforcement is responsible for monitoring the implementation of the measures and obligations imposed on the offender. To do this, he is assisted by probation officers who support convicted and must maintain an ongoing relationship with them. Probation officers can call to this effect or visit them at their home or place of work. - The probation officer shall ensure that the offender submits to monitoring and surveillance imposed. If the convicted person does not submit to the probation officer shall report without delay to the enforcement judge sentences. - It may propose to judge all development or changes or acts of assistance measures it deems appropriate. It shall send a quarterly report to the enforcement judge sentences the offender's conduct. - For the execution split the head of the detention must immediately notify the Attorney General of any difficulties regarding the implementation of the measure by the condemned and the Attorney General shall notify the appropriate judge of enforcement of sentences.

Montenegro	<ul style="list-style-type: none"> - The Ministry of Justice is responsible for the execution of sanctions and measures.
Portugal	<ul style="list-style-type: none"> - The Probation service is responsible for monitoring and controlling offenders (Probation office – DGRSP).
Romania	<ul style="list-style-type: none"> - The centre for drug addiction prevention, (evaluation and counseling) shall set out the individual psychological and social programmes based on the psychological and social evaluation, and in compliance with the results of the medical examination requested from a medical institution, under the criteria stipulated in the regulations for implementing the present law. - The individual therapeutic programme shall be established under the practice protocols drawn up by the Ministry of Health, through its specialised structures, and the Romanian Physicians' College. - The medical units where therapeutic programmes for drug-addicted consumers take place shall send data needed (to keep the continuity of the integrated care programme for drug consumers) to the centres for drug addiction prevention, evaluation and counseling. - The therapeutic programme and the psychological and social programme are developed under National Antidrug Agency (NAA), that was founded in 2003, an institution created to ensure the national coordination role in fighting against illicit drug trafficking and consumption, based on a national strategy in the context that it was for the mission to provide design, development and promotion of policies in the field of drug demand and supply reduction. NAA is also national focal point REITOX.
San Marino	<ul style="list-style-type: none"> - There is a probation service that manages all alternatives in collaboration with public and private institutions will for rehabilitation programs and reintegration into society.
Slovenia	<ul style="list-style-type: none"> - Custodial supervision shall be exercised by a consultant – a supervisory officer appointed by the court (suspended sentence with custodial supervision) or by the commission for the conditional release (conditional release with custodial supervision).
Spain	<ul style="list-style-type: none"> - Sentencing and alternatives to prison are competence of the Sub-Directorate of Sentences and Measures Alternatives integrated into the General Secretariat of Penitentiary Institutions. - The evaluation of the effectiveness of treatments is recommended for correctional professionals and academia.
Sweden	<ul style="list-style-type: none"> - The compliance and completion are handled by the SPPS, probation agency using SPPS treatment programmes, and treatment provided by the Social services. There is internally evaluation by the unit of Research and Development at the SPPS. There is external evaluation by The Swedish National Council for Crime Prevention and the National Board of Health and Welfare.
Switzerland	<ul style="list-style-type: none"> - When ordering a measure the court bases its decision on an expert assessment. This shall provide an opinion on: the necessity and the prospects of success of any treatment of the offender; the nature and the probability of possible additional offences; and the ways in which the measure may be implemented.
Turkey	<p>The compliance and completion of the alternative treatment measure(s) are assessed by:</p> <ul style="list-style-type: none"> - The 'Execution Procedures Evaluation Commission' constituted under Probation branches - 'Controllers Board' under General Directorate of Prisons and Detention Houses - Judicial inspectors under Ministry of Justice.

United Kingdom	<ul style="list-style-type: none"> - Every community order or suspended sentence order must have a responsible officer. For orders including treatment requirements the responsible officer will be a provider of probation services, responsible in law for promoting compliance. Currently the responsible officer takes enforcement action. In future, under legislation not yet commenced, enforcement will be carried out by public sector “enforcement officers”. - The courts have powers to terminate orders early, e.g. for making good progress. - Compliance with post release drug appointment conditions will be monitored by providers of probation services. Currently the responsible officer takes enforcement action, including recall to prison. In future, under legislation not yet commenced, enforcement will be carried out by public sector “enforcement officers”.
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	Appendix B Q3: How are these measures regulated? (e.g. law, by-law or internal regulations)	Appendix C Q4: Please list the alternative treatment measures provided for in your jurisdiction.	Appendix D Q5: Please specify for each measure whether the offender's consent is required or not?
Albania	Treatment measures are provisioned as part of obligations charged on the offender during the undergoing of an alternative sentence. Such measures are provisioned in the Albanian Criminal Code, while methodology and practical regulations are provided by internal regulations.	<ul style="list-style-type: none"> - Medication or rehabilitation inside a health care institution or undergoing a medical or rehabilitative treatment programme - Drugs and alcohol treatment programmes 	Consent is not required for either measure.
Andorra	Regulated by the law of the Criminal Code of 21 February 2005 By the law of the Code of Criminal Procedure of 21 February 2005	<ul style="list-style-type: none"> - Electronic control measures - Obligation to reside permanently at home ('house arrest') - Community service - Therapeutic outpatient treatment clinics - Special educational programmes 	Consent of the offender is not required.
Azerbaijan	Regulated by criminal and criminal procedure codes of Azerbaijan Republic	<ul style="list-style-type: none"> - Outpatient compulsory supervision and treatment at the psychiatrist - Mandatory treatment in a psychiatric hospital of the general type - Mandatory treatment in a psychiatric hospital of the specialized type - Mandatory treatment in a psychiatric hospital of the specialized type with intensive supervision 	The consent of the offender is not required for all kind of treatment measures.
Belgium	Psychiatric treatment and sex offender treatment in the community under the Probation service is imposed by law. Any offender (even if considered fully responsible for their crime) can be required by the prosecutor, judge or prison director to undergo psychiatric treatment in the community. The Probation Service provides social reports for the prison director or judge so individualised conditions can be imposed (e.g. psychiatric treatment).	<ul style="list-style-type: none"> - Specialized treatment for sex offenders (residential / outpatient) - Specialized treatment for substance addicted offenders (residential / outpatient) - Specialized treatment for domestic violence offenders (outpatient) - Residential psychiatric treatment (hospital, nursing house, etc...) - Outpatient psychiatric treatment - Outpatient psychosocial treatment <p>(List is not limitative as individual prosecutors, judges or the prison directors can make decisions regarding sanctions)</p>	<p>Alternative treatment measure for interned persons released in the community: no consent required.</p> <p>Alternative treatment measure for accused or condemned persons who are considered fully responsible for their acts: consent required (consent is given when the person accepts a community sanction or measure in court, after referral to the Probation Service offender's consent is not required).</p>

Croatia	Regulated by the Criminal Code - as special obligation imposed with conditional sentence or with conditional release, or as security measure imposed with prison sentence, fine, community work or conditional sentence. Only security measure of mandatory psychosocial treatment of violent offenders is additionally regulated by the "Regulation on mandatory psychosocial treatment".	<p>Special obligations:</p> <ul style="list-style-type: none"> - Treatment or continuation of treatment necessary to eliminate health problems which can propel perpetration of new criminal offence - Treatment or continuation of treatment of drug, alcohol or other addiction in health institution or other specialized institution or rehabilitation in therapeutic community - Participation or continuation of participation in procedure of psychosocial therapy in health institution or in legal entity, or with natural persons specialized for rehabilitation of violent behaviour. <p>Security measures:</p> <ul style="list-style-type: none"> - mandatory psychiatric treatment - mandatory treatment of addiction - mandatory psychosocial treatment (of violent offenders) 	The offender's consent is required for described special obligations, but not for security measures.
Cyprus	Regulated by Law (e.g. the Criminal Code Cap.154 as amended, the Criminal Procedure Law Cap.155 as amended, the Probation and Other Ways of Treatment of Offenders Law L.46(I)/96, the Prohibition of Domestic Violence Law, L.119(I)/2000, the Juvenile Offenders Law cap.157 as amended, the Care and Treatment of Drug Addicts Law L.57(I)/1992).	<ul style="list-style-type: none"> - Suspension of sentence of imprisonment - Fine - Payment of compensation to the victim - Giving Security to keep the Peace and be of Good Behaviour - Giving Security to come up for judgment (i.e to discharge an offender instead of passing a sentence subject to entering into a personal recognisance or a recognisance with sureties as the court may think fit, for an amount that the court thinks appropriate; undertaking thereby to appear before the court at a future date or when called upon to answer for any violation of the terms of the recognisance) - Supervision Order (this order can be placed upon the offender after the expiry of his/her prison sentence for a period of up to 5 years) - Probation Order - Order for Community Work - Order of Absolute or Conditional Discharge - Committing a minor offender to the care of a relative or other fit person - Order for the treatment of a drug addict at a drug withdrawal centre 	The offender's consent is only required with respect to Orders for Community Work, Orders of Conditional Discharge and Orders for the treatment of drug addicts at drug withdrawal centres.

Czech Republic	The alternative treatment measures are regulated by Penal Code of the Czech Republic (Act No. 40/2009 Coll.) and by Code of Criminal Procedure (Act. No.141/1961 Coll.).	<p>Substantial Alternative Treatment covered by Penal Code</p> <ul style="list-style-type: none"> - Conditional Prison Sentence - House Arrest - Community Service - Protective Treatment <p>Procedural Alternative Treatment covered by Code of Criminal Procedure</p> <ul style="list-style-type: none"> - Conditional Suspension of the Criminal Prosecution - Settlement 	<ul style="list-style-type: none"> - The offender's consent as such is not required in case of the substantial alternative treatment measures; however, imposing a conditional imprisonment or a community service depends on the character and personal circumstances of the offender. Thus the offender's opinion and determination is always sought. House arrest is subject to the offender's signature of a written pledge to the effect that during the period of time stipulated he will remain resident at a determined address and will provide all the necessary co-operation during any checks. - In the case of procedural alternative treatment such as conditional suspension or settlement, the consent of the accused is required.
Denmark	Regulated by law, by-law and internal regulations.	<ul style="list-style-type: none"> - Sex offender treatment - Substance abuse treatment - Alcohol abuse treatment - Anger management programme - Psychological/psychiatric treatment - Gambling addiction treatment - Domestic violence treatment programme 	The offender's consent is required for all measures. Non-compliance with the treatment order or conditional parole may result in breach of the community order or revocation of the parole licence.
Estonia	These measures are regulated by law.	<ul style="list-style-type: none"> - Addiction treatment of drug addicts to a person who committed a criminal offence due to drug addiction - Complex treatment of adult sex offenders 	The offender's consent is required for each measure
Finland	The provisions on these measures are regulated by the Criminal Code of Finland and by Acts on different criminal sanctions.	<ul style="list-style-type: none"> - Supervision of conditional imprisonment - Juvenile penalty - Community service - Monitoring sentence - Probationary liberty under supervision - Supervision of conditional release 	<p>Consent is not required for:</p> <ul style="list-style-type: none"> - Supervision on conditional imprisonment - Juvenile penalty - Supervision of conditional release (but the supervised person is obliged to participate in the drawing up of the supervision plan and to keep in contact with the supervisor in accordance with the plan) <p>Consent is required for:</p> <ul style="list-style-type: none"> - Community service. A prerequisite for the imposition of community service is that the offender consents to serving his or her sentence as community service. - Monitoring sentence. Consent of the offender and those living at the address is a prerequisite for the imposition of a monitoring sentence. - Probationary liberty under supervision. A prerequisite for the placement of a prisoner in probationary liberty under supervision is that the prisoner signs a written commitment and consent to the preparation and enforcement of probationary liberty under supervision.

France	Measures regulated by law (code of criminal procedure).	<ul style="list-style-type: none"> - Therapeutic injunction - Suspended sentence with probation - Socio-judicial surveillance - Parole - Electronic surveillance - Outside investment - Work of general interest - Stay with the obligation to perform work of general interest - Day fines - Sanction repair - Adjournment to put to the test - Compulsory residence with surveillance fixed or mobile electronics - Suspension or split sentence on grounds of medical order, family, professional or social - Suspension of sentence for medical reason - Electronic Surveillance end of sentence (SEFIP) 	<p>No consent for:</p> <ul style="list-style-type: none"> - Therapeutic injunction - Suspended sentence with probation - Socio-judicial surveillance - Day fines - Adjournment to put to the test <p>Consent for:</p> <ul style="list-style-type: none"> - Parole - Placement under electronic surveillance outside investment - Work of general interest - Stay with the obligation to perform work of general interest - Sanction repair - Compulsory residence with surveillance fixed or mobile electronics - ARSE / M - Suspension or split sentence on grounds of medical order, family, professional or social - Suspension of sentence for medical reason - Electronic Surveillance end of sentence (SEFIP)
Georgia	Measures are regulated by the Criminal Code of Georgia. Particular in its Article 65 the Georgian Criminal Code sets out the procedure.	<ul style="list-style-type: none"> - The prohibition of changing the place of permanent residence - The prohibition of contact that may involve the offender to antisocial activities - The prohibition of site visit determined - Requiring financial assistance to his family - The requirement to pass cures alcoholism, drug addiction or venereal diseases <p>(List not exhaustive)</p>	In the given case, the Georgian legislation does not provide consent of the offender.
Germany	They are regulated by law.	<p>Directions during the operational probationary period: The court may direct the convicted person to:</p> <ul style="list-style-type: none"> - undergo medical treatment of an invasive nature or treatment for addiction; or - reside in a suitable home or institution - undergo psychiatric, psycho— or socio-therapy (therapy direction) <p>Directions for the duration of the supervision: The court may direct the convicted person to:</p> <ul style="list-style-type: none"> - present himself at certain times or at certain intervals to a doctor, a psychotherapist or the forensic ambulance service - undergo psychiatric, psycho— or socio-therapy (therapy direction) 	<ul style="list-style-type: none"> - The direction to undergo medical treatment of an invasive nature or treatment for addiction; or to reside in a suitable home or institution may only be given with the consent of the offender - The direction to present himself at certain times or at certain intervals to a doctor, a psychotherapist or the forensic ambulance service or to undergo psychiatric, psycho— or sociotherapy (therapy direction) does not need the consent of the offender.

The Netherlands	The measures are all regulated by law, but can be further specified in by-law or internal regulations.	<ul style="list-style-type: none"> - Conditional release under supervision (mentally ill offenders) - Forced clinical treatment (mentally ill offenders) - Electronic monitoring (where the prison sentence was 6 months or more) - Admission in a clinical healthcare institution where offenders will be treated for their addiction, mental illness and/or intellectual disability. - An obligation to undergo outpatient treatment by a specialist or in a healthcare institution, which could include treatment for addiction (e.g. alcohol, drugs, gambling) - A stay in sheltered accommodation or emergency accommodation <p>(The Netherlands also has a number of treatment programmes for aggression and domestic violence)</p>	<ul style="list-style-type: none"> - The obligation to undergo treatment in the Netherlands may be imposed as a condition attached to a suspended sentence. A suspended sentence with this condition attached is generally not imposed without consent of the sentence person, however consent is not required by law. - It is general practice for the judge to ask the sentenced person to agree with the conditions / probation measures that are attached to the suspension of a custodial sentence. If the sentenced person does not consent to treatment, it will generally not be imposed as a condition to a suspended sentence. In general they will choose another measure. This however does not apply to the TBS-measure in a closed setting. For this measure consent is not required.
Hungary	Measures are regulated by the Law (Penal Code/Ministry of Justice) and the Director General of the prison service.	<ul style="list-style-type: none"> - Medical treatment for offenders with substance misuse issues - Participation in educational programmes about drug consumption 	Yes. The offender has to sign a statement that he is willing to participate and he will follow the rules of the measure of the director general of the prison service (Nr. 1-1/54/2003) about the cases of convicted persons and persons in pre-trial detention who are located in the substance prevention unit and the measure of the director general of the prison service Nr. 1-1/14/2009. (V.13.) about prisoners who are participants in medical treatment for substance addicted persons or in education about drug consumption
Ireland	Probation measures are regulated by law which can be either by Statute or Court Judgements (common law). Domestic violence perpetrators programmes are regulated by internal regulation. The Community Support Scheme is regulated by legislation, the Criminal Justice Act 1960 and the Criminal Justice (Temporary Release of Prisoners) Act 2003.	<ul style="list-style-type: none"> - Sex offender treatment programmes - Residential/non residential drug/alcohol treatment programmes - Anger management programmes - Parenting programmes - Domestic violence perpetrator programmes - Cognitive skills based offending behaviour programmes <p>Early release conditional on them engaging with a Community Support Agency who assist with issues such as:</p> <ul style="list-style-type: none"> - Work training - Education - Drug addiction support - Social welfare payments - General desistance from crime 	<p>The offender's consent is required for:</p> <ul style="list-style-type: none"> - Sex offender treatment programmes - Residential/non residential drug/alcohol treatment programmes - Anger management programmes - Parenting programmes - Domestic violence perpetrator programmes - Cognitive skills based offending behaviour programmes. <p>- In some instances, a domestic violence perpetrator can be court-mandated to attend a programme.</p> <p>- For the Community Support Scheme, the offender is required to sign a consent and agreement form which sets out the conditions. They are also required to sign a legal document in accordance with the legislation</p>

Italy	Measures are regulated by the Law (Penitentiary Act) and by the Decree of the President of the Republic.	<ul style="list-style-type: none"> - Assignment to the probation service for drug-addicted or alcohol-addicted offenders undergoing a programme of rehabilitation or intending to undergo such a programme - Measures alternative (Home detention/Probation service) to detention for subjects suffering from full-blown AIDS or by a serious immunodeficiency - Home detention for offenders with particularly serious health conditions demanding constant contacts with healthcare services in the community 	The offender's consent is required
Latvia	Measures are regulated by Criminal law. Law On Application of Compulsory Measures of a Correctional Nature to Children prescribes the types and the procedures for application of compulsory measures of a correctional nature. Cabinet Regulation prescribes procedures for the mandatory medical treatment of children having mental dysfunction or behavioural disorders.	<ul style="list-style-type: none"> - Placement of juvenile offenders in a correctional educational institution (drug and alcohol addiction treatment provided where necessary) - Medical treatment <p>Measures listed below can contain treatment aspect:</p> <ul style="list-style-type: none"> - Probation supervision (this is one of additional punishments) provide that official of State probation service oblige sentenced person to undergo specific probation program, for example sex offender program, addiction prevention program, anger management etc., or apply different kind of other obligations. - Conditional Release from Criminal Liability- prosecutor can apply obligation to undergo treatment of alcohol, drug or other addiction. - Conditional sentencing (punishment is not enforced in prison, but person is left in society with conditions/obligations, so conditional sentencing is not a separate punishment but a form of enforcement of the punishment) – court can obligate a person to undergo specific probation program, for example sex offender program, addiction prevention program, anger management etc., or apply different kind of other obligations. - Conditional release from prison – court can obligate a person to undergo specific probation program, for example sex offender program, addiction prevention program, anger management etc., or apply different kind of other obligations. 	<p>Offender's agreement is necessary for:</p> <ul style="list-style-type: none"> - Release from Punishment or Serving of Punishment; - Conditional release from prison; - Conditional Release from Criminal Liability; - In addition to the referred to compulsory measures of a correctional nature and upon the consent of a child or parents (guardian) thereof, or Orphan's court, may impose an obligation on the child to undergo treatment for alcohol, narcotic, psychotropic or toxic substances or other addictions; - In imposing a conditional sentence, the court may impose, for a person who has committed a criminal offence due to alcoholism, narcotic, psychotropic addiction or toxic substance addiction, the obligation to undergo treatment for alcoholism, narcotic addiction or toxic substance addiction, with his or her consent. <p>Without offender's agreement:</p> <ul style="list-style-type: none"> - All the basic and additional punishments: community service, probation supervision, Compulsory Measures of a Correctional Nature to Children, Compulsory Measures of a Medical Nature

Lithuania	Criminal code of the Republic of Lithuania and Penal Sanctions enforcement code of the Republic of Lithuania. Other legislation.	<p>One or more alternative treatment measures may be imposed upon court decision:</p> <ul style="list-style-type: none"> - Measures of punitive impact (for adults); Disallowance to use a special right; Withdrawal of the right to be engaged in a specific job or occupation; Compensation for or elimination of material damage; Works free of charge; Contribution to victims fund; Property confiscation; Disallowance to approach a victim; Participation in programs for correction of violent behaviour; Expanded property confiscation <p>In case of a suspended sentence court may impose one or more inter-related measures of punitive impact and (or) obligations:</p> <ul style="list-style-type: none"> - Apologize to victim; Support a victim during the period of treatment; Get addiction treatment upon an inmate's consent; Educate and supervise one's minor children, take care of their health status, maintain them; Start working or studying, continue work or studies; Participate in behaviour correctional programs; Do not leave home at specified time provided it is not related to work or studies; Do not leave the city (region) of residence without a permission or a supervising institution; Do not access specified places and avoid specified persons or groups of persons; Do not use psychotropic substances; Do not possess, use or obtain specific items or do not get involved in specific activities <p>Educational measures for juveniles:</p> <ul style="list-style-type: none"> - Warning; Compensation for or elimination of material damage; Educational works free of charge; Placement to parental education and supervision or to other legal or natural entities that care for children; Behaviour restriction; Placement to a special educational institution <p>*It should be noted, that different legal institutions exist in the Lithuanian legislation, which establish that an offender is not imposed a court sentence but the above mentioned obligations. A court may release an offender from criminal liability in case an offender and a victim settle the differences; in case of a bail, when an offender is assigned a guarantor; if a person or a criminal act is not longer considered dangerous; due to minor offence; in case of mitigating circumstances; when an offender cooperated in disclosing criminal acts of an organised group or criminal alliance.</p>	<p>An offender's consent is required in case when the following probation measures are imposed by the court:</p> <ul style="list-style-type: none"> - Treatment of addictions - Intense supervision (electronic monitoring) - Community work
Malta	Measures are regulated by Law.	Probation Act and Mental Health Act	Although, the offender's consent is not required, the offender signs a declaration whereby he/she will abide by the conditions imposed by court.

Moldova	Regulated by organic laws, regulations approved via government decisions, and regulations approved by the order of the Head of the Probation Service.	<p>Safety measures - Medical coercion measures:</p> <ul style="list-style-type: none"> - Psychiatric institution hospitalization with a normal supervision; Psychiatric institution hospitalization with a strict supervision <p>Safety measures - Educative coercion measures:</p> <ul style="list-style-type: none"> - Warning; committing the minor under the parent's supervision, to the person who substitutes the parents, or specialized state bodies; the minor obligation to repair the damage. In applying this measure the financial situation of the minor is taken into consideration; the minor obligation to pass a medical treatment of the psychological rehabilitation. <p>Housing the minor, by the court decision, in a special study and re-education institution or in a curative and re-education institution.</p> <p>Penal punishment release measures:</p> <ul style="list-style-type: none"> - Sentence with a release on parole - Conditional release before term - Release from the execution of the punishment of the serious ill persons - Postponement of the punishment execution for pregnant women and who have children under the age of 8 years 	<ul style="list-style-type: none"> - For safety measures consent is not required for medical coercion measures and educative coercion measures. - For penal punishment release measures consent is required for sentence with a release on parole, conditional release before term, and Postponement of the punishment execution for pregnant women and who have children under the age of 8 years. However, consent is not required for release from the execution of the punishment of the serious ill persons.
Monaco	Regulated by the Penal and Criminal Code.	<ul style="list-style-type: none"> - Surveillance measures (probation knowledge of residence and movements) - Support (support for social rehabilitation and family and vocational rehabilitation) provided by the Ordinance on the social rehabilitation of offender - Measures include special obligations by the court (e.g. obligation to exercise a professional activity or to follow a course of education or training, establishing residence in a particular place, to comply with control measures or treatment or care, such as hospitalization for detoxification particular, contribute to family expenses, repair damage, etc ...) - Split execution - Parole: the offender eligible for parole may be subject to measures of assistance and control to facilitate and verify their reclassification 	<ul style="list-style-type: none"> - The offender's consent is not a legal requirement. However, parole may be granted only if the applicant so requests. Section 413 of the Penal Code provides that "the convicted person has the right to deny parole." - For other measures, they are an opportunity for the judge and not an obligation. Thus, if such a measure on the reclassification is not accepted by the offender, there is little chance it will be successfully executed. It happened in practice that some have expressed their desire to serve a prison sentence rather than be subject to placement under the regime of the test free for several years.

Montenegro	Prescribed by the Criminal Code of Montenegro (sentence of community service, a suspended sentence and a suspended sentence with supervision), the Law on Minor Offences of Montenegro (community service, a suspended sentence and a suspended sentence with supervision) and for juvenile offenders offenses law on the treatment of juveniles in criminal proceedings. The method of execution and supervision of alternative sanctions is regulated by the Law on Execution of Criminal Sanctions for Juvenile Law on the treatment of juveniles in the criminal proceedings.	<ul style="list-style-type: none"> – Suspended sentence – Suspended sentence with supervision – Community service – Conditional release 	Consent is only required for community service.
Portugal	Regulated by law.	<ul style="list-style-type: none"> – Coercive measures applied to the accused drug offenders treatment – Temporary suspension of the process applied to drug offenders – Monitoring drug offenders at the request of Attorney / Department – Suspension of the sentence with the imposition of conditions and / or obligations treatment applied to drug offenders 	The offender's consent is required for all these measures.
Romania	Regulated by law.	Integrated care programme for drug consumers.	Consent is required.
San Marino	Regulated by law.	Judicial probation, probation without judgment with pardon.	Consent not required
Slovenia	Measures are regulated by the Criminal code.	<p>Instructions may include the following tasks to be performed by the offender on conditional sentence with custodial supervision or by the offender on parole:</p> <ul style="list-style-type: none"> – To submit himself to a course of medical treatment at an appropriate institution, also treatment of alcohol or drug addiction with his consent – To attend sessions of vocational, psychological, or other consultation – To qualify for a job or to take up employment suitable to his health, skills, or inclinations – To spend income according to the duties relating to family support – Prohibition of association with certain persons; – Restraining order to keep the perpetrator away from the victim or some other person – Ban on access to certain places 	It is not foreseen for the convict to specifically consent on the measures because the measures themselves are part of an alternative sanction or of the measure which replaces or shortens the imprisonment.

Spain	These measures are regulated by law (Organic Law 5/2010 of the Penal Code) and by two regulations (Decree 190/1996 and Regulation Penitentiary Decree 8/2011 of criminal penalties and alternative measures to prison).	<ul style="list-style-type: none"> – Participate in formative programs – Drug treatment – Psychological treatment for perpetrators of domestic violence – Driver education – Sexual offender treatment – Environmental protection – Animal welfare, and other similar, etc... 	<ul style="list-style-type: none"> – Consent for the treatment of addiction is required. – Consent is not required for other treatment. – In some cases (suspensions of conviction) the convicted person may accept or reject the suspension. But if he accepts the suspension of sentence, it assumes that the treatments judge shall impose. In other cases, treatment is required if the judge or the court decides.
Sweden	Regulated by law and Swedish Prison and Probation Service, SPPS internal regulations.	<ul style="list-style-type: none"> - Probation - Probation with contract treatment - Intensive supervision (Electronic monitoring, includes treatment programme) 	Consent is required for all measures.
Switzerland	Alternative treatment measures are regulated in Swiss law. Especially articles 37, 56-64 of the Swiss Criminal Code (CC, http://www.admin.ch/opc/en/classified-compilation/19370083/index.html) are applicable.	<ul style="list-style-type: none"> – Community service – Therapeutic treatment for additions – Therapeutic treatment if required by the offender or necessary for public safety 	With exception of community service the offender's consent is not required.
Turkey	All community sanctions are regulated by law and regulations.	<ul style="list-style-type: none"> – Attendance of educational institutions; prohibition from activities/places; seizure of driving licence; obligation of community service; Probation measures; effective remorse; obligation of paid employment; comply with treatment or medical checks; prohibition of possessing or carrying gun; Not being allowed to visit certain places specified or being allowed to visit certain places; Prohibition of contacting with certain individuals and institutions; obligation of attending an educational program so as to gain a profession or a craft if the defendant has no professions or crafts; Obligation of employment as paid in public institution or under the supervision of someone else who specifically performs the same profession or craft; prohibition from visiting/going certain places and performing certain activities; obligation of attending certain activities or certain institutions/ programmes. 	<p>The offender's consent is required for:</p> <ul style="list-style-type: none"> – Community service sanctions within the scope of Turkish Penal Code – Obligation of Community Service sanctions within the Code on Enforcement of Sanctions and Security Measures

<p style="text-align: center;">United Kingdom</p>	<p>Primary legislation governs alcohol, drug and mental health treatment requirements of community orders and suspended sentence orders. The Secretary of State accredits programmes dealing with e.g. domestic violence, sex offending, anger management, etc. which are delivered under e.g. programme requirements of such orders. Probation providers specify and provide activities to deal with less serious offending within other sanctions imposed by the courts, e.g. activity requirements.</p>	<ul style="list-style-type: none"> - Drug treatment - Alcohol treatment - Mental health treatment <p>(Requirements of Community orders and suspended sentence orders)</p> <ul style="list-style-type: none"> - Sex offenders can be required to participate in sex offender programmes available under a programme requirement 	<ul style="list-style-type: none"> - Consent is required for an alcohol treatment requirement, a mental health treatment requirement and a drug rehabilitation requirement as part of a community order or suspended sentence order. Failure to consent can lead to the offender being sentenced to custody. Consent is not required for other requirements of these orders. - For the post prison release drug appointment condition, the offender's consent is not required. However, only attendance is mandated not engagement with treatment itself.
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	Appendix E Q6: Please specify how the duration of the different alternative treatment measures is defined and decided.	Appendix F Q7: By which authority is imposition of the different alternative treatment measures decided (police, prosecutor, court, prison authority, probation agency, other [specify])?	Appendix G Q8: Is compliance and completion of the alternative treatment measure(s) assessed and managed in your jurisdiction, by which agency and using what tools?
Albania	Duration is dependent on supervision period, or dependent on the length of specific programmes	The court is the only authority that can impose such measures.	The agency responsible for supervising compliance and completion is the probation service. Issues are assessed by using a national risk assessment tool similar to the Offender Assessment System (OASys) used in the UK.
Andorra	The court determines the duration based on the individual (e.g. nature of the offence, damage caused). The court determines whether or not an offender can be placed on parole depending on their decision as to whether it is felt the offender would benefit from social rehabilitation. If an offender's behaviour in the community does not meet the conditions imposed, a decision can be made by the court or duty judge to revoke parole.	Measures may be imposed in both instruction phase in hearing phase and implementation phase of the sentence by the court or judge	The implementation of measures is supported by the police, acting on functions of the judicial police, prison services, social services or the different doctors care unit dependencies, and physician's forensic service.
Azerbaijan	Extension, change and cancellation of forced measures of a medical nature shall be carried out by the court on presentation of information from the medical institution (doctors/psychiatrists) which is carrying out compulsory treatment. The offender is assessed by doctors/psychiatrists, not less than once in six months for decision on the cancellation or change of such measures. This could result in the extension of compulsory treatment. Where there is a positive change in an offender's mental condition compulsory treatment may be terminated and relevant files passed to public health services.	Imposition of the different alternative treatment measures is decided by courts of Azerbaijan Republic	Treatment measures are carried out in specialized psychiatric facilities according to "Psychiatric Assistance" law of Azerbaijan Republic. Extension, change and cancellation of forced measures of a medical nature shall be carried out on the basis of conclusions of the doctor's commission (psychiatrists) according to the Criminal Code of Azerbaijan Republic. Work of the forensic psychiatry expertise commission is controlled by the forensic psychiatry expert committee centre of the Ministry of Health.
Belgium	The duration of an alternative treatment measure for the offender is indefinite (until a decision of definitive release). The duration of an alternative treatment measure for offenders who are considered fully responsible for their acts depends on the type of community sanction or measure obtained and the judicial decision (for example: parole 3-6 months, judicial mediation 6 months, probation for traffic violation 1 year (minimal), probation for property offences and violent offences 3 years (average), probation for severe violent and sexual offences 5 years (maximal), provisional and conditional release from prison (depends on the duration of the prison sentence not executed.)	<ul style="list-style-type: none"> - Interned persons: Social Protection Committee (presiding magistrate, a lawyer representing the bar and a psychiatrist) - Accused or condemned persons who are considered fully responsible for their acts: Prosecutor (judicial mediation); Prison director (provisional release); Judge (release on parole, probation, conditional release, electronic monitoring, limited detention). 	Compliance and completion of the alternative treatment measures is assessed and managed by the Probation Service using the following tools: <ul style="list-style-type: none"> - periodic reports with the dates of the fixed consultations in the past, dates of the missed consultations which are not justified, difficulties arisen during supplying treatment and situations of acute social danger (legal obligation for the specialized outpatient treatment of sex offenders) - meeting between probation officer, treatment provider, offender - contacts by telephone, email, ... between probation officer and treatment provider - certificate of presence at consultation

Croatia	Duration of a special obligation or security measure can't last longer than the prison sentence/probation period. Additionally, mandatory psychosocial treatment (of violent offenders) can't last longer than 2 years, and mandatory treatment of addiction can't last longer than 3 years.	By the court – in criminal proceedings and when deciding on conditional release.	<ul style="list-style-type: none"> – The Probation service is responsible for enforcement of alternative sanctions and measures and for management of alternative treatment measures. Person/institution responsible for enforcement of special obligation (alternative treatment measure) writes expert report to the probation service about achieved results in treatment and then probation service writes a report to the court about achievements in individual sanction/measure program in a whole, including alternative treatment measure. – Probation officers use actuary assessment tool SPP – system of offender assessment. SPP is used to assess probability of reoffending and causing serious harm. This instrument is applied initially and it represents basis of creation of individual sentence/measure programme, according to detected criminogenic needs of offender. The same instrument is used to evaluate achievements during and at the end of enforcement of sanction/measure.
Cyprus	The duration of these measures is defined and decided by the court on a case by case basis, depending on its' appreciation of the needs of the accused for reform.	The Judiciary.	Alternative treatment measures are managed and assessed by welfare officers who are appointed by the Minister of Labour and Social Security to supervise implementation of such measures. In addition, in case of breach of the conditions of any court order imposing alternative treatment measures, there is power to bring the offender before the court and deal with him/her in accordance with the relevant law under which the order against him/her was issued. In addition, the court can amend or review such orders whenever it thinks fit.

Czech Republic	<p>The conditional prison sentence is possible if the sentence does not exceed the length of 3 years. The probation time is from one to five years. The house arrest is possible to impose up to 2 years and the community service may consist from 50 to 300 hours. The length of all the above mentioned measures is decided by a judge or a court on the basis of the usual principles applied when imposing a sentence.</p> <p>The protective treatment shall last as long as it takes to satisfy the purpose, but no longer than 2 years. If the treatment is not completed, the court shall decide on its continuity. The protective treatment may be imposed repeatedly but always for maximum of 2 years. If there is a risk that after release the convicted commits another criminal offence, the court shall impose a supervision over the behaviour of the convicted for up to 5 years.</p> <p>For the conditional suspension of the criminal prosecution the court shall stipulate a probation period from six months to two years. If the nature and seriousness of the committed offence, the circumstances under which it was committed or the situation of the accused so justify, the court and, in the preliminary hearing, the public prosecutor shall decide on the conditional suspension of the criminal prosecution only if the accused also fulfils additional requirements: to undertake to refrain, during the probation period, from a particular activity in connection with which they committed the offence; or to deposit into the court's account, and in a preliminary hearing into the public prosecution's account, a monetary sum intended for the State for financial assistance to victims of criminal activity under a special legal regulation, and providing such sum does not seem disproportionate to the seriousness of the offence, and with regard to the person of the accused, taking account of their life so far and the circumstances of the case, such decision may be reasonably deemed sufficient. In this case a probation period might be extended to up to 5 years.</p>	<ul style="list-style-type: none"> - Substantial alternative treatment measures are always imposed by the court. - Procedural measures are decided by a prosecutor in the preliminary hearing or by a court after the indictment was filed. 	<p>Except for the protection treatment the rest of the alternative punishments are within the scope of the jurisdiction of the Probation and Mediation Service which aims to offer effective and socially beneficial solution of crime-related conflicts and at the same time organises and provides for efficient and dignified execution of alternative sentences and measures with emphasis on victim interests, community protection and crime prevention. In general probation officers shall help both the convicted and the court with the execution of a punishment by informing, advising and consulting the execution itself mainly with the convicted but also control the execution of punishment. The control of protective treatment is executed by the State Prosecutor Office.</p>
Denmark	<p>The duration of the treatment measure in community sanctions is typically 1 year, however sex offender treatment typically has a duration of 2 years. The duration of treatment as a condition of release from prison is typically 6 months to 1 year.</p>	<p>All community sanctions (treatment measures) are decided by court. Release on parole, including specific conditions, is decided by prison authorities.</p>	<p>Compliance and completion is assessed and managed by the Probation Service. In case of non-compliance the Probation Service compiles a breach report. The court (community sanctions) or the Department of Prisons and Probation (parolees) assess whether the community sanction/parole licence is breached and decides the possible consequences.</p>

Estonia	The duration of the different alternative treatment measures can be minimum 18 months and maximum 3 years. The specific term is decided by the court.	The alternative treatment measures can be decided by the court.	The alternative treatment measure(s) are assessed and managed by the probation service in cooperation with medical institutions.
Finland	<ul style="list-style-type: none"> - In the Finnish penal system, conditional imprisonment is used to a considerable extent. Sentences not exceeding two years may be imposed as conditionally. When considering conditional imprisonment attention is paid to the seriousness of the offence, the culpability of the offender as manifested in the offence and the criminal history of the offender, which can require the imposition of an unconditional sentence of imprisonment. In practice, sentencing to conditional imprisonment means that the sentence is not enforced unless, during the probationary period, the sentenced person commits a new offence that leads to unconditional imprisonment. The probationary period is at least one and at most three years. - A young person who has committed an offence when under 21 years of age may be subjected to supervision for at most one year and three months in order to reinforce conditional imprisonment. Supervision may be ordered if it is to be deemed justified in view of the promotion of the social adjustment of the offender and the prevention of further offences. The supervision period ends at the latest when the probation period of the conditional imprisonment ends. - A juvenile penalty may be imposed for an offence committed before the age of 18 years, if this is deemed justified in order to promote the social adaptation of the offender and the prevention of new offences. The duration of a juvenile penalty is at least four months and at most one year. - A monitoring sentence can be imposed if the offender has been sentenced to a maximum of 6 months in prison; the monitoring sentence will be for the same time period as the sentence. 	<ul style="list-style-type: none"> - Supervision of conditional imprisonment is ordered by a court. The Criminal Sanctions Agency is responsible for the enforcement of supervision. The Agency draws up a supervision plan together with the sentenced and the person having custody of the sentenced. A supervisor of the Criminal Sanctions Agency is responsible for the actual supervision. - Juvenile penalty is imposed by a court. The Criminal Sanctions Agency must, at the request of the prosecutor or court, draw up an enforcement plan for a juvenile penalty before the penalty is imposed. The Criminal Sanctions Agency may, after a juvenile penalty has been imposed, issue orders necessary for the enforcement of the penalty. The orders shall be based on the enforcement plan and concern the more detailed contents of the supervision appointments and other tasks or programmes. - Community service is imposed by a court. The Criminal Sanctions Agency carries out a suitability assessment at the request of the prosecutor. The Criminal Sanctions Agency is responsible for the enforcement of community service. - Monitoring sentences are imposed by a court. The Criminal Sanctions Agency assesses, at the request of the prosecutor, the conditions for imposing a monitoring sentence. The Criminal Sanctions Agency draws up and confirms an enforcement plan for a monitoring sentence, when the sentence is to be enforced. - Decisions on the placement of a prisoner in probationary liberty under supervision are made by the director of prison or in case life-sentenced prisoners by the Central Administration Unit of the Criminal Sanctions Agency. - Decisions on the supervision of the conditionally released are made in prison. If it is a question of a life sentence prisoner the decision is made by the Helsinki Court of Appeal. 	For adult and juvenile offenders the Criminal Sanctions Agency will inform the prosecutor where an offender neglects his/her alternative treatment measures. The Court may extend the supervision period or impose unconditional imprisonment upon the individual depending on the extent of neglect of treatment and individual level factors. Where an offender commits a further crime whilst on supervision they will be imprisoned.

France	<p>The duration is fixed based on acts committed and the personality, material, family and social situation of the individual offender.</p>	<ul style="list-style-type: none"> – Trial courts or the enforcement of sentences: Suspended sentence with probation; parole; placement under electronic surveillance; outside investment; stay with the obligation to perform work of general interest; day fines; suspension or split sentence on grounds of medical order, family, professional or social; suspension of sentence for medical reason – Trial courts: Socio-judicial surveillance; work of general interest; sanction repair; adjournment to put to the test – The public prosecutor or judge or juvenile court or judge of freedoms and detention or jurisdictions judgment: Therapeutic injunction. – Investigating judges, judge freedoms and detention, trial courts: Compulsory residence with surveillance fixed or mobile electronics – The public prosecutor on the proposal of DFSPIP: Electronic Surveillance end of sentence 	<p>Assessments for therapeutic injunctions are managed by the Director General of the regional health agency. The assessment is given to the judicial authority.</p> <p>Other measures are mostly enforced by the prison insertion and probation (SPIP) service) and the public prosecutor for the sanction repair. The SPIP implements the execution of alternative measures decided upon by judicial authorities.</p> <p>The Prison insertion and probation service shall contribute, on referral to the judicial authorities, in the preparation of decisions of Justice criminal nature; it may be responsible for the execution of surveys and measures precedent judgment. Insert the Prison and Probation Service implements control measures and ensure compliance with the obligations imposed on convicted.</p> <p>The Prison and probation service ensures that the person who is entrusted submits to control measures and comply with the obligations that are imposed. It reports to the principal magistrate of the evolution of the execution of the measure condemned. After the court decision and the referral, the SPIP performs an assessment of the situation and the offender. He elaborates and implements a monitoring plan individualized including interviews and modalities of collective responsibility (programs for the prevention of re-offending in particular).</p> <p>Adapted for the treatment of persons placed under judicial control, the SPIP is also based on the specificity and the expertise of local institutions and associations in matters of access to care, to accommodations, to the formation and employment, the rights of people in great difficulty. It develops and coordinates a network of associations and private partners to enable the access of people to measures to reduce re-offending.</p>
Georgia	<p>It is the trial court competent to decide whether or not to apply to an offender against this kind of measurement. When taking the decision the judge takes into consideration all aspects of the case.</p>	<p>Decisions regarding the imposition of alternative treatment measures are taken by the examining judge based on the merits of the criminal case.</p>	<p>Monitoring the conduct of the offender against whom "testing" is applied, is provided by the Probation Office of the Prison and Probation Department Georgian. If the offender does not comply with the conditions of these measurements, the Probation Office shall inform the judge who made the decision on treatment alternatives. In this case, the judge may revoke its previous decision and order the offender liable to a penalty depriving his freedom.</p>

Germany	<p>The duration of the alternative treatment measures depends on the individual case. The court may give the directions for the duration of the supervision or during the probation period or for a shorter period. The probation period is usually between two and five years. The period of supervision shall last no less than two and no more than five years. But the court may also make an indeterminate supervision order.</p>	<p>The court shall determine the different alternative measures.</p>	<ul style="list-style-type: none"> – The probation officer shall offer assistance and care to the convicted person. In cooperation with the court he shall supervise the fulfillment of any conditions and directions as well as of any offers and assurances. He shall report on the way the convicted person is conducting himself, at intervals determined by the court. He shall inform the court as to serious or persistent violations of the conditions, directions, offers or assurances. – The supervising authority shall supervise the conduct of the convicted person and the fulfillment of the directions in cooperation with the court and with the support of the probation officer.
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The Netherlands

The TBS-measure in a closed setting is imposed for 2 years. After 2 years the courts can decide to extend this period with 1 or 2 years. There is no maximum duration, as long as the crime for which the measure is imposed was aimed at or caused danger to the integrity of a human body. If this is not the case, the maximum duration of the measure is 4 years. Conditional release under supervision is possible (with the exception of the capped TBS-measure). This conditional release can be extended by the courts for 1 or 2 years, the maximum duration is 9 years. In May 2014 a law will be handled by the House of Representatives of the Parliament, which abolishes the maximum duration of 9 years. If this law is approved by the House of Representatives of the Parliament and the Senate, the conditional release could be extended for as long as necessary and proportionate. For the conditional TBS is consent of offenders who are mentally ill regulated by law and thereby required. (When the offender does not agree with the conditions the courts can decide to impose a TBS-measure, if the crime was aimed at or caused danger to the integrity of a human body, or imprisonment). The conditions can be the same as by a conditional release. For example, an admission in a clinical healthcare institution. The conditional TBS-measure could be imposed by the courts for 2 years. After those 2 years the courts can decide to extend this period with 1 or 2 years. The maximum duration of the conditional TBS-measure is 9 years. If the offender violates the imposed conditions the conditional TBS-measure can be changed in a TBS-measure in a closed setting with no maximum duration. The Penitentiary Programme applies to detainees who are sentenced to 6 months imprisonment or more. The duration is no more than one sixth of the sentence, with a minimum of 4 weeks and a maximum of 1 year. Electronic Detention applies to detainees who are sentenced to 6 months imprisonment or more. The measure starts when at least half of the sentence is served in prison and has a maximum duration of 1 year. The conditional release applies to detainees who are sentenced to 1 year imprisonment or more, even if they participate in Electronic Detention. For detainees sentenced to more than 1 year but no more than 2 years imprisonment, conditional release starts after they served 1 year plus one third of the rest of the sentence in prison. For detainees sentenced to more than 2 year imprisonment, conditional release starts after they served two thirds of their sentence in prison. The conditions and their

- It is left to the court's discretion (in the case of a suspended sentence) or the Public Prosecution Service's discretion (in the case of conditional release) to determine what conditions should be attached (within the general limitations set by fundamental human rights and the requirements of proportionality). This decision is generally taken on the basis of advice by the Probation Service (both in the case of a suspended sentence and in the case of conditional release) and the Custodial Institutions Agency (in the case of conditional release).
- The list of conditions in Dutch law is not exhaustive and conditions may be combined. Some conditions may be controlled by electronic monitoring. The Netherlands as executing state will not apply electronic monitoring if it is not explicitly part of the judgment imposed by the issuing state.
- This is only different for the Penitentiary Programme and Electronic Detention. These measures are decided by the Custodial Institutions Agency. They decide which detainees meet the criteria to take part and which conditions are imposed.

- The Public Prosecution Service is generally responsible for supervising compliance with the conditions attached to conditional release. As noted above, in some cases the the Custodial Institutions Agency is responsible.
- The Public Prosecution Service/ the Custodial Institutions Agency will order the Probation Service to assist the person concerned in complying with the conditions attached to the conditional release. Subsequently, the Probation Service will supervise compliance.
- In case of non-compliance with the conditions the Public Prosecutor may demand the revocation by court. The Public Prosecutor then decides in consultation with the probation officer involved whether the case should be brought before a judge or whether another formal warning should be issued. In case of non-compliance with the conditions under the responsibility of the the Custodial Institutions Agency, this organization decides whether or not to revoke the sentence.

Hungary	The duration depends on legal regulation decided upon the request of the prisoner.	Police, prosecutor or court depending on the stage of the procedure.	The decision making authority handles the case and supervises the completion of these measure upon documents.
Ireland	<ul style="list-style-type: none"> - For Probation measures, duration is not defined in statute, but is set down by the sentencing court. Discretion is generally given by the courts to the supervising Probation Officer in regard to treatment measure timeframes. - For domestic violence perpetrators, there are weekly contacts between the partner-contacts and the partners/ex-partners during which the perpetrator's behaviour is discussed and the information is passed to the programme facilitator, who then decides what treatment measures are appropriate. - Offenders participating in the Community Support Scheme may be released shortly after committal, once appropriate support structures are in place and once the assessment process recommends their release. Under the Scheme, offenders are subject to set conditions until they have completed their sentence. 	<ul style="list-style-type: none"> - Normally for Probation measures, the courts specify the alternative treatment measure on the recommendation of Probation Officers, but not in all cases. - The Irish Prison Service, on behalf of the Minister for Justice, may grant supervised release from custodial sentences to undertake treatment measures. - Domestic violence perpetrators are referred to programmes in a number of ways, including by the Courts, Probation Service, Social Workers, Health workers, spouses or partners of the men and through self referral. 	<ul style="list-style-type: none"> - Compliance with Probation supervised measures is managed by the Probation Service, with cases of non-compliance being returned to Court, where appropriate. For some specialist treatments, NGO treatment providers also work in collaboration with the Probation Service. The Probation Service use the LSI-R, YLS –CMI, RM2000, Stable and Acute 2007, SARA Assessment tools. These tools highlight the risk/need areas requiring treatment. - For domestic violence perpetrators, following the completion of their programme, there is limited ongoing assessment of the behaviour of the offenders through contact with the partner as part of the programme but many women will remain in contact with women's support services. Offenders who are court-mandated to attend the programme have their post-programme behaviour monitored by the Courts and the Probation Service. - Under the Community Support Scheme, the Community Based Agency worker will make contact with the Irish Prison Service when an offender does not attend as required. Non-compliance results in a return to custody. Statistics in relation to compliance on this Scheme is maintained on a continuous basis by the Irish Prison Service.
Italy	The measures last as long as the duration of the sentence imposed.	They are granted by the Supervisory Court upon request of the concerned person.	

<p style="text-align: center;">Latvia</p>	<ul style="list-style-type: none"> - In imposing conditional sentence, the court shall prescribe a term of probation of not less than six months and not exceeding five years. The term of probation shall commence on the day of the coming into effect of the court judgment. The specified term of probation may not be less than the applied period of deprivation of liberty; - In conditionally releasing from criminal liability, the public prosecutor shall determine for the person a probationary period of not less than three and not exceeding eighteen months; - Probation supervision – the court can apply for one to three years, the prosecutor – for half of maximum length of sentence provided in Article of Criminal law. - Conditional release from prison – the court can apply conditional release from prison for the length of unserved part of prison sentence. - Compulsory correctional measure for children – the court can applied limitations of behaviour form 30 days to one year, placement in correctional education institution can be applied form one to three years, but no longer as child reach age of 18. - Compulsory Measures of a Medical Nature – the court can apply to the length which depends on mental health status of person. 	<p>Court and Prosecutor.</p>	<p>Conditionally sentenced persons, persons, who are conditionally released from criminal liability, persons on probation supervision and persons who are conditionally released from prison, are supervised by State Probation Service. State Probation Service is evaluating compliance and completion of alternative sanctions applied to clients, because in case of not fulfilment of obligation, or breach of law, Service are obligated to inform court for decision on change of sanction.</p>
<p style="text-align: center;">Lithuania</p>	<p>The duration of different alternative treatment measure is established by court taking into consideration an offender’s personal, social, etc circumstances.</p>	<p>Court. Only in case of conditional release, a conditional release commission may suggest court to impose alternative measures. It should be noted that members of the commissions are representatives of penitentiary institutions, prison department, NGOs, other national and municipal institutions.</p>	<p>Probation services are in charge of the supervision of offenders with alternative measures. Probation staff evaluates an offender’s behaviour, risk of re-offending by means of adapted risk assessment methods, applies behaviour correctional programs, monitor the compliance with pro probation conditions. Other national and municipal institutions, NGO’s and volunteers participate in effective probation within the scope of their competences. The Prison Department under the Ministry of Justice of the Republic of Lithuania manages and assesses the activities of probation services.</p>
<p style="text-align: center;">Malta</p>	<p>The alternative treatment measure is referred to in Malta as Treatment Order. The duration of the Treatment Order in the Probation Act is decided by the Court whilst the Treatment Order’s duration under the Mental Health Act is decided by the responsible clinician.</p>	<p>The main authority responsible for the imposition of the different treatment measures is the Court, which can on occasions delegate its authority to the Department of Probation and Parole and to the Correctional Services (prison).</p>	<p>Compliance and completion of offender’s on a supervision order are assessed by the Probation Officer and those offenders serving any incarceration sentence are assessed by professionals in prison. Tools used by Probation Officers are supervision and psychometric assessments.</p>

Moldova	<p>Medical coercion measures</p> <ul style="list-style-type: none"> – Application, changing/prolonging the medical coercion measures is decided by the court. The request of the offender or his representative can be checked once every 6 months. The application time is not certain, depending on the evolution of the sickness. <p>Educative coercion measures</p> <ul style="list-style-type: none"> – These are settled up to the age of 18 years, with the exception of the warning for the persons who are the first time light and less heavy offenders <p>Penal punishment release measures</p> <ul style="list-style-type: none"> – Sentence with a release on parole is applied for offenders whose imprisonment punishment is less than 5 years and in imprudence up to 7 years. It is applied when it is irrational to execute the punishment, and where the offender displays exemplarily behaviour and honest work. – Conditional release before term is applied for the inmates who execute unpaid work cleaning the penitentiary and if the correction of the convicted person is possible without the complete execution of the punishment. – Release from the execution of the punishment of the serious ill persons – the persons who in the punishment execution time got a mental illness (leading to them being not responsible for their action). They are liberated from detention applying the medical coercion measures. – Postponement of the punishment execution for the pregnant women and who has children under the age of 8 years. 	<ul style="list-style-type: none"> – Medical coercion measures are applied by the court – Educative coercion measures: <ul style="list-style-type: none"> – Warning – is applied by the court, prosecutor. – Committing the minor under the parents supervision, to the person who substitutes the parents, or specialized state bodies is applied by the court, prosecutor. – The minor obligation to repair the damage is applied by the court or prosecutor. – The minor obligation to pass a medical treatment of the psychological rehabilitation is applied by the court. – Housing the minor, by the court decision, in a special study and re-education institution or in a curative and re-education institution is applied by the court. – All the penal punishment liberation measures are applied by the court decision. 	<ul style="list-style-type: none"> – Medical coercion measures are executed by the specialized curative institutions, and as a tool is applied the Execution Code of the Republic of Moldova nr 443 from 24.12.2004. – Educative coercion measures are executed by the probation body of the Republic of Moldova. Legal execution tools are as follows: Penal Code nr. 985 from 18.04.2002; Execution Code nr. 443 from 24.12.2004, Penal Procedure Code nr. 122 from 14.03.2002; Directive regarding the execution of the educative coercion measures approved via the Central Probation Office Head Order nr. 103 from 09.09.2013. – Penal punishment liberation measures are executed by the probation body. Legal application tools are as follows: Penal Code nr. 985 from 18.04.2002; Execution Code nr. 443 from 24.12.2004; Directive regarding the organisation of the sentence and post penitentiary activities in reference to the adult and juvenile convicted persons , which is approved via the Central Probation Office Head Order nr. 168 from 30.12.2013.
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<p style="text-align: center;">Monaco</p>	<ul style="list-style-type: none"> - Parole: The order made by the Director of Judicial Services granting parole fixed the implementing rules and conditions under which the granting or maintaining freedom is conditional and the nature and duration of control measures or assistance. This is provided for in section 412 of the Penal Code which states that this period may not be less than the remaining to be served on the day of release sentence if it is a temporary punishment. However, it may exceed the maximum for a period of one year. - Execution split: Each fraction is a weekly detention (usually the weekend (2 days)). The law provides that it will be suffered many detentions that there will be times 7 seven days in the length of the sentence to be executed. An order made by the court in the enforcement of sentences specifies the number of detentions run and the day and time of the nuts. - Test Freedom: The Penal Code provides that the court may decide to issue a stay of execution of sentence with placement under the freedom of trial for a period which shall not be less than three years nor greater than 5 years. 	<ul style="list-style-type: none"> - Parole: Granted by order of the Director of Legal Services after obtaining the opinion of the Attorney General, the Director of the Stop House, Judge of the Penal Enforcement and Government Counsellor for Interior if the offender is intended to reside in the Principality. In cases where the offender does not fulfill its obligations, the Director of Judicial Services may, upon the proposal of the judge to sentence enforcement, oversee and monitor the parolee meets its obligations, revoke parole. - Execution split: The court or the court of appeal may decide. It is then up to the judge to sentence enforcement to issue an order to set the terms. The Attorney General and the Director of the Remand are advised and must report to the enforcement judge sentences delay or absence of the offender. In case of non fulfilment of its obligations by the offender, the judge of the sentences may, after hearing the failed, to withdraw the benefit of the execution and fractional prescribe his immediate arrest. - Test freedom: It is decided by the judge and controlled by the penalty enforcement judge and a probation officer who assists and is placed under his authority. 	<ul style="list-style-type: none"> - The Judge Penal Enforcement is responsible for monitoring the implementation of the measures and obligations imposed on the offender. To do this, he is assisted by probation officers who support convicted and must maintain an ongoing relationship with them. Probation officers can call to this effect or visit them at their home or place of work. - The probation officer shall ensure that the offender submits to monitoring and surveillance imposed. If the convicted person does not submit to the probation officer shall report without delay to the enforcement judge sentences. - It may propose to judge all development or changes or acts of assistance measures it deems appropriate. It shall send a quarterly report to the enforcement judge sentences the offender's conduct. - For the execution split the head of the detention must immediately notify the Attorney General of any difficulties regarding the implementation of the measure by the condemned and the Attorney General shall notify the appropriate judge of enforcement of sentences.
<p style="text-align: center;">Montenegro</p>	<ul style="list-style-type: none"> - Community service cannot be less than sixty hours nor more than three hundred sixty hours and is determined by the time which may not be less than thirty days nor more than six months. - A suspended sentence is a cautionary measure in which the court imposes a punishment of imprisonment of up to two years and determines the period of probation, which may not be less than one year nor more than five years. 	<p>The Court when it comes to adult offenders. For minors it can be the public prosecution.</p>	<p>The Ministry of Justice is responsible for the execution of sanctions and measures.</p>
<p style="text-align: center;">Portugal</p>	<p>The duration of the different alternatives of treatment is determined in accordance with the provisions of the Penal Code and Criminal Procedure Code:</p> <ul style="list-style-type: none"> - Applied after its incorporation as the accused judge's decision - Can last up to 5 years - Is applied by the Prosecutor / Public Ministry when the subject, years before the accused made, discontinue treatment prematurely or refuses to do treatment - Can be applied to sentences up to 5 years probation 	<p>Court and Attorney / Public Ministry (only monitoring drug offenders favourite request of the Prosecutor / Public Prosecution in the temporary suspension of the process conditioned by the agreement of the Magistrate Criminal).</p>	<p>The Probation service is responsible for monitoring and controlling offenders (Probation office – DGRSP).</p>

Romania	<p>The measure is decided until the final court decision is issued in a particular case.</p>	<p>Prosecutor, either at the request or ex officio during the pre-trial phase, as well as during the trial at the disposal of a judge.</p>	<ul style="list-style-type: none"> - The centre for drug addiction prevention, (evaluation and counseling) shall set out the individual psychological and social programmes based on the psychological and social evaluation, and in compliance with the results of the medical examination requested from a medical institution, under the criteria stipulated in the regulations for implementing the present law. - The individual therapeutic programme shall be established under the practice protocols drawn up by the Ministry of Health, through its specialised structures, and the Romanian Physicians' College. - The medical units where therapeutic programmes for drug-addicted consumers take place shall send data needed (to keep the continuity of the integrated care programme for drug consumers) to the centres for drug addiction prevention, evaluation and counseling. - The therapeutic programme and the psychological and social programme are developed under National Antidrug Agency (NAA), that was founded in 2003, an institution created to ensure the national coordination role in fighting against illicit drug trafficking and consumption, based on a national strategy in the context that it was for the mission to provide design, development and promotion of policies in the field of drug demand and supply reduction. NAA is also national focal point REITOX.
San Marino	<p>Is the person is perfect, the sentence is short. For domestic violence and sexual violence offenders the sentence is heavier.</p>	<p>The court.</p>	<p>There is a probation service that manages all alternatives in collaboration with public and private institutions will for rehabilitation programs and reintegration into society.</p>
Slovenia	<p>Suspended sentence with custodial supervision:</p> <ul style="list-style-type: none"> - Custodial supervision shall be applied by the court when it reaches the opinion that during the term of suspension the implementation of such a measure is appropriate. This measure shall be applied by the court for definitive period of time within the limits of the suspension term, specified by the suspended sentence. <p>Conditional release with custodial supervision:</p> <ul style="list-style-type: none"> - Custodial supervision can last until the term, for which he or she was sentenced. 	<p>Conditional sentence with supervision is decided by the court. Conditional release with supervision is decided by the commission on parole.</p>	<p>Custodial supervision shall be exercised by a consultant – a supervisory officer appointed by the court (suspended sentence with custodial supervision) or by the commission for the conditional release (conditional release with custodial supervision).</p>

Spain	The characteristics of each program determine the duration of treatment.	The courts.	<ul style="list-style-type: none"> - Sentencing and alternatives to prison are competence of the Sub-Directorate of Sentences and Measures Alternatives integrated into the General Secretariat of Penitentiary Institutions. - The evaluation of the effectiveness of treatments is recommended for correctional professionals and academia.
Sweden	Defined by law and decided by court or defined by law and decided by SPPS.	Decided by the court. Enforced by SPPS, probation agency.	The compliance and completion are handled by the SPPS, probation agency using SPPS treatment programmes, and treatment provided by the Social services. There is internally evaluation by the unit of Research and Development at the SPPS. There is external evaluation by The Swedish National Council for Crime Prevention and the National Board of Health and Welfare.

<p style="text-align: center;">Switzerland</p>	<ul style="list-style-type: none"> - Community service: The maximum duration is 720 hours. Four hours of community service corresponds to one day of a custodial sentence. *General remark regarding therapeutic measures: Where the requirements for a measure are no longer fulfilled, it is revoked. - Treatment of mental disorders: As a general rule the maximum duration is 5 years. If the requirements for parole have not yet been fulfilled after five years and if it is expected that the treatment will reduce the risk of further felonies or misdemeanours being committed in which his mental disorder is a factor, the court may at the request of the executive authority order an extension for a maximum of five years in each case. - Treatment of addiction: The maximum duration normally amounts to a maximum of 3 years. If the requirements for parole have not yet been fulfilled after three years and if it is expected that the treatment will reduce the risk of further felonies or misdemeanours being committed in which his dependence is a factor, the court may at the request of the executive authority on one occasion only order an extension for a maximum of one further year. In the event of an extension and the recall to custody following parole, the deprivation of liberty associated with the therapeutic measure may not exceed a maximum of six years. - Measures for young adults: The maximum duration is 4 years. In the event of the recall to custody following release on parole, it may not exceed a maximum of six years. The measure must be revoked when the offender reaches the age of 30. - Out-patient treatment: The period of out-patient treatment may not normally exceed five years. If the continuation of the out-patient treatment is considered necessary at the end of the five-year period in order to reduce the risk of further felonies and misdemeanours in which a mental disorder is a factor, the court may at the request of the executive authority continue the treatment for a further period of one to five years. 	<p>All measures listed in question 4 can only be imposed by a court.</p>	<p>When ordering a measure the court bases its decision on an expert assessment. This shall provide an opinion on: the necessity and the prospects of success of any treatment of the offender; the nature and the probability of possible additional offences; and the ways in which the measure may be implemented.</p>
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Turkey	<ul style="list-style-type: none"> - The duration of all different alternative treatment measures are defined and decided by the court. - When it is treatment from addiction and is under the authority of medical institution (under the Ministry of Health), the duration period is defined by related medical institution and after the treatment process is completed begins one year the supervision and control process by the Probation branch. - The offenders ordered to comply with treatment or medical checks within Criminal Procedure Law are sent to the medical institution directly and duration of treatment period is defined by the related medical institution. 	<ul style="list-style-type: none"> - Probation, community sanctions and treatment measures are given by court. - The offenders executing their imprisonment (period) under Probation within the scope of the Code on Enforcement of Sanctions and Security Measures, numbered 5275 (CGTİHK), article 105/A, are given by court and the type of obligations are defined by the probation branches in accordance with their risk and needs analysis. 	<p>The compliance and completion of the alternative treatment measure(s) are assessed by:</p> <ul style="list-style-type: none"> - The 'Execution Procedures Evaluation Commission' constituted under Probation branches - 'Controllers Board' under General Directorate of Prisons and Detention Houses - Judicial inspectors under Ministry of Justice.
United Kingdom	<ul style="list-style-type: none"> - Legislation sets the maximum length of these requirements. The courts set the actual length within those limits. - Legislation sets the maximum length of the licence period. Legislation not yet commenced will introduce a new post licence rehabilitative 'post sentence supervision period' which will mean the offender is supervised by providers of probation services for a minimum of 12 months, regardless of whether their custodial period and licence period would have been shorter. For those sentenced to more than 2 years imprisonment this period does not apply as the licence period will be 12 months or more in any case. Licence periods for some sentences can last for life. 	<ul style="list-style-type: none"> - The courts decide whether to impose drug/alcohol/mental health treatment requirements, helped by reports from public sector providers of probation services who will have liaised with treatment providers about appropriate treatment plans, so that the court can be satisfied that arrangements have been or can be made for the treatment intended to be specified in the order. Providers of probation services decide on treatment measures provided under more general requirements such as programme or activity requirements. - For post sentence drug appointment conditions, it is the Secretary of State, acting via the Governor or Director of the prison from which they are being released, who sets the conditions. Providers of probation services will make recommendations to the Governor / Director of the prison, based upon advice from treatment providers. The Governor / Director must be satisfied that arrangements have been or can be made for the appointment which will be specified in the condition. 	<ul style="list-style-type: none"> - Every community order or suspended sentence order must have a responsible officer. For orders including treatment requirements the responsible officer will be a provider of probation services, responsible in law for promoting compliance. Currently the responsible officer takes enforcement action. In future, under legislation not yet commenced, enforcement will be carried out by public sector "enforcement officers". - The courts have powers to terminate orders early, e.g. for making good progress. - Compliance with post release drug appointment conditions will be monitored by providers of probation services. Currently the responsible officer takes enforcement action, including recall to prison. In future, under legislation not yet commenced, enforcement will be carried out by public sector "enforcement officers".