



**23rd Council of Europe Conference of Directors of Prison and Probation Services**

*Jõhvi, Estonia*

**WORKSHOP V:**

**SERVICES' CAPACITY AND WORKLOADS**

**20<sup>th</sup> June 2018**

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*President,*

*Confederation of European Probation (CEP)*

Supported by the Justice Programme  
of the European Union

# Confederation of European Probation



Is the largest European Network Organization for Probation  
*Founded in 1981*

## **Mission:**

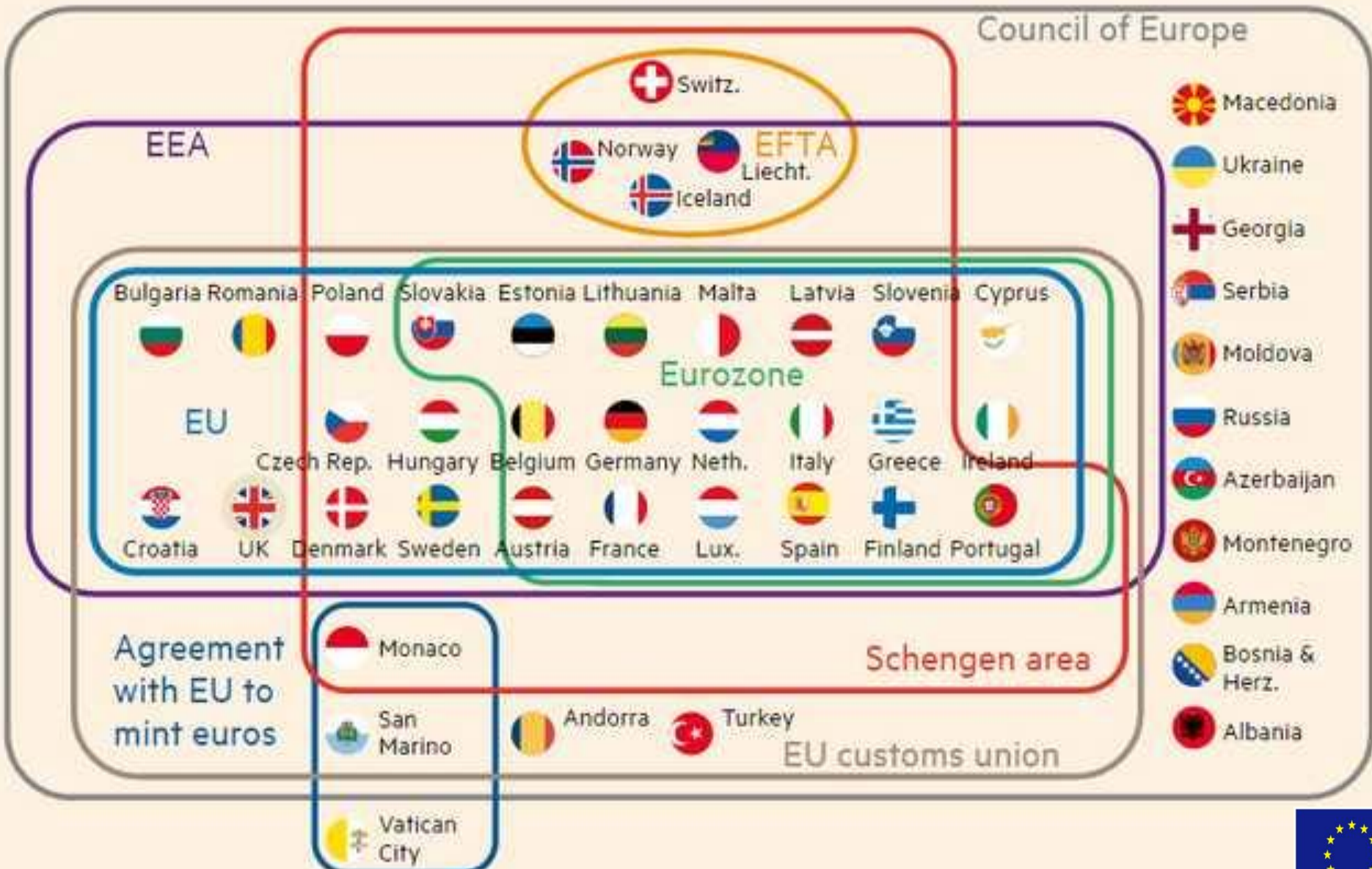
To promote the rehabilitation and social inclusion of offenders through sanctions and measures implemented in the community.

## **Objectives:**

- 1) To **unite probation organisations** all over Europe
- 2) To **professionalize** the sector of probation in Europe
- 3) To **raise the profile** of probation in the global arena of criminal justice systems



# Many Europes (reddit)



# CEP Membership - 2018



**60 EU Member organizations**

34 Countries  
38 jurisdictions

**9 Universities**

**16 Individual members**

**7 Affiliate members**

More than  
**400**  
Online documents

**1700**  
CEP  
Newsletter subscribers



**1100**  
Twitter  
followers



**1000**  
LinkedIn  
followers



# Probation and Community Sanctions



**Probation:** relates to the implementation in the community of sanctions and measures, defined and imposed by law. It includes a range of activities and interventions, which involve **supervision, guidance and assistance** aiming at the social inclusion of an offender, as well as at **contributing to community safety**.

**Community sanctions and measures:** means sanctions and measures which maintain offenders in the community and involve some restrictions on their liberty through the imposition of conditions and/or obligations. The term designates any sanction imposed by a judicial or administrative authority, and any measure taken before or instead of a decision on a sanction, as well as ways of enforcing a sentence of imprisonment outside a prison establishment.



- A **Caseload** is the total number of persons assigned to a probation officer for supervision.
- A **Workload** is the total amount of time it takes an officer to perform the supervision tasks arising from the caseload.



# Caseloads



The importance of caseload size to the effectiveness of probation and parole supervision cannot be overstated.

**Offender supervision is a human capital intensive activity.**

There is no technological or automated solution to this problem.

*Bill Burrell 2006*



# Objectives and Actions



To improve service outcomes for the people supervised, for Courts and Justice authorities and for communities.

Focus on expected outcomes

Training and Support

Practice Standards

Risk and Needs Assessment and Case Management Plan

Multi-Disciplinary and Multi-Agency Working

More is Not Necessarily Better





# Mass Supervision – A Cautionary Tale

Net-widening and Mesh Thinning Stanley Cohen

Mass Supervision Michelle Phelps

Community supervision rates:

U.S. 2016 total:

1,467 per 100,000 residents (BJS 2018)

– 4,537,100 adults (probation or parole) 1 in 55 adults

Probation: 1 in 68 (2016)

European 2016 total and average:

– 1,628,626 persons under probation supervision.

– 219 per 100,000 residents, 12.3% higher than 2015  
(SPACE II 2016 Aebi)



**Supervision**

**Purposeful**

**Meaningful**

**Effective**

**Consent, Compliance and Enforcement**



# Addressing Supervision in practice



The variables surrounding caseload management are many

People are the core resource

Engagement and the role of relationship in supervision and change

Resources follow Risk

Training and Skills

Resilience and 'burn-out'



## Recommendation CM/Rec (2010)1 of the Committee of Ministers to Member States on the Council of Europe Probation Rules

### Basic principles

1. Probation agencies shall aim to reduce reoffending by establishing positive relationships with offenders in order to supervise (including control where necessary), guide and assist them and to promote their successful social inclusion. Probation thus contributes to community safety and the fair administration of justice.



## **Recommendation CM/Rec (2010)1 of the Committee of Ministers to Member States on the Council of Europe Probation Rules**

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

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



## **Recommendation CM/Rec (2010)1 of the Committee of Ministers to Member States on the Council of Europe Probation Rules**

29. Probation staff shall be sufficiently numerous to carry out their work effectively. Individual staff members shall have a caseload which allows them to supervise, guide and assist offenders effectively and humanely and, where appropriate, to work with their families and, where applicable, victims.

Where demand is excessive, it is the responsibility of management to seek solutions and to instruct staff about which tasks are to take priority.



**Recommendation CM/Rec (2017) 3 on the European Rules on  
Community Sanctions and Measures (Adopted by the Committee of  
Ministers on 22 March 2017)**

82. The staff responsible for implementation shall be sufficiently numerous to carry out their duties effectively. They shall possess the personal qualities and professional qualifications necessary for their functions.



## Mass Supervision and Pains of Probation

### Pains of Probation (Ioan Durnescu 2010)

- Deprivation of autonomy and time
- Financial costs
- Stigmatization
- ‘Forced’ return to offending
- Life under (suspended) threat

### Actions: (Michelle Phelps)

- “Shrink the beast”
  - Reduce scale; domino effect
- Do Less: Reduce unnecessary deprivations, unnecessary supervision, and long terms of supervision
- Do More: Increase (voluntary) Services, Use Diversion, Lesser Sanctions
- Reduce violations and revocations





# Where next.....

- ✓ We can learn from each others experiences, successes and failures
- ✓ We need to maintain an open, critical and responsiveness to new ideas and also, to some old ones
- ✓ We need to work more openly across disciplines, agencies and jurisdictions with respect for difference and what each other 'brings to the table'
- ✓ We need to review, research and evaluate.....and change practice if necessary
- ✓ Ever tried. Ever failed. No matter. **Try again. Fail again. Fail better.**

Samuel Beckett Worstword Ho (1983)



# Resources...



- **Recommendation CM/Rec(2010)1 on the Council of Europe Probation Rules**  
<http://www.cep-probation.org/wp-content/uploads/2015/03/CMRec20101E.pdf>
- **Recommendation CM/Rec (2017) 3 on the European Rules on community sanctions and measures** <https://rm.coe.int/168070c09b>
- **United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules) (1990)**  
<http://www.ohchr.org/Documents/ProfessionalInterest/tokyorules.pdf>

**Confederation of European Probation (CEP)** [www.cep-probation.org](http://www.cep-probation.org)





Thank you!  
Merci!  
Dank!  
Gracias!  
Благодаря!  
Grazie!

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