

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

### **“Working Together Effectively: Management and Cooperation Models between Prison and Probation Services”**

#### ***Summary and conclusions***

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Until 2013 the Directors of probation services were invited occasionally to the Council of Europe Conferences of Directors of Prison Administration (CDAP). Since then it was officially decided to name these annual high level events “Council of Europe Conferences of Directors of Prison and Probation Services” (CDPPS). Accordingly the first such conference in the new format dealt with the definition of shared goals and shared values of the two services, often perceived as having somewhat different cultures due to their different tasks and duties (inside the confined prison area or in the community).

For apparent reasons, due to the terrorist attacks which took place in the recent years, the 2015 Conference focused on issues relating to the prevention and dealing with radicalisation and violent extremism. The 2016 Conference followed up on the issue of radicalisation and placed in its centre the role of community involvement in prison and probation work leading to better reintegration of offenders. The 2017 Conference took closer look at staff selection and training of both services, a crucial element of modern prison and probation work with rising duties and expectations placed in the first place on front line staff.

As a follow-up to the last year’s Conference in Lillestrøm, the Council of Europe has already started working on a Handbook related to staff selection, training and development. This text is aimed at assisting the prison and probation services in raising the quality and relevance of the selection and training of their staff at all levels. Naturally having a closer look at exigencies towards staff included some reflection on the organisation of the services. So unsurprisingly the 2018 Conference was dedicated to looking into different models of management and cooperation between the services. The main questions asked were: Have the Service Directors in their role of leaders and managers done what is necessary for their staff to deliver the expected outcome? Are they leading well their staff, managing their everyday work and working towards a high professional status of their services?

At first sight the mission statements, the contents and length of training, as well as the status of the European prison and probation services seem to differ rather significantly. However this does not mean that the content of their work is so much different. As the title of the 2014 Conference suggested, there are many shared goals and values. Prison services are mainly dedicated to delivering safe, secure and humane forms of custody and to enabling a more successful reintegration into society of offenders in order to reduce recidivism and better protect the outside communities. Core tasks of the probation services are the support of offenders and their families by exercising varied levels and amounts of control over offenders’ personal lives and social activities during and after the sentencing, with exactly the same goal: reducing recidivism. It is apparent that working together effectively, respectfully and trusting one another is of the highest relevance to achieving their common goals.

So after having received the warm welcoming address of the Minister of Justice of Estonia Mr Urmas Reinsalu, Mr Jan Kleijssen, Head of the Information Society and Action against Crime Directorate, Council of Europe presented the current work priorities of the Organisation in the penitentiary area and also raised the awareness of the audience regarding the positive aspects and possible problems arising from the use of modern technologies such as digitalisation and artificial intelligence. Developments which force us to concentrate on the importance of the human factor in re-socialising offenders and in helping them desist from crime.

Marianne Vollan, Director General of the Norwegian Correctional Service then spoke about seamlessness of the execution of penal sentences. In a complete synergy Mr Esa Versterbacka, Director General of the Finnish Criminal Sanctions Agency spoke afterwards about the advantages of a seamless transition of offenders on the way from serving a prison sentence to being reintegrated into society effectively with the help of the probation services and about the smooth cooperation between the services themselves.

The Conference opening session was concluded with Mr Tom O'Connor's key note speech. Mr O'Connor, who has a long-standing experience in the area of corrections, interacted with the audience during the opening session and in the workshop which followed, challenged traditional ways of thinking and reacting and presented unexpected solutions to managerial and leadership issues faced by the Directors.

### **Workshops:**

Speakers from Estonia, Finland, Bulgaria and Switzerland pointed out the benefits of joint management models. Merging services brings them closer together which leads to more understanding, bridging up tasks and missions. Prisons are often more conservative due to their primary role of keeping order and providing safety inside and outside the prison walls whereas typical probation service culture is focusing on assisting offenders and using their resources to reintegrate them as law abiding persons back into society. Both aspects are equally important. Mutual understanding can also be acquired by working together, by using temporary transfers and secondments from one service to the other. Increasing the use of probation by sanctioning more offenders with community service and by using electronic monitoring are means of reducing the prison population. Reinforcing risk assessment and risk orientated offender management demands a shared understanding of offenders' resources, needs and risks by prison and probation services. Examples coming from Finland showed that doing this work together in a merged model as professional tandem teams on the same cases at the same time intensifies mutual understanding.

Many of these experiences could be interpreted as suggesting that merging prison and probation services is the right thing to do. However there is also another way to look at it.

Speakers from Ireland, Italy and Greece showed that there is always more than one way to look at things and what seems obvious and well-functioning in one country may not be the same in another. What is clearly needed is mutual respect for one another's work, but this does not necessarily oblige managers (as put quite expressively) to "put two lions in cage", when the combination of "a lion and a mouse" may be better fit to accomplish the job. Information about the other service and trust in their professionalism can be acquired without merging the services as long as everyone knows their mission and what and why needs to be done. Sharing of information about the work of the other service can be guaranteed by other means, such as circular letters, partially joint training and joint dialogue with the other agencies.

Just like the question of joint or separate models can't be answered in one single way, the question of the benefit of private or public models can't be answered in one single way either. Obviously cost effectiveness should not be the reason for choosing "to go private". In any event, as the European Prison Rules clearly state in Rule 71: "Prisons shall be the responsibility of public authorities separate from military, police or criminal investigation services." This means that the State is the ultimate responsible authority regarding treatment of and care for prisoners, independent of whether prisons are privately or publicly run. In the same vein the Council of Europe Probation Rules state in their Rule 9: "Probation shall remain the responsibility of the public authorities even in the case when services are delivered by other agencies or volunteers".

Service Directors are challenged to make sure that their service has a clearly defined mission statement in order not to interfere with the tasks and work carried out by other criminal justice agencies and in order to adjust the amount of cooperation with the latter to the extent needed for their efficient work. Lessons learned from other countries' experiences are valuable as a source of information in times of legislative and structural reforms, but they need to be carefully adapted to the own needs of the service and to the legal and social system in place. The role of Directors is crucial in comparing, evaluating, analysing what they learn from others and taking decisions based on their own experience and expertise. As leaders they should encourage their staff to bring in their own ideas, should empower their staff and enhance their motivation. As managers they should listen to the staff's reactions and feedbacks and as leaders they should have the global vision and should show the way forward.

No decision is perfect, lessons from negative experiences are as important as positive outcomes of reforms. The best working model of services depends on the specific situation in a given country and may need adjustments and revision over time. Staff should be kept informed, associated with the process of decision taking and should be adequately trained and resourced in order to deal with the risks and needs of offenders and to help reduce re-offending by offering to the persons under their responsibility realistic chances of leading law-abiding lives.