



**Trinity College Dublin**

Coláiste na Tríonóide, Baile Átha Cliath

The University of Dublin

**Council of Europe,  
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# **Net-widening in probation: Is it all about the strings or the holes?**

***Vivian Geiran***

Adjunct Assistant Professor,  
Trinity College Dublin

Casting the net  
wide and  
somewhat  
indiscriminately?



What net?  
What goal?  
What scale?  
What cost/s?  
'Environmental'  
impact?



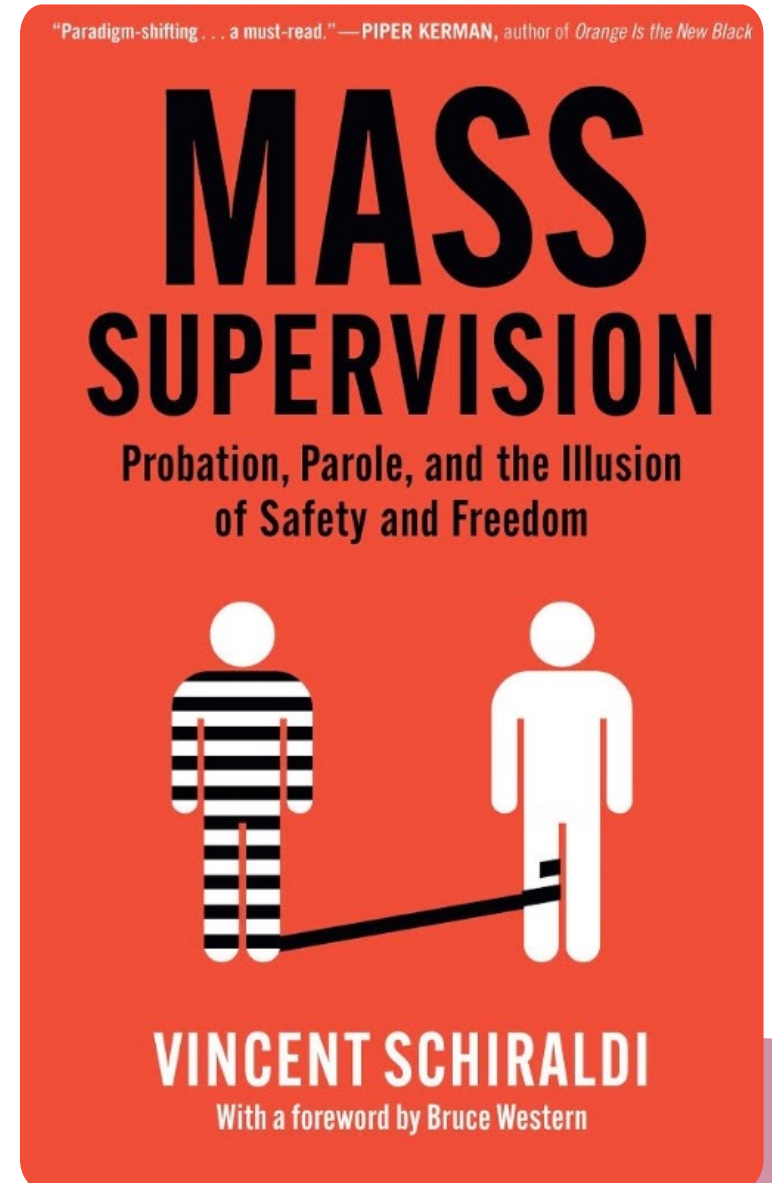
## Some Trends in Numbers



- **1,349,220 on probation supervision in Europe**, Jan. 2022 (and **981,575 in prison** – 138:100).
- Probation increase of 4.6% from 2021.
- Median probation population rate grew from 155 to 161 persons per 100,000 population.
- Increase of 5% or more in 26 jurisdictions; 13 stable and decrease of 5% or more in 5.
- Probation population higher than prison in 36 (of 41) jurisdictions.
- Highest rate of probationers to prison inmates was Belgium (591:100); lowest in Montenegro (11:100).
- Ireland on 1 April 2024: 6,339 (+1764) probation supervision : 4,889 inmates. (130 : 100).
- **Progression towards *mass incarceration* and *mass supervision*?**

# So what?

- Vincent Schiraldi on mass supervision.
- **USA – 2 million in custody; 4 million under supervision in the community**, ‘at risk of being sent to prison at the whim of a probation or parole officer for the least imaginable infraction.’

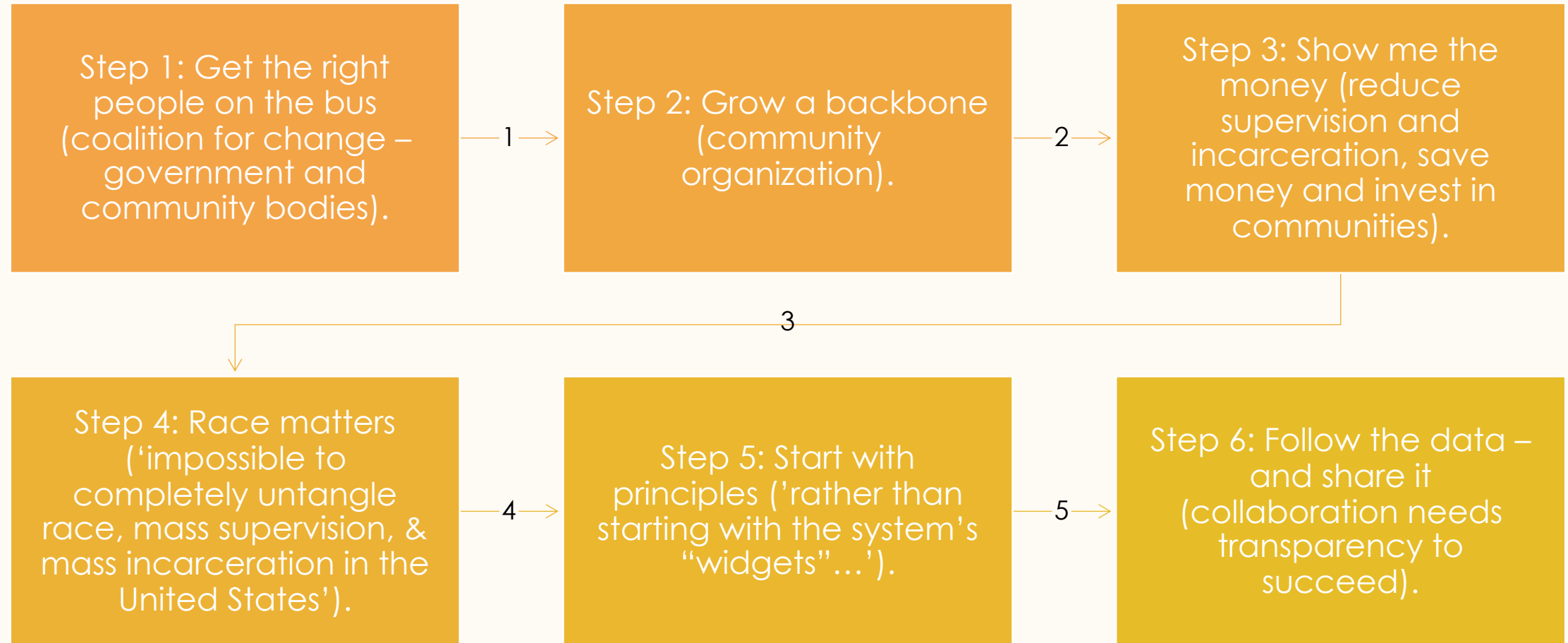


# Straw man /person

- Argues for:
  - **Incremental abolitionism.**
  - “...a reasonable approach to returning the process of supporting those who have broken the law to their neighbors. After nearly two centuries of failed government-run community supervision, it is time to give the community a shot at it.”



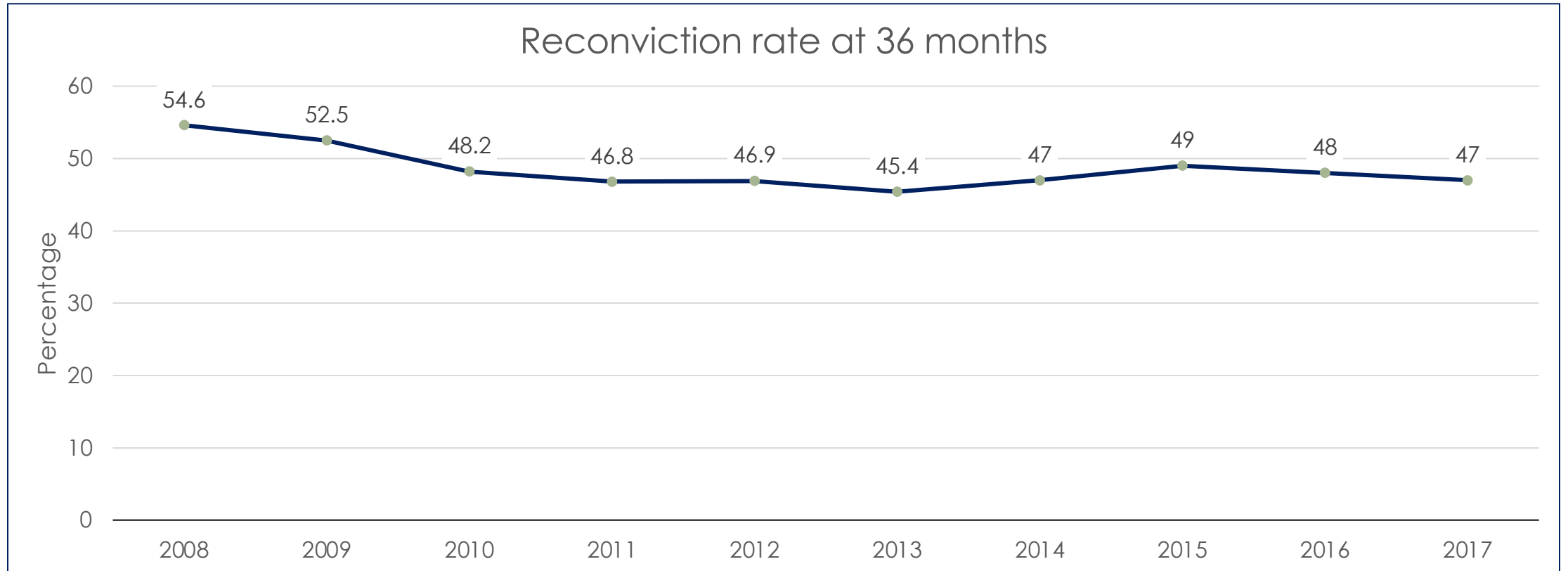
**Schiraldi (2023) argues that “community supervision is largely ineffective” and for “key steps towards piloting the elimination of mass supervision...”**




## Case Study: What may we have gotten right in Ireland?

- Police discretion and diversion programmes.
- Probation of Offenders Act, 1907 – *advise, assist and befriend*.
- Supervision during deferment of penalty.
- Lengthy 'assessments.'
- Use of dismissals (of court proceedings).
- Contributions to 'The Poor Box.'
- Separation of powers and executive management of sanctions.
- Community Return programme.
- Community Support programme.
- Fines legislation.
- Electronic Monitoring (EM).

# Irish reoffending rates by first reoffence up to thirty-six months after probation supervision\* imposed



\* Probation Orders, Community Service Orders and Post-Release Supervision Orders.



## Issues / concerns to be considered

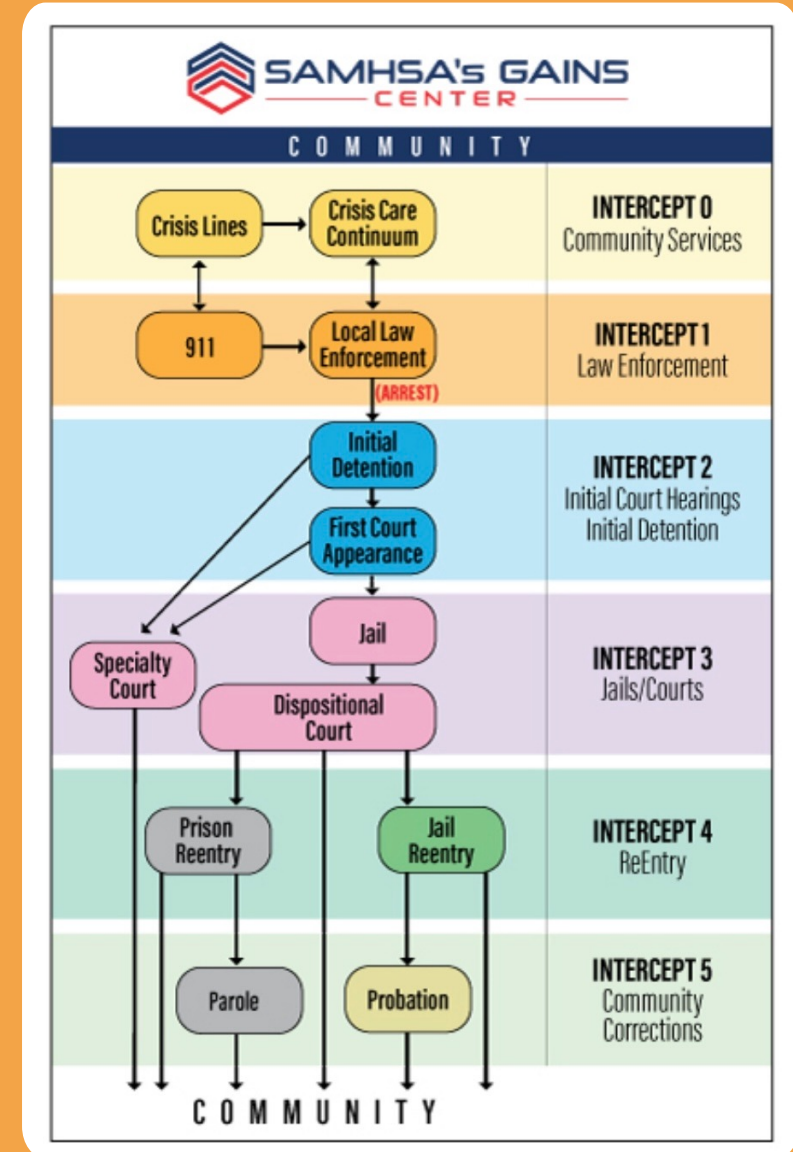
- Rising prison population: women, pre-trial, foreign nationals.
- Strategic goals and risk focus.
- Resource limitations – stock and flow.
- Pressure for efficiencies in caseload management.
- Time limits of court-ordered, supervised community sanctions.
- Organisational and professional roles and responsibilities.
- Interagency issues.
- Perceptions of community sanctions.



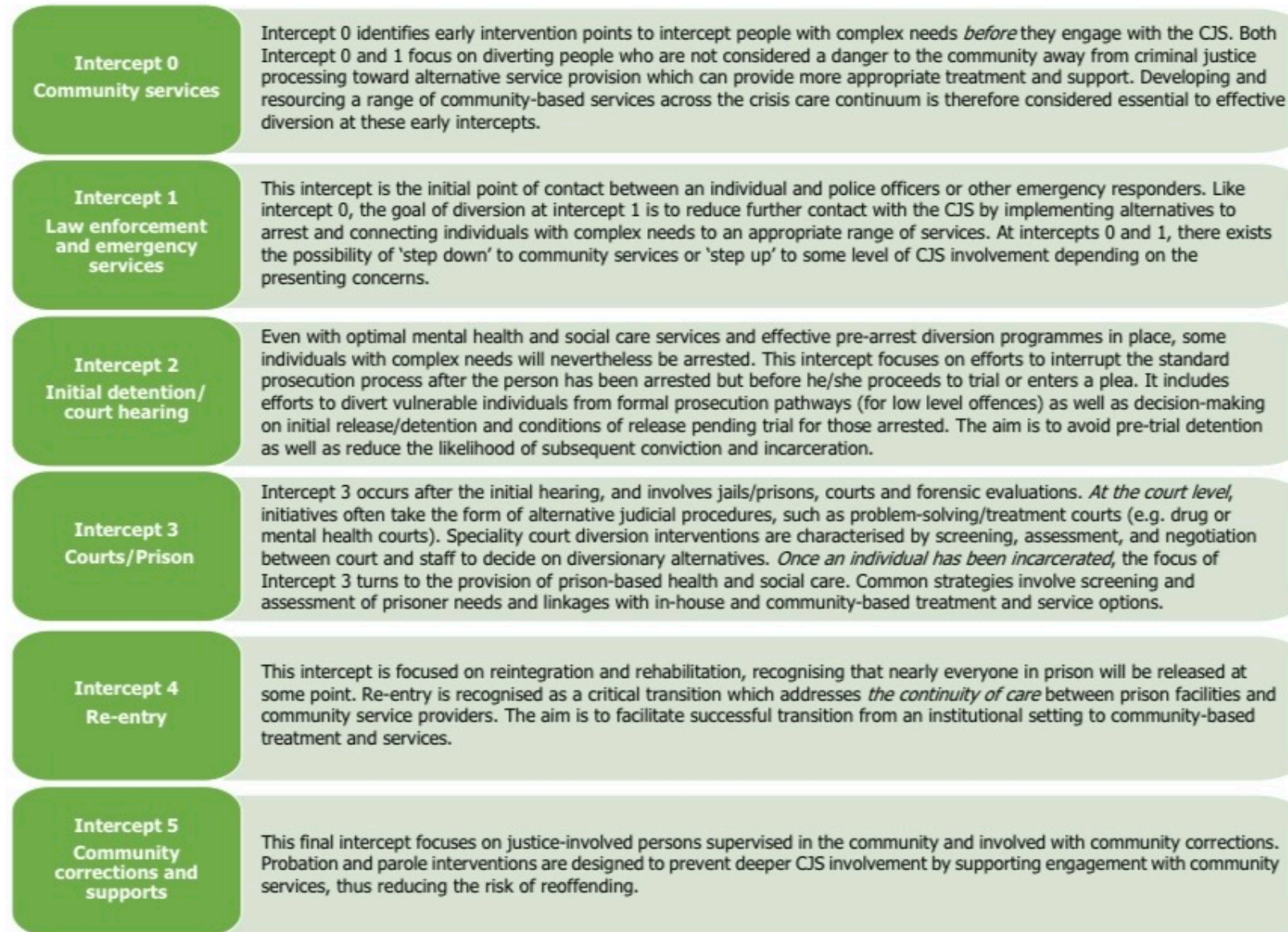
For the future

- Consider / see the bigger picture. System as **system**.
- **Probation** Service as '**thought leaders**' in criminal justice.
- Update – but don't abandon the intentions of – Probation of Offenders Act, 1907.
- Pass the Community Sanctions Bill.
- Use Electronic Monitoring (EM) judiciously?
- Community development and capacity building as part of probation role.
- More diversion (and intervention?), including pre-trial.

# Sequential Intercept Model



# Mooney, S., et al (2024) The 'Sequential Intercept Model' – a trauma-informed diversionary framework, HMIP: Academic Insights 2024/01.



## HMIP Paper (2024): Key Messages



More focused /  
individualized?  
How accurate  
and  
appropriate?



Maximum  
targeting  
and  
accuracy?





## Revisit Schiraldi (2023)

- Step 1: Get the right people on the bus (coalition for change – government and community bodies).
- Step 2: Grow a backbone (community organization).
- Step 3: Show me the money (reduce supervision and incarceration, save money and invest in communities).
- Step 4: Race matters ('impossible to completely untangle race, mass supervision, and mass incarceration in the United States').
- Step 5: Start with principles ('rather than starting with the system's "widgets"...').
- Step 6: Follow the data – and share it (collaboration needs transparency to succeed).

Do no harm. Leave things and people better off, if possible. Remove the 'hook' and 'stain' of contact.





# End Thank you

[geiranv@tcd.ie](mailto:geiranv@tcd.ie)

X / Twitter: @Vgeiran

LinkedIn