



PROBAČNÍ A MEDIAČNÍ SLUŽBA

**PROBATION AND
MEDIATION
DEVELOPMENT
CONCEPT UNTIL 2025**

Motto:

We are unable to eliminate criminality. Nevertheless, we seek to initiate new stories in the lives of offenders, victims and all other people affected by crime.

The objective of our work is to ensure these are success stories characterized by positive changes.

Table of Contents

Introduction	1
1. Strategic goal: Guiding the offender towards a law-abiding life.....	4
Specific goal 1.1: Handing down alternative punishments and applying diversions appropriately.....	7
Specific goal 1.2: Increasing the effectiveness of the educational measures imposed on the offenders who fail to abide by the conditions of the alternative punishment	10
Specific goal 1.3: Intensifying direct work of the PMS with the offender as well as his/her family while probation is being performed.	12
Specific goal 1.4: Integrating offenders into their communities.....	14
Specific goal 1.5: Increasing effectiveness of multidisciplinary cooperation in the course of post-penitentiary care as well as strengthening cooperation between the state and the private sectors	21
2. Strategic goal: Developing an effective system of services for victims	23
Specific goal 2.1: Supporting services for victims at PMS contact points	25
Specific goal 2.2: Ensuring accessibility and implementation of a technology that enhances victim safety	26
Specific goal 2.3: Enhancing multidisciplinary cooperation while addressing the needs of crime victims.....	28
Specific goal 2.4: Unifying procedures applied by ministries with respect to crime victim care in the Czech Republic.....	29
3. Strategic goal: Improving community safety	30
Specific goal 3.1: Performing more effective analyses of offenders' needs and risks as well as monitoring them while they serve alternative sentences	32
Specific goal 3.2: Making inter-body cooperation in high-risk offender probation cases more effective	33
Specific goal 3.3: Enhancing safety of the PMS staff while they perform their probation-related duties.....	34
4. Strategic goal: Ensuring the PMS continues to operate effectively	35
Specific goal 4.1: Implementing such HR policies within the PMS that put emphasis on motivation as well as ensure the employees are provided with sufficient care	37
Specific goal 4.2: Ensuring adequate maintenance and supply for the performance and development of probation and mediation	39
Specific goal 4.3: Monitoring the quality of probation and mediation services being provided	

as well as developing these services by introducing necessary innovations and/or analysing their effectiveness	41
5. Sources of financing.....	43
a) Sources of financing costs of human resources	43
b) Sources of financing for investment projects	43
c) Sources of financing for IT development	43
Conclusion	44
List of abbreviations used.....	45
Basic terms used	47
Bibliography	48

Introduction

Probation services, which ensure alternative sentences and sanctions are duly served, are an integral part of criminal justice throughout the developed world. The Czech Republic commenced building its system of probation and mediation (conceived as an indispensable element as far as handing down alternative sentences is concerned) in 1996 to conclude in 2000 when Czech Act No. 257/2000 Sb., on Probation and Mediation Service, as amended, was passed (the PMS started operation on January 1, 2001). This made handing down and exercising alternative sanctions possible in the sense that a well-staffed organization emerged that would ensure this objective is fulfilled. Simultaneously, conditions that apply to exercising and implementing restorative strategies while addressing criminal matters were set down. The activities performed by the Probation and Mediation Service (PMS) are constituents of a modern and rationally developed criminal policy of the Czech Republic.

Considering the PMS has existed for sixteen years it is highly advisable to formulate goals and objectives that will shape how the PMS develops in the future. As restorative justice is a dynamic branch, the PMS puts emphasis on constantly enhancing its professional strategies related to work with offenders and crime victims by systematically evaluating its own performance as well as by taking into consideration external sources. The PMS monitors current trends in probation and mediation as well as participates in research carried out by institutions from the Czech Republic and abroad. Additionally, it cultivates international partnerships that provide inspiration regarding proven methods and best practices applied elsewhere. The experience and the findings the PMS has compiled in the course of its existence are taken into account in, and form the basis of, this strategic document. The Probation and Mediation Development Concept until 2025 (hereinafter also referred to as “PM Concept“, “PMS Concept“, “Probation and Mediation Concept“, or “Concept“) contains, without limitation, goals that are in line with the relevant EU recommendations¹, legal documents of high significance that make provision regarding performance of probation and mediation on the EU level.

The PM Concept presents goals to be achieved with respect to future development of the system of probation and mediation in the Czech Republic as well as with respect to the PMS, an organization whose professional activities contribute to preventing crime, minimizing risks of recidivism, providing solutions to crime-related conflicts, and ensuring victims are taken care of accordingly.

¹ Recommendation No. R (99) 19 of the Committee of Ministers to member states concerning mediation in penal matters;
Recommendation No. R (92) 16 of the Committee of Ministers to member states on the European Rules on community sanctions and measures;
Recommendation Rec (2006) 2 of the Committee of Ministers to member states on the European Prison Rules;
Recommendation CM/Rec (2010) 1 of the Committee of Ministers to member states on the Council of Europe Probation Rules;
Recommendation CM/Rec (2014) 4 of the Committee of Ministers to member states on electronic monitoring;
Recommendation No. R (85) 11 of the Committee of Ministers to member states on the position of the victim in the framework of criminal law and procedure;

Recommendation No. R (87) 21 of the Committee of Ministers to member states on the assistance to victims and the prevention of victimization;
Recommendation No. R (97) 20 of the Committee of Ministers to member states on social reactions to juvenile delinquency;
Recommendation No. (97) 12 of the Committee of Ministers to member states on staff concerned with the implementation of sanctions and measures;
Recommendation Rec (2000) 22 of the Committee of Ministers to member states on improving the implementation of the European Rules on community sanctions and measures;
Recommendation Rec (2003) 22 of the Committee of Ministers to member states on conditional release (parole);
UN Standard Minimum Rules for Non-custodial Measures - Resolution 45/110;
European Convention on the Supervision of Conditionally Sentenced and Conditionally Released Offenders of Nov 30, 1964 (ratified by the Czech Republic on Jul 11, 2002 under ID No. 75/2002 Sb.m.s.);
Council Directive No. 2004/80/ES of Apr 29, 2004 relating to compensation to crime victims;
Directive 2012/29/EU of the European Parliament and of the Council of Oct 25, 2012 establishing minimum standards on the rights, support and protection of victims of crime.

Global goal

Enhance the quality of probation and mediation in the Czech Republic.

Cooperate with all the participating bodies with an objective to create a systematic method of dealing with offenders and crime victims.

Protect the community from recidivism and its consequences.

The PM Concept being presented is primarily a strategic document for the PMS. As there is a considerable variety of topics associated with how the PMS works with offenders and crime victims, the authors of the PM Concept are aware of the necessity to interconnect it with other strategic documents.² These include the strategic documents making provision regarding activities of judicial authorities since it is the work of these authorities to which probation and mediation as performed by the PMS is the most closely linked. In addition, what is equally important is how the activities of the PMS and other bodies (units managed by other ministries, state authorities, and non-profit organizations) are interconnected.

While the PMS staff are conceived of as being the primary users of the PM Concept, the document is also designated for any other unit that cooperates closely with the PMS and whose scope of activities includes shared goals and objectives. These are, without limitation, law enforcement authorities and the Czech Republic Prison Service (Vězeňská služba ČR). The PM Concept also introduces probation and mediation development goals to bodies that provide associated services to offenders and/or crime victims. These include self-governing bodies, state bodies and private non-profit organizations.

In addition, the PM Concept includes information that may be used for the purposes of planning related to maintenance and supply as well as human and financial resources, and also for the purposes of ensuring provision of these resources (failure to provide these resources may result in the stated intentions not being fulfilled). Finally, the PM Concept is perceived as a possible source of information based on which decisions regarding crime policy trends (and,

more specifically, a concept of how it is to develop in the future) are made.

A group of experts from the Ministry of Justice of the Czech Republic, Probation and Mediation Service, Czech Republic Prison Service, Supreme Court, Prosecutor General's Office, and other institutions including academic and private institutions were asked to participate in creating the PM Concept. Panel discussions and consultations took place, all significant aspects of the matters in question were addressed, and a number of goals and measures to fulfil them were agreed upon.

² Prison Service Concept Until 2025 (Konceptce vězeňství do roku 2025);
Czech Republic Criminality Prevention Strategy for 2016-2020 (Strategie prevence kriminality v ČR na léta 2016 až 2020);
Strategy for Combating Social Exclusion for 2016-2020 (Strategie boje proti sociálnímu vyloučení na období 2016-2020);
e-Justice Development Strategy of the Czech Ministry of Justice (Strategie Ministerstva spravedlnosti ČR v oblasti rozvoje e-Justice);
Czech Police Development Concept until 2020 (Konceptce rozvoje Policie ČR do roku 2020);
Czech Republic National Research, Development, and Innovations Policy for 2016-2020 (Národní politika výzkumu, vývoje a inovací ČR na léta 2016–2020).

The goals that seek to perform professional activities and implement new technologies are prioritized.

Strategic goals list

- 1. Guiding the offender towards a law-abiding life*
- 2. Developing an effective system of services for victims*
- 3. Improving community safety*
- 4. Ensuring the PMS continues to operate effectively*

An identical methodological procedure is applied in each of the chapters. Each of the chapters comprises four parts:

1. strategic goal;
2. current condition, i.e. a description of the present state is provided, and those problematic areas that need to be addressed in the PM Concept are identified;
3. specific goals list;
4. specific goals are succinctly described and specific measures to fulfil these goals are clearly identified.

1. Strategic goal: Guiding the offender towards a law-abiding life

Czech Republic's sanctions-related legislation changed dramatically after a new Criminal Code (Czech Act No. 40/2009 Sb.) had been adopted. The new codification is based on the belief that protection of democratic governments and democratic communities as well as individual persons' rights, freedoms, health, and property must primarily be ensured by non-criminal sanctions. Not only is imprisonment perceived in the new Criminal Code as the 'ultima ratio' measure within the system of sanctions³. It should also be noted that in addition to ensuring retaliation for the offense that has been committed, the criminal law also seeks to achieve adequate satisfaction to crime victims as well as reintegrate offenders socially.⁴ The body responsible for application of such restorative justice principles and functions in the Czech Republic is the PMS.

Social reintegration and long-term guidance of offenders towards a law-abiding life is referred to in professional literature as 'desistance'. This individual-centred process may only be supported efficaciously by probation if all the necessary prerequisites for effective, individual-focused, and intensive performance of probation are fulfilled. Research from the Czech Republic⁵ as well as abroad⁶ documents the effectiveness of probation both as a form of punishment and as a measure to support the process of guiding offenders towards law-abiding lives. One of the key features that enhance effectiveness of the desistance process is engaged

personal contact with offenders; the PMS employees must be provided with sufficient amount of time to spend with offenders so that they can perform thorough analyses of the risks associated with the offenders as well the offenders' needs with respect to motivating them to lead law-abiding lives. Handing down alternative sanctions in suitable cases, responding effectively to failures to comply with these sanctions, and engaging in personal contact form a group of three prerequisites that must be met to ensure alternative sentences are effectively carried out by the offenders and the offenders are successfully led to live law-abiding lives.

Alternative sanctions may only be imposed in such justifiable cases in which imposition of them is educationally meaningful, i.e. the risks of the offender avoiding the sanctions and/or failing to provide necessary cooperation have been minimized in advance. This may be achieved by pre-negotiating about sentences as well as taking into account expert advice from the PMS regarding sentence imposition. These are also mechanisms that ensure demonstrably better enforcement of alternative sentences.

³ Scheinost, M., Válková, H., et al. (2015). *Sanction Policy and How It Is Applied (Sankční politika a její uplatňování)*. Prague: ICSP.

⁴ Explanatory Memorandum to Criminal Code Proposal, Part I - Introduction (Důvodová zpráva k návrhu trestního zákoníku, I. Obecná část), 2009.

⁵ See e.g. Scheinost, M., Válková, H., et al. (2015). *Sanction Policy and How It Is Applied (Sankční politika a její uplatňování)*. Prague: ICSP.; Hulmáková, J., & Rozum, J. (11-12 2012). Current Sanction Policy Trends in the Czech Republic (Aktuální trendy sankční politiky v ČR). *Criminal Law Journal (Trestněprávní revue)* 11-12, 256-262; Rozum, J., Kotulan, P., Tomášek, J., Špejra, M. (2013). *Juvenile Probation Programs (Probační programy pro mladistvé)*. Prague: ICSP. ISBN 978-80-7338-114-1; Rozum, J., Kotulan, P., Tomášek, J. (2008). *Effectiveness of Supervision over Conditionally Released Persons (Účinnost dohledu u osob podmíněně propuštěných)*. Prague: ICSP. ISBN 978-80-7338-073-1; Rozum, J., Kotulan, P., Háková, L., Nečada, V., Diblíková, S. (2005). *Imposition of Unconditional Sentences and their Alternatives (Ukládání nepodmíněného trestu odnětí svobody a jeho alternativy)*. Prague: ICSP; Rozum, J., Háková, L., Tomášek, J., & Vlach, J. (2016). *Recidivism as a Metric of Criminal Policy Effectiveness (Recidiva jako měřítko účinnosti trestní politiky)*. *Criminal Law Journal* 9; Rozum, J., Jarkovská, L., Kotulan, P. (2004). *The Institute of Supervision over Conditionally Released Offenders (Institut dohledu u podmíněného propuštění): Final Research Report (Závěrečná zpráva z výzkumu)*. Prague: ICSP. ISBN 80-7338-026-9.

⁶ See e.g. Dowden, Craig and D. A. Andrews (2004). *The Importance of Staff Practice in Delivering Effective Correctional Treatment: A Meta-Analytic Review of Core Correctional Practice*. *International Journal of Offender Therapy and Comparative Criminology* [online]. 48(2), 203–214 [retrieved 2017-07-31]. ISSN 0306-624X, 1552-6933. Available on: doi:10.1177/0306624X03257765; Hankinson, Ian and Philip Priestley (2010). *Diversity and Effectiveness in Probation: The One-to-One Programme in West Mercia*. *Probation Journal* [online]. 57(4), 383–399 [retrieved 2017-07-31]. ISSN 0264-5505. Available on: doi:10.1177/0264550510381328, Farrall, Stephen (2002).

Long-Term Absences from Probation: Officers' and Probationers' Accounts. *The Howard Journal of Criminal Justice* [online]. 41(3), 263–278 [retrieved. 2017-07-31]. ISSN 1468-2311. Available on: doi:10.1111/1468-2311.00241.

Mcculloch, Trish (2005). *Probation, Social Context and Desistance: Retracing the relationship*. *Probation Journal* [online]. 52(1), 8–22 [vid. 2017-07-31]. ISSN 0264-5505, 1741-3079. Available on: doi:10.1177/0264550505050623.

The PMS seeks to protect the purpose of alternative sentences as well as the organization’s reputation and respect in the eyes of offenders. To that end, the PMS must inspect regularly and effectively whether alternative sentences are carried out properly as well as respond expediently and adequately to failures, if any, to comply with the conditions of the sentence, preferably in close cooperation with the supervising prosecuting attorney and court.



The mission that the PMS declares publicly and that the community requests from the PMS – i.e. to mediate negotiations whose objective is to draw up a damages settlement agreement between an offender and a victim while an alternative sentence is being carried out; reduce negative effects of crimes on the lives of victims; and to motivate offenders to start (or continue living) a law-abiding life (thereby supporting the process of desistance) – may only be fulfilled by the PMS on condition that the PMS staff have a chance to address adequately the specific needs of each victim and each offender. The staff member must keep in touch with these individuals personally and on a regular basis as well as engage professionally in finding solutions to their problems. Also, considering the aforementioned, the PMS must put special emphasis on work with juveniles and children under 15 years of age.

A greater degree of individualization of how offenders and crime victims are treated (and how the necessary services are provided to them) needs to be supported not only by gradually increasing the number of the PMS staff members and simultaneously decreasing the number of cases per a staff member, but also by enhancing specialization of the team and developing their professional qualifications. Moreover, qualified mentors and volunteers must be engaged so as to support and complement the activities of the PMS. Also, an interconnected system making cooperation between the PMS and other state and private units/bodies possible is perceived as an opportunity to ensure more effective work of the PMS with offenders and crime victims alike.

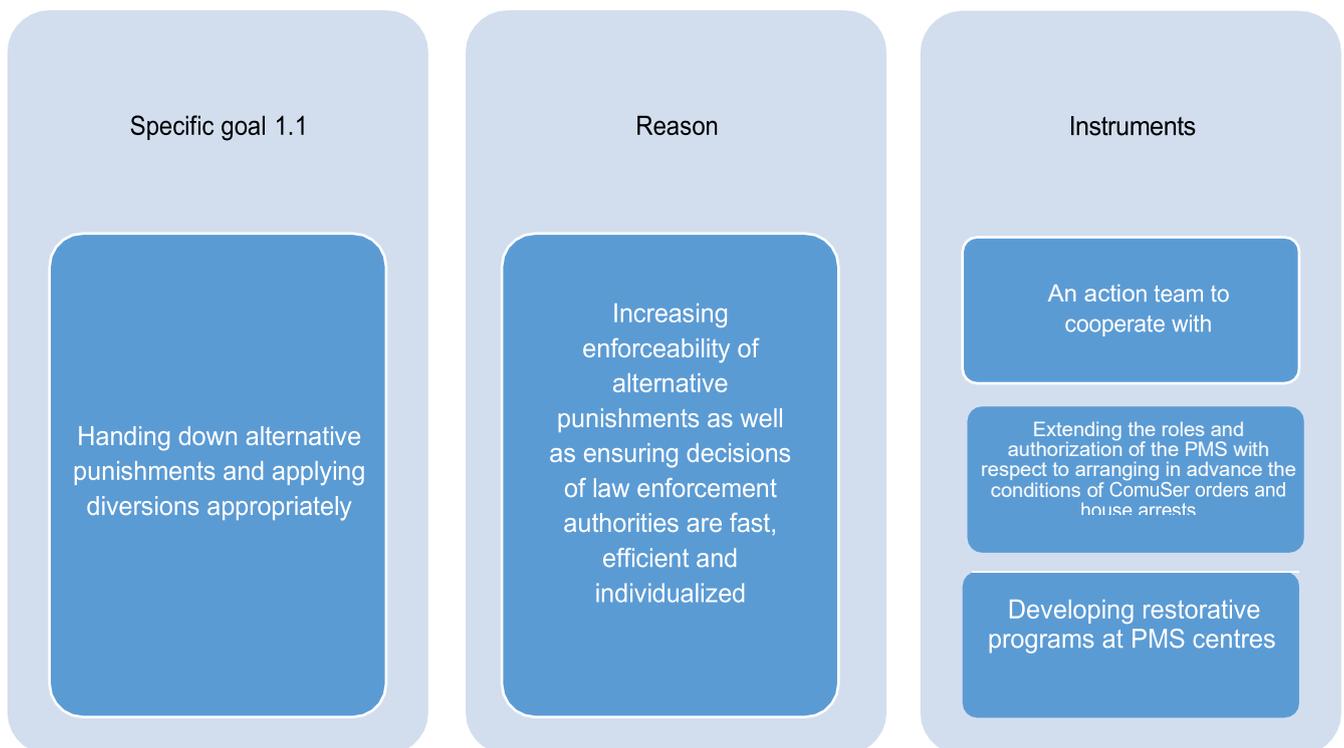
Repeat offenders face a number of issues the existing Czech response system is unable to address due to the lack of effective resocialization – or other – programs. This is the case despite the fact that available research from abroad, among other sources, demonstrates that offenders need to be offered not only personal support and guidance, but also group work forms (to be performed while imprisoned, after release from prison, and in the course of probation) to integrate them successfully into the community. These are probation and resocialization programs that respond effectively to the needs and problems of offenders and, as a result, support demonstrably the desistance process.

The following relevant specific goals have been set to ensure these preliminary intentions are fulfilled and the current quality of the practice is enhanced:

Specific goals list:

- 1.1. *Handing down alternative punishments and applying diversions appropriately*
- 1.2. *Increasing the effectiveness of the educational measures imposed on the offenders who fail to abide by the conditions of the alternative punishment*
- 1.3. *Intensifying direct work of the PMS with the offender as well as his/her family while probation is being performed*
- 1.4. *Integrating offenders into their communities*
- 1.5. *Increasing effectiveness of multidisciplinary cooperation in the course of post-penitentiary care as well as strengthening cooperation between the state and the private sectors*

Specific goal 1.1: Handing down alternative punishments and applying diversions appropriately

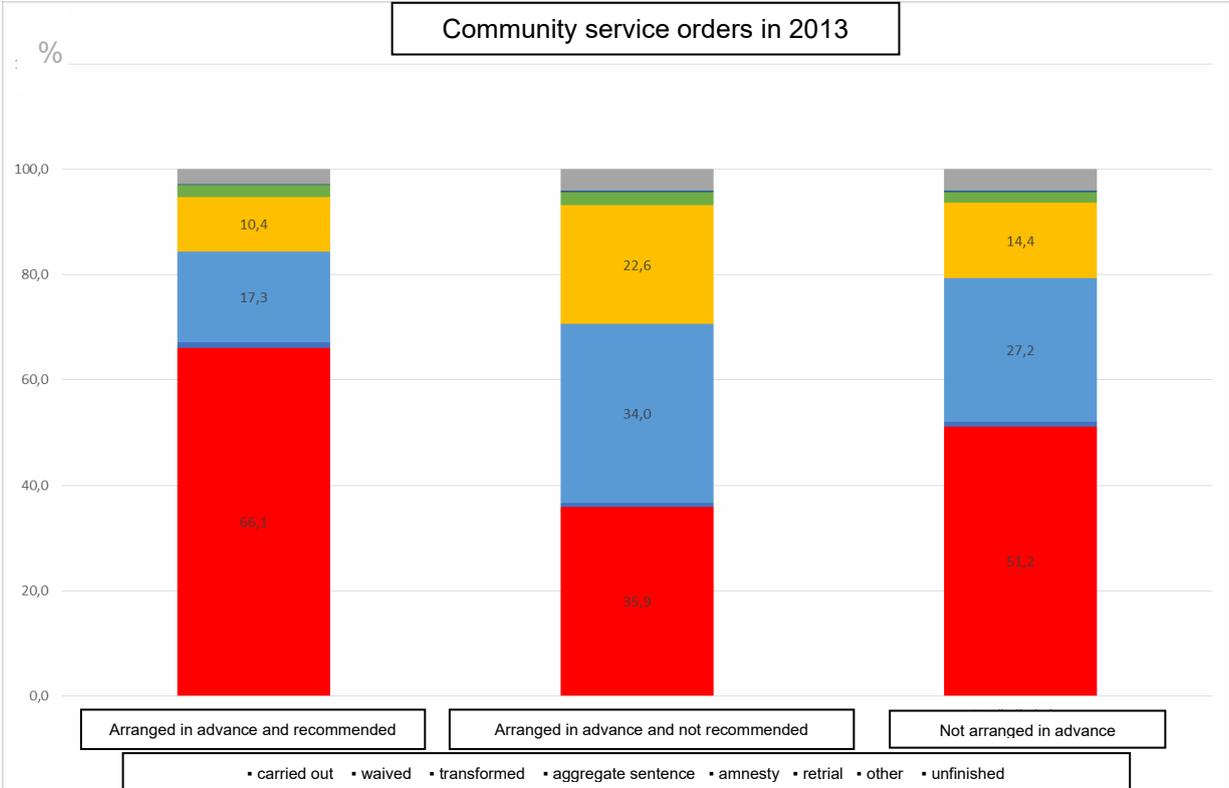


Alternative punishment effectiveness is contingent upon such punishments being handed down appropriately; this presupposes offenders are familiar with the conditions of such punishments, and they are prepared as well as motivated to actually serve the punishments. This type of punishment should only be imposed on those offenders who can be expected to learn from them (i.e. imposition is meaningful). Also, an offender must be familiar with the

conditions of his/her punishment prior to such a punishment being handed down. The PMS may propose imposition of appropriate restrictions and assigned duties on an accused person based on an analysis of risks and needs of such a person as well as on the specific crime victim’s needs and interests.

Diversions may only be applied successfully on condition the circumstances connected with the offender and the victim are known (i.e. the steps taken to deal with the consequences of the crime; the offender’s attitude as far the crime in question is concerned, etc.). Such information is provided by the PMS to the law enforcement authorities based on personal interaction and experience with the victim and the offender in the course of mediation or another restorative program. A considerable number of judges and public prosecutors perceive requesting a punishment imposition report from a PMS staff member as a procedural act that elongates criminal proceedings. Apparently, the system consisting in activity reporting results in the judges and public prosecutors being encouraged to prioritize expeditiousness of proceedings rather than the principle of personalized punishment, which in turn affects negatively punishment effectiveness. The result is the courts are forced to hear cases repeatedly and hand down additional decisions in enforcement proceedings. To illustrate, community service orders frequently transform into incarceration if a PMS report is not taken into account prior to punishment imposition (see Graph 1).

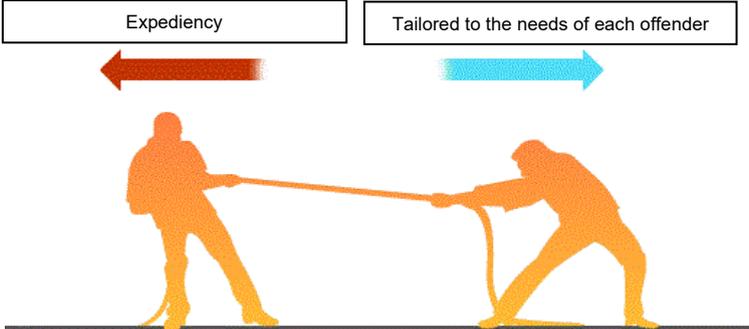
Graph1: Community service orders in 2013 - enforceability



Source of data: PMS Headquarters

Considering the figures above, alternative punishment enforceability and effectiveness of diversions in criminal proceedings may only be increased by: arranging punishments in

advance; taking into account PMS reports regarding their imposition; and by the law enforcement authorities cooperating with the PMS during pre-trial and trial stages. The court decides whether or not someone is guilty and what punishment will be imposed. If an alternative punishment is imposed on a convicted person and the PMS is responsible for ensuring such a punishment is being duly carried out, it is necessary to extend the PMS' competence (which also includes providing it with partial decision-making power). As a result, the ordering that the sentence be carried out and the actual carrying out of the sentence will become faster in administrative terms as well as more effective in how it educates the offender.



Instruments to achieve the goal:

1. Forming such an action team for cooperation that is responsible for preparing a proposal that states legislative as well as non-legislative changes promoting the principle of individualization while applying diversions and imposing alternative sentences, i.e. changes that ensure the PMS possesses sufficient competencies at the pre-trial and trial stage; the changes to consider include, without limitation, making the courts obliged to request a PMS report prior to handing down an alternative punishment.

Proposing a solution to the fact a convicted person lacks valid insurance while he/she carries out a community service order – the issues yet to be resolved include, without limitation, how damages will be compensated for if a convicted person becomes injured while carrying out a community service order.

- **Body responsible for application:** PMS
- **Participating bodies:** Ministry of Justice of the Czech Republic, Supreme Court of the Czech Republic, Prosecutor General's Office, Czech Association of Judges (soudcovská unie)

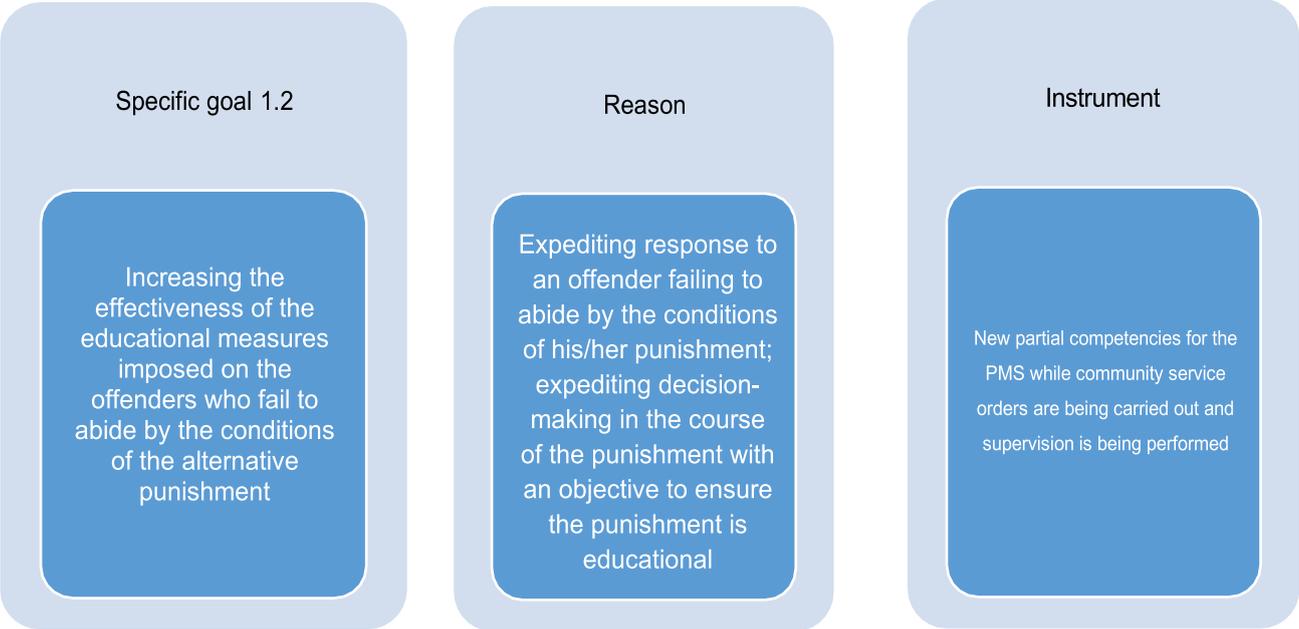
2. Ensuring the courts are motivated sufficiently to consult documents and reports from the PMS while handing down, without limitation, community service orders and house arrest sentences.

- **Body responsible for application:** Ministry of Justice of the Czech Republic
- **Participating bodies:** PMS, Prosecutor General's Office, Supreme Court of the Czech Republic

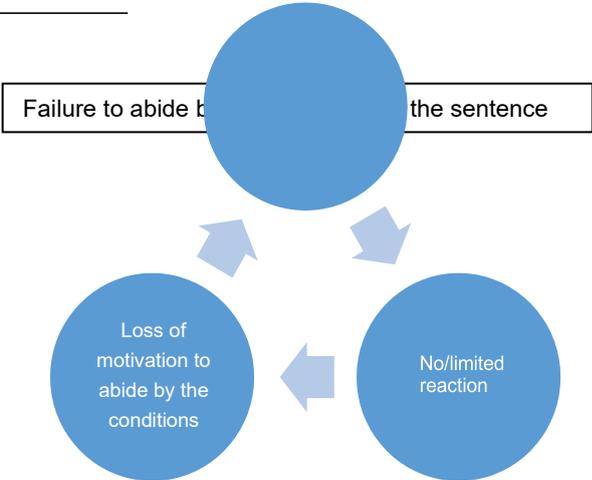
3. Developing restorative programs at PMS centres – train the staff members to be able to organize restorative conferences, ensuring these conferences are provided at each PMS centre. Support the use of additional forms of restorative programs.

- **Body responsible for application:** PMS
- **Participating bodies:** law enforcement authorities, Authority for Social and Legal Protection of Children (orgán sociálně-právní ochrany dětí), local self-government, state and private organizations

Specific goal 1.2: Increasing the effectiveness of the educational measures imposed on the offenders who fail to abide by the conditions of the alternative punishment



Responding quickly to an offender failing to abide by the conditions of his/her punishment is one of the prerequisites to ensure alternative punishment effectiveness. Still, the courts frequently fail to respond to PMS reports in an expedited manner. What is more, sanction policy research⁷ states the lack of expedited reaction on the part of the courts is the most significant supervision-related issue: three fourths of the sample of probation officers criticized the work of the courts, the common denominator being limited (or non-existent) reaction on the part of the courts to PMS reports regarding failures to abide by the conditions of supervision. It can be argued that the system must respond promptly and appropriately to any failure to comply with the conditions of the punishment. Otherwise neither the basic objective of alternative punishment, nor respect of offenders for the PMS can be maintained.



⁷ Scheinost, M., Válková, H., et al. (2015). Sanction Policy and How It Is Applied (Sankční politika a její uplatňování). Prague: ICSP.

A considerable portion of the activities of the PMS are related to community service orders. In addition to the aforementioned, the PMS's position is further aggravated by the fact that there is a lengthy and administratively complex decision process whereby the court orders that a sentence be carried out. This necessitates the court and the PMS centre with territorial jurisdiction cooperate, resulting in an administrative burden for both bodies. This is the responsibility of higher court clerks who virtually always approve proposals from the PMS without interfering actively with the process. If these responsibilities were transferred to the PMS, the process of the courts ordering that a sentence be carried out would be expedited. Additionally, this would mean fewer responsibilities for the courts without compromising the courts' authority to convert a community service order, interrupt it or waive it.

Instruments to achieve the goal:

4. Seeking to obtain new partial competencies for the PMS in the course of carrying out a community service order and supervision – ensuring the law enforcement authorities are able to respond promptly to PMS reports regarding a failure to abide by the conditions of an alternative punishment including, without limitation, supervision. Analyzing the possibility of, and considering transferring decision-making powers (such powers that decide where a community service order is to be carried out and whether or not it is to be changed) from the courts to the PMS.

- **Body responsible for application:** Ministry of Justice of the Czech Republic
- **Participating bodies:** PMS, Supreme Court of the Czech Republic, Prosecutor General's Office

Specific goal 1.3: Intensifying direct work of the PMS with the offender as well as his/her family while probation is being performed



The PMS has been understaffed for a long period of time. This problem is especially resonant when the number of the PMS staff and the scope of professional activities they perform are contrasted with the standards of other probation services throughout Europe.⁸ This affects negatively **the amount of time that may be spent with an offender with an objective to educate him/her**. It could be argued that the PMS can only ensure the process of desistance is commenced successfully if its staff are able to address the specific needs of each offender. The European Probation Rules emphasize that the staff responsible for performing probation must consist of a sufficient number of people to be able to achieve the goals of probation effectively. Workload on each employee must be such that does not prevent them from supervising, leading, or providing assistance to crime offenders effectively and with the human touch; additionally, each employee must have an opportunity to cooperate with offenders' families and victims on an as appropriate basis. To that end, the number of the PMS professional staff must be increased.



⁸ The PMS staff address approximately 30 thousand cases each year, about 12 thousand of which are at pre-trial stage and roughly 18 thousand at enforcement stage. The average number of probation cases per each PMS staff member is currently 72 although 23 additional cases are addressed as part of mediation activities. In contrast, only 40-50 cases of convicted persons per a staff member a year is considered to be standard abroad. What is more, probation services abroad typically do not provide services to crime victims.

Instruments to achieve the goal:

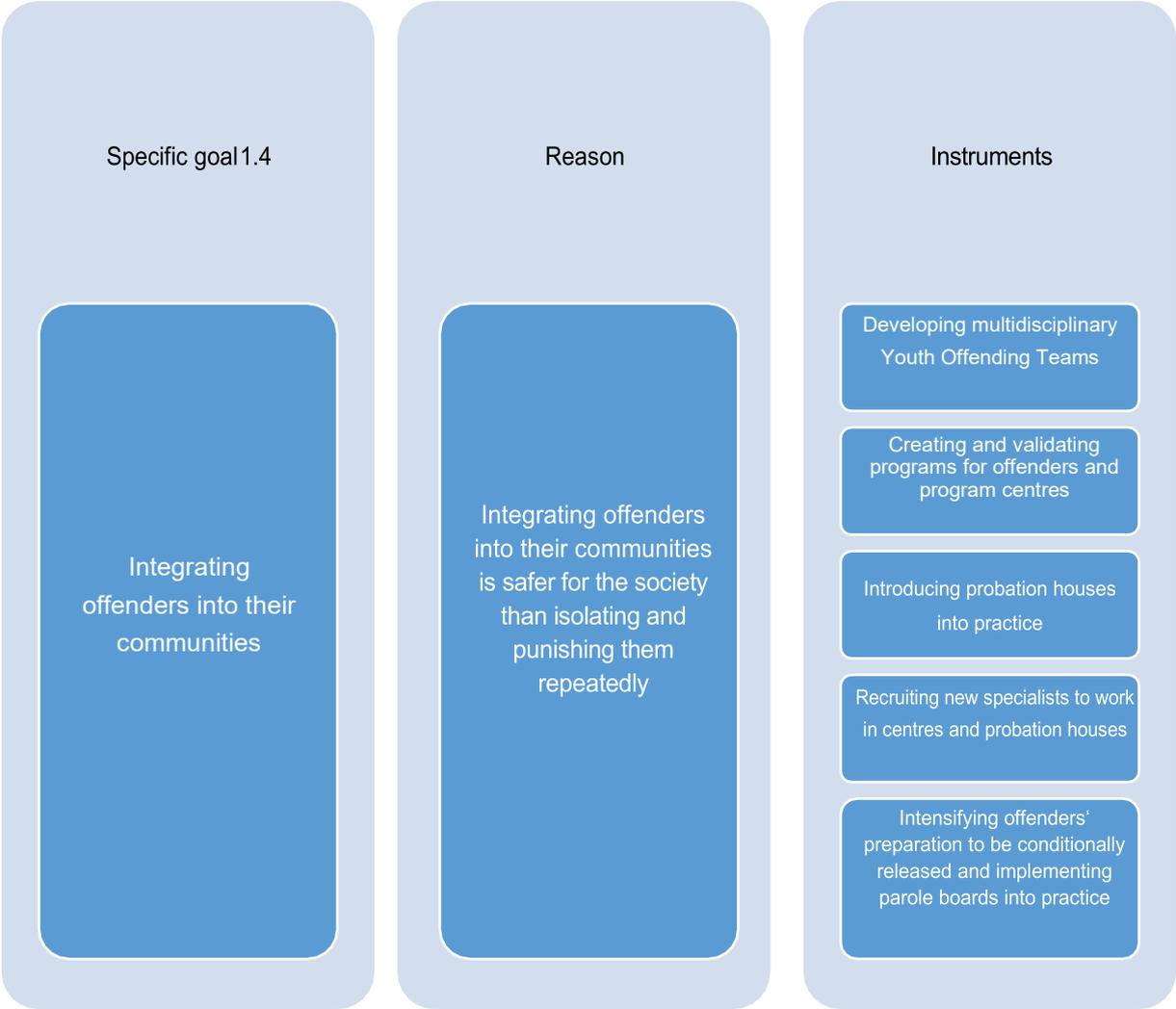
5. Creating and applying staff member case workload standards common in the EU countries. Optimizing the numbers of professional staff members at centres to ensure only 50-60 probation cases are addressed by one PMS staff member, facilitating individualization of how probation is performed.

- **Body responsible for application:** PMS
- **Participating bodies:** Ministry of Justice of the Czech Republic

6. Making regular administrative actions electronic; this means performance of these actions is more efficient and the staff members require less time to perform them. The saved time can thereafter be used to work directly with offenders.

- **Body responsible for application:** PMS
- **Participating bodies:** Ministry of Justice of the Czech Republic

Specific goal 1.4: Integrating offenders into their communities

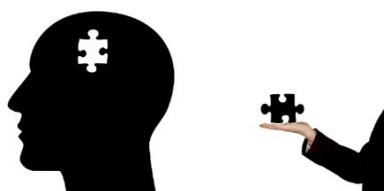


The PMS, which is bound to comply with Czech Act No. 218/2003 Sb. (the Juvenile Justice Act), also works with children under 15 years of age who have committed unlawful acts. Such work requires a multidisciplinary approach as the bodies and people involved in addressing these cases include, in addition to the PMS and law enforcement authorities, the family, school, youth curator, non-profit sector, and other institutions. Therefore, it is necessary to coordinate the activities of each of the parties involved to ensure effective and timely juvenile crime prevention as well as effective intervention in how juvenile crime is addressed. Experience from the Czech Republic and abroad shows multidisciplinary cooperation that takes place between the parties involved on the local level and that has the form of “Youth Offending Teams” is absolutely essential. These teams, which are currently established in a number of judicial districts in the Czech Republic, include representatives from the PMS, law enforcement authorities, and other bodies whose activities focus on high-risk juveniles and their families. It should also be noted that what these teams presently lack is coordination and active support of their activities on the national level.

The PMS has extensive long-standing experience with Youth Offending Teams as most of these teams, which are established in a majority of judicial districts throughout the Czech

Republic, are directed by its representatives. The PMS continues to fulfil its intention to standardize the functions performed by Youth Offending Teams by means of project activities. However, the degree of institutionalization and expansion of Youth Offending Teams currently exceeds the limits of what the PMS is legally authorized to do. The PMS has cooperated with the Ministry of the Interior to achieve standardization of functions performed by Youth Offending Teams since 2004 – a methodology for a so called Timely Intervention System (which includes Youth Offending Teams) was created. Also, the Ministry of the Interior has carried out partial institutionalization by introducing the Timely Intervention System (TIS) into the practice in some judicial districts. Subsequently, these responsibilities were assumed by the Ministry of Labour and Social Affairs of the Czech Republic, an institution that is authorized to manage, in terms of methodology, the activities of the TIS including Youth Offending Teams. Regrettably, the full potential of Youth Offending Teams to address juvenile crime as it is described abroad remains untapped in the Czech Republic. It is therefore advisable that the authorized ministry cooperates with the relevant bodies to ensure this goal is achieved. The PMS is to continue supporting the activities of Youth Offending Teams on the local level by remaining active representatives therein as well as by contributing up-to-date insights obtained abroad.

An additional long-term issue that remains unsolved is non-systematic provision of probation and reintegration programs to both juveniles and adults. These programs are mostly organized by non-profit organizations as part of social services; also, they are provided based on the needs of the PMS as well as availability and regional specifics. These organizations must comply with Czech Act No. 108/2006 Sb., on Social Services, in the course of work with offenders, which means a client must participate in a program voluntarily. As far as offenders under supervision from the PMS are concerned, it must be ensured that orders are duly enforced and respected by offenders. This requires a change in how clients are worked with in probation resocialization programs.



There are a number of issues that providers of social services face in addition to differences in how clients are worked with. These include a limited number of staff members, limited operational capacity as well as the fact that a permission (registration) to provide social services must be obtained and obligations of a provider of social services must be fulfilled. Another issue is procurement of funds to finance such services – these are typically obtained from grant titles and calls for projects. Such a concept of a system (i.e. a system that implements programs for the needs of the PMS) exacerbates the issue of these programs being locally unavailable as well as the issue of it being difficult to find a sufficient number of quality providers. In practical terms, this means the PMS faces a long-term problem of there not being enough probation and reintegration programs for offenders (i.e. programs that contribute to positive changes in offenders' behaviour and, as a result, reduce the risk of

recidivism). This is despite the fact that experience from abroad shows that using such programs is necessary while working with offenders.

Evaluation research from abroad has helped to delineate gradually basic principles that boost program effectiveness. A program must contain a clearly formulated model of causes of crime. Such a model must also rely on positive empirical evidence as well as make use of recidivism risk assessment tools. Finally, the model must activate resources within the offender that inspire him/her to change his/her behaviour. Methods which are based on cognitive-behavioural approaches and which take into account dynamic interactions between a specific person's mindset, feelings and behaviour at the moment a crime is committed were identified as the most effective. Differences between recidivism rates (such that were measured abroad) in people who have completed restorative programs and in people that constitute a control group range from 10 to 13%, and are even higher in other program types.

So far the PMS has dealt with the lack of appropriate and locally available programs by implementing projects. It is due to these projects that the PMS possesses know-how to implement a number of programs that have been piloted in practice. Such programs boost offenders' motivation to undergo addiction treatment, enhance their ability to maintain a regular job and safe housing as well as teach them how to manage their financial situation and reduce debt. In addition, these programs are designed to curb aggression, promote safe driving habits, and enhance offenders' sense of responsibility for what happened to victims. In the Czech Republic, probation and resocialization programs are created and provided by the non-profit sector and financed by grant proceedings implemented by the ministries (Ministry of Justice, Ministry of Labour and Social Affairs, Ministry of Education, Youth, and Sports, and Ministry of the Interior). The issue is that grant titles are insufficiently coordinated, resulting in the programs actually existing only in some judicial districts. What needs to be emphasized in this regard is that it is the fact that a program is performed in an offender's own community that increases substantially effectiveness of the program. There is evidence showing that intervention that takes place close to an offender's place of residence may be expected to be more likely to ensure an offender gains important practical skills.

These findings correspond to criminal career research findings, which argue that a number of significant factors and life events that motivate an offender to start a law-abiding life are associated with his/her socioeconomic environment. Therefore sanctions and measures taken in the community frequently prove more effective than isolating an offender in prison or any other correctional facility. It is due to this that most countries have probation services that develop programs for offenders. Granted, to what extent these help to curb recidivism is always contingent upon each offender's motivation to live a law-abiding life. In general terms, however, it seems that programs focused on changing criminal mindsets may have a significant positive impact, particularly at early stages of desistance process.

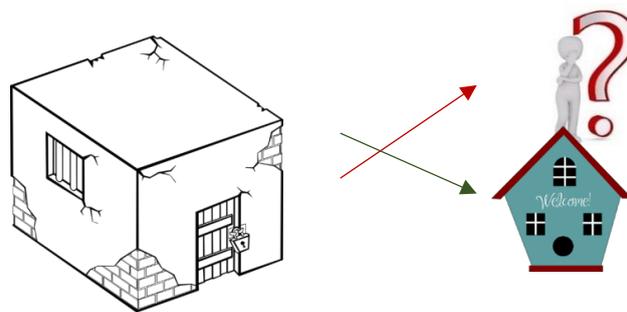
In the Czech Republic, probation programs of this kind (i.e. such as they are defined in Czech Act No. č. 218/2003 Sb) are primarily used for the purposes of work with juvenile offenders. The problem is their number fails to correspond with the current needs of the judicial districts.

What has also been often criticized for a long time is the limited offer of resocialization programs for adult offenders. Research which was carried out by the Czech Institute of Criminology and Social Prevention and which focused on probation programs for juveniles⁹ confirmed that program availability depends on how involved locally active non-profit organizations are and what opportunities they have. Sadly, a number of districts lack this type of measure completely.

⁹ Rozum, J., Kotulan, P., Tomášek, J., Špejra, M. (2013). Juvenile Probation Programs (Probační programy pro mladistvé). Prague: ICSP. ISBN 978-80-7338-114-1.

Eight new **program centres** to be managed by the PMS are a systematic solution to these practical issues. These ensure quality, availability, and financing are guaranteed by the state. The centres are conceived as providing group programs to offenders. Also, they are to cooperate with providers of other programs performed within a community as well as trained volunteers and mentors with an objective to enhance offenders' skills and ability to live a law-abiding life. The program centres are to be available at the level of judicial regions, constituting part of the continuous process of reintegrating offenders into the community. The programs will be performed by specialized PMS staff – program tutors whose task will be to cooperate with the PMS so as to increase effectiveness of probation. If necessary, teams of tutors from the program centres will travel to areas administered by other PMS centres in order to increase offender program availability in judicial districts.

Worth special notice are issues related to educational treatment of convicted imprisoned persons while they carry out their sentence as well as while they prepare to be released and subsequently integrate into real life. What is requisite in this regard is that the Czech Republic Prison Service, PMS, local self-government bodies and other state and private bodies cooperate. Special emphasis must be put on the period during which offenders prepare to be released as well as the first few months thereafter. These issues are to be addressed by the PMS by launching a special long-stay program referred to as **a probation house**, a program type that is currently missing in the Czech Republic. The program, which is intended to extend the scope of how conditionally released offenders can be worked with, tightens supervision over conditionally released offenders during the first phase of release, i.e. the phase that seeks to find solutions to the key needs of offenders such as debt, lack of housing, and unemployment). This is because research from the Czech Republic and abroad shows these circumstances affect recidivism rates the most dramatically.



The pilot project implemented by the PMS between 2015 and 2016 indicates a considerable degree of interest of offenders in participating in the project. What is also evident is the decrease in costs the state must pay: the costs per one person placed in a probation house amount to approximately one fourth of the costs per one imprisoned person. The pilot operation of the probation house also pointed out the limits of the existing decision making practice of the courts as far as conditional release and provision of care to conditionally released persons is concerned. Probation houses are to complement the existing system of how persons conditionally released from prison are treated including, without limitation, those conditionally

released offenders who are in need of stricter supervision from the PMS in the first months after release. The pilot project results as well as experience from abroad show the probation house project is a novel and innovative instrument that can be used to increase the probability of successful integration of offenders into the community, filling in a blank space in the system of how persons conditionally released from prison are treated.

The PMS has cooperated closely with the Czech Republic Prison Service since 2008 to make adjudication of conditional release more efficient as well as to intertwine the penitentiary and post-penitentiary care. This is to be achieved by implementing projects seeking to develop **parole boards**. Presently, parole boards provide services in 18 prisons across the Czech Republic (a project that is to continue being implemented by the PMS until 2020). Parole boards ensure parole conditions are evaluated professionally, impartially and comprehensively, providing the court with a recommendation based on which the person is, or is not, to be conditionally released. If conditional release is recommended a proposal is presented that includes measures to decrease recidivism risk in the course of the probation stage of conditional release, to address the victims' needs, and to enhance community safety. A three-member parole board consists of representative from the PMS, the Prison Service and other professionals including, without limitation, social curators and other experts.

The PMS seeks to collaborate with other partners involved in the system of justice to ensure legal institutionalization of parole boards in the Czech Republic. The PMS puts emphasis on those offenders who are to be supervised upon conditional release (it should be noted the word "parole" is typically used abroad with respect to this purpose, and this is also the word the PMS uses to refer to its activities related thereto) being involved actively in creating a safe release plan even when they are still imprisoned. It is imperative that offenders are guided towards preparing for the moment they are released as well as that the prison, state and private bodies, and the PMS participate in providing this intensive guidance. Experience from abroad shows active preparation of imprisoned persons and their being subsequently (i.e. upon conditional release) subjected to intensive supervision and guidance from the PMS result in a decreased recidivism risk. Intensive support of and supervision over an offender conditionally released from prison – especially in the first six months after release – increases the chance of him/her integrating successfully into the community and starting a law-abiding life.

The PMS supports additional measures taken by the Prison Service whose aim is to prepare offenders for life outside prison. These include, without limitation, the project called Open Prison (Otevřená věznice).

Instruments to achieve the goal:

7. Ensuring Youth Offending Teams can continue to perform activities and develop as well as institutionalizing and standardizing their activities.

- **Body responsible for application:** Ministry of Labour and Social Affairs of the Czech Republic, Ministry of Justice of the Czech Republic

- **Participating bodies:** Ministry of the Interior of the Czech Republic, PMS, Ministry of Education, Youth and Sports of the Czech Republic
8. A gradual launch of program centres, specialized PMS offices that provide, on the level of judicial regions, locally available programs tailored to the specific needs of each offender. The objective of an available and standardized set of programs is to ensure offenders are assigned to appropriate programs in a timely manner, which is intended to educate them and help them while they integrate into the community. Four standardized programs for offenders are to be introduced into the practice of these centres including procedures to assess their effectiveness during probation: 1) a program called Stop, Think and Change, which is intended to change how an offender perceives crime (ZZZ – Zastav se, zamysli se, změň se); 2) a program called Against Violence whose aim is to curb aggression (Proti násilí); 3) a program that enhances offenders' sense of responsibility for what happened to victims; 4) a program that motivates reckless drivers to start driving safely.
- **Body responsible for application:** Ministry of Justice of the Czech Republic, PMS
 - **Participating bodies:** Czech Republic Prison Service, Office for Government Representation in Property Affairs – OGRPA (appropriate spaces)
9. Introducing probation houses into practice. A long-stay program for conditionally released offenders requires that suitable spaces are provided for probation houses, professional staff are trained, and legislation is adjusted appropriately. What is also imperative is that there is functional cooperation with the Prison Service, judges who adjudicate conditional release, and other organizations that work with people who have finished serving their custodial sentence.
- **Body responsible for application:** Ministry of Justice of the Czech Republic, PMS
 - **Participating bodies:** Czech Republic Prison Service, Office for Government Representation in Property Affairs – OGRPA (appropriate spaces)
10. Hiring program centre and probation house specialists to ensure the PMS is able to provide these services. Training probation specialists to perform additional professional activities. Program centres are to employ youth and adult program tutors while probation houses are to employ social workers and other professionals. It is intended that maintenance and administrative staff are among those who take part in ensuring operation of probation houses.
- **Body responsible for application:** Ministry of Justice of the Czech Republic
 - **Participating bodies:** PMS
11. Intensifying offenders' preparation for being conditionally released and institutionalizing parole boards in the Czech practice. The planned objective of the PMS and the Prison Service is to make use of experience from the Czech Republic and abroad to intensify offenders' preparation for being conditionally released as well as to strive, by means of close cooperation with the supporting services, for a greater degree of interconnectedness of the

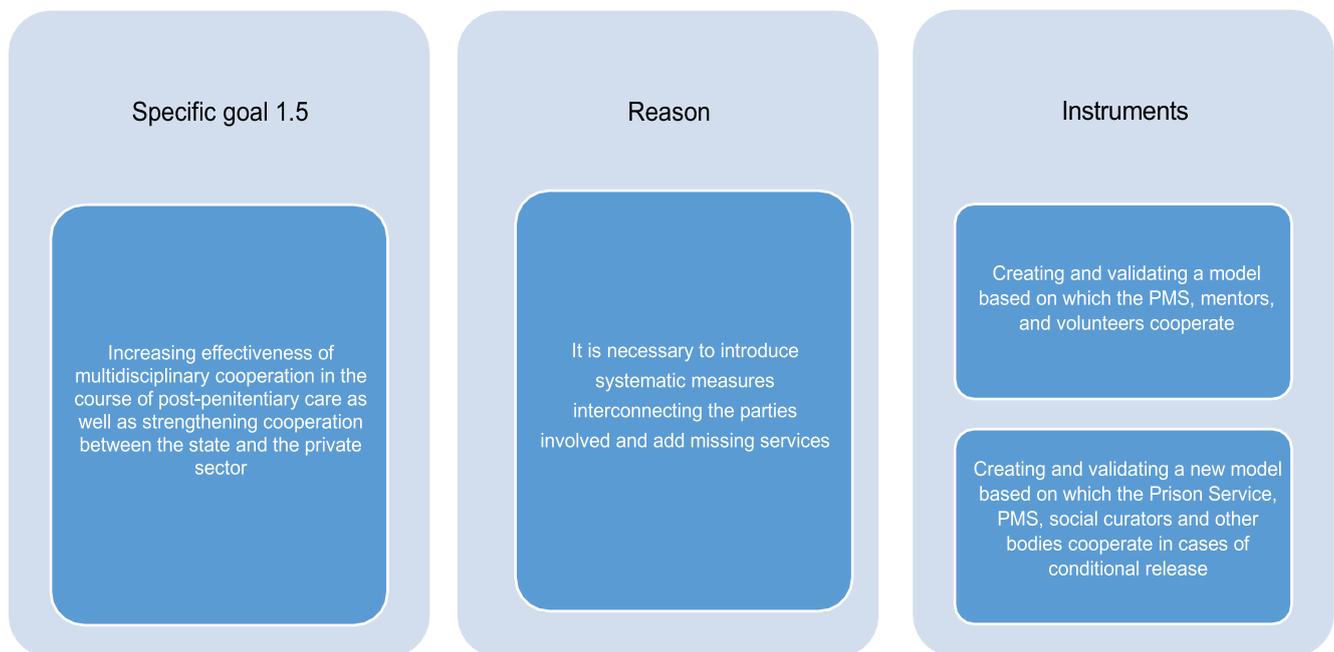
penitentiary and post-penitentiary system of how criminals are treated.

- **Body responsible for application:** Ministry of Justice of the Czech Republic, PMS
- **Participating bodies:** Prosecutor General's Office, Supreme Court of the Czech Republic, Ministry of Labour and Social Affairs, Czech Republic Prison Service

12. Raising the issue of legal requirements related to integrity of selected professions that may constitute an obstacle to employing people who have been released from serving their custodial sentence; this is to be done with reference to the results of the analysis prepared as part of executing tasks contained in the Prison Service Concept Until 2025.

- **Body responsible for application:** Ministry of Justice of the Czech Republic, PMS
- **Participating bodies:** Ministry of Labour and Social Affairs, Czech Republic Prison Service

Specific goal 1.5: Increasing effectiveness of multidisciplinary cooperation in the course of post-penitentiary care as well as strengthening cooperation between the state and the private sectors



A multidisciplinary approach must be used while working with criminals. In addition to crime-related problems an offender frequently deals with other serious issues as well including those that are related to bad lifestyle and those that arise out of unlawful acts performed earlier. That is the reason why the PMS cooperates with locally available services while working with offenders, seeking to engage mentors and volunteers including, without limitation, those who specialize in working with families of problematic children, with offenders who live in socially excluded localities, and with conditionally released offenders. This is conceived as ensuring offenders are provided adequate support while they deal with everyday situations. Mentoring is to be used by the PMS to enhance alternative punishment enforceability as well as increase offenders' motivation to comply with court-assigned duties and to live a law-abiding life. Similarly, volunteers are expected to provide such assistance to offenders who have finished serving their custodial sentences that helps them to manage stressful and problematic real-life situations. The PMS intends to cooperate closely with the private non-profit sector to include volunteer services in the activities performed by the planned program centres. An additional objective is to interconnect this effort with the effort being currently put forth by the Ministry of the Interior of the Czech Republic with respect to Czech Republic Volunteer Involvement Concept (Konceptce rozvoje dobrovolnictví v ČR) – i.e. launching volunteer centres with regional and field availability.

Those who have been released from serving their custodial sentence must frequently face debt, housing and occupational issues, addiction, etc. That is why the PMS emphasizes an inter-ministry systematic approach; the necessity to perceive work with offenders in complex

terms; the focus on future release; and the measures that reduce recidivism effectively. It is the intention of the PMS and the involved partners to implement a model of regular communication and cooperation of the local community and the prison so as to assist imprisoned offenders in returning to the community. The goal is to address employment, housing, and financial issues (debt) convicted persons might have prior to and upon being released from prison.

Instruments to achieve the goal:

13. Cooperating with the Ministry of the Interior of the Czech Republic and the private non-profit sector to create and validate in practice a model based on which the PMS, mentors, and volunteers cooperate while working with criminals and their families.

- **Body responsible for application:** PMS
- **Participating bodies:** Ministry of Justice of the Czech Republic, Ministry of the Interior of the Czech Republic, Ministry of Labour and Social Affairs of the Czech Republic, Czech Republic Prison Service

14. Creating and validating in practice a new model based on which the PMS, social curators, and other bodies cooperate in cases of conditional release. Strengthening multidisciplinary cooperation of the PMS and the Prison Service, local self-government and other bodies engaged in social politics. Implementing the project called Fragile Chance II (Křehká šance II) to validate in practice the program named Restorative Practice Development (Rozvoj restorativní praxe) that presupposes local self-government bodies, prisons, the PMS, employers, private non-profit organizations, the public, and other units communicate on a regular basis.

- **Body responsible for application:** PMS
- **Participating bodies:** Ministry of Justice of the Czech Republic, Czech Republic Prison Service, Ministry of Labour and Social Affairs of the Czech Republic, Ministry of the Interior of the Czech Republic

2. Strategic goal: Developing an effective system of services for victims

Each modern developed society must care about crime victims. This is a highly relevant comment considering the fact that approximately 40 thousand people become victims of crime in the Czech Republic every year.¹⁰ In the Czech Republic, services to victims are mostly provided by non-governmental organizations. State institutions implement, depending on the scope of their activities, additional measures, but their service portfolio and regional availability remains insufficient compared to the actual needs of victims. It should be noted, however, that support of children has increased dramatically when compared to the period prior to Czech Act No. 45/2013 Sb., on Crime Victims, becoming effective. The system of how victims are treated consists of a variety of programs and procedures that are applied in good faith and at the discretion of the bodies involved. Having said that, the system fails to be developed in a coordinated fashion, which is characterized by the absence of a shared set of opinions related thereto.

Private non-profit organizations offer help to crime victims as do, to the maximum extent permitted by law, attorneys and the PMS staff. Crime victims are also provided assistance by police interventionists, and work with these people also involves professionals employed by or otherwise associated with healthcare, educational, social, and other facilities. The Ministry of Justice as well as other ministries have made continuous improvement in how the spaces where victims are worked with are adjusted to suit this specific purpose. What has also been gradually improved is the equipment used while working with victims. The Czech Republic has a system of crime victim care that consists of some of the program types that have proven successful even abroad. Additional program types are missing in the Czech practice, though. Also, there are two questions that have not been given a fair amount of attention – the question of how these services are to be financed and the question of availability of free legal consultation. A unified strategy agreed upon by all the involved parties is therefore necessary to achieve further development of an interconnected system of services for victims and its stabilization. What is equally important is that this topic is backed by the ministry and that new measures including new program types (such that have proven effective abroad) are launched to increase gradually the effectiveness of the system of crime victim care.



Trained professionals provide assistance to children at PMS centres (pursuant to Czech Act No. 45/2013 Sb., on Crime Victims, and Czech Act No. 257/2000 Sb., on the PMS). Most frequently, this assistance includes restorative programs (mediation and restorative conferences) and provision of legal information.

¹⁰ “2016 Czech Republic Internal Security and Public Order Report” (Zpráva o situaci v oblasti vnitřní bezpečnosti a veřejného pořádku na území České republiky v roce 2016). Ministry of the Interior of the Czech Republic, Department of Security Policy and Crime Prevention, May 2017, <http://www.mvcr.cz/clanek/zprava-o-situaci-v-oblasti-vnitri-bezpecnosti-a-verejneho-poradku-na-uzemi-ceske-republiky-v-roce-2016.aspx>.

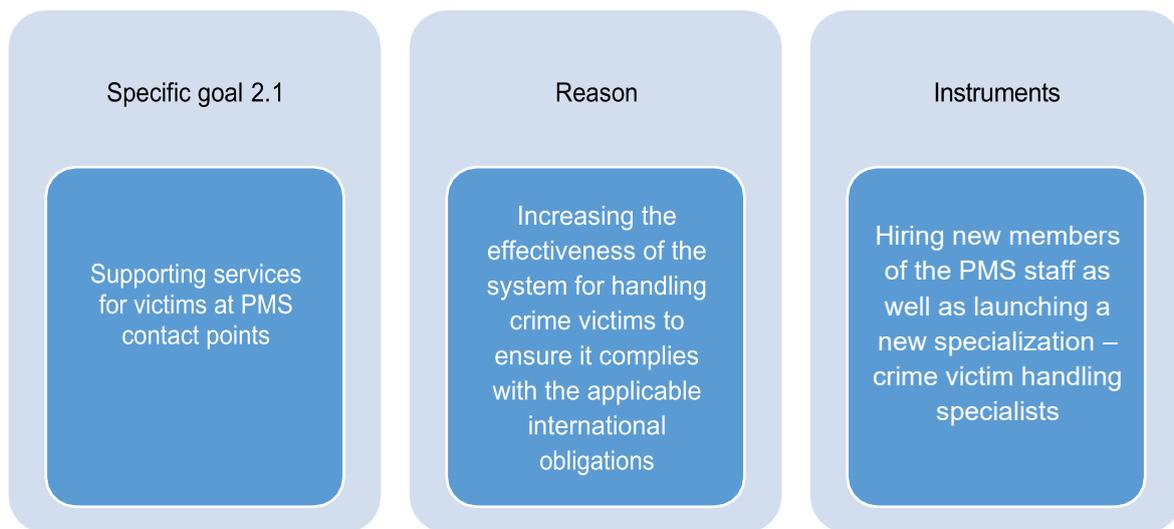
Moreover, the PMS provides victims with additional services such as seeing them to official meetings although these are limited and subject to locally available resources. All the 74 PMS centres have been providing assistance (to the extent permitted by law) to crime victims since the Crime Victim Act was passed.

When the Crime Victim Act had been passed, the PMS centres in the Czech Republic were organized into sections so as to ensure each judicial district has a centre that features a contact point for crime victims. This is where victims can be provided with personal support while they deal with an issue; information that helps them to understand the situation; and contact details of additional locally available services – all free of charge. The quality of these services is guaranteed by the state as is required by the internationally applicable legislation (specifically, Directive 2012/29/EU of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of victims of crime) with which the Czech Republic must comply. It should also be noted that emphasis must start to be put on whatever measures are available that can enhance victim safety. Modern technologies that monitor how offenders behave towards victims (i.e. an electronic victim contact surveillance system that ensures an offender abides by the restraining order whereby he/she must keep a certain court-prescribed minimum distance from the victim) have gradually become widely used abroad.

The following specific goals may be laid down based on the general situation and circumstances connected with the systematic solution to services for victims (i.e. the situation and circumstances which are related closely to performance of probation and mediation):

Specific goals list:

- 2.1 Supporting services for victims at PMS contact points*
- 2.2 Ensuring accessibility and implementation of technologies that enhance victim safety*
- 2.3 Enhancing multidisciplinary cooperation while addressing the needs of crime victims*
- 2.4 Unifying procedures applied by ministries with respect to crime victims in the Czech Republic*



Specific goal 2.1: Supporting services for victims at PMS contact points

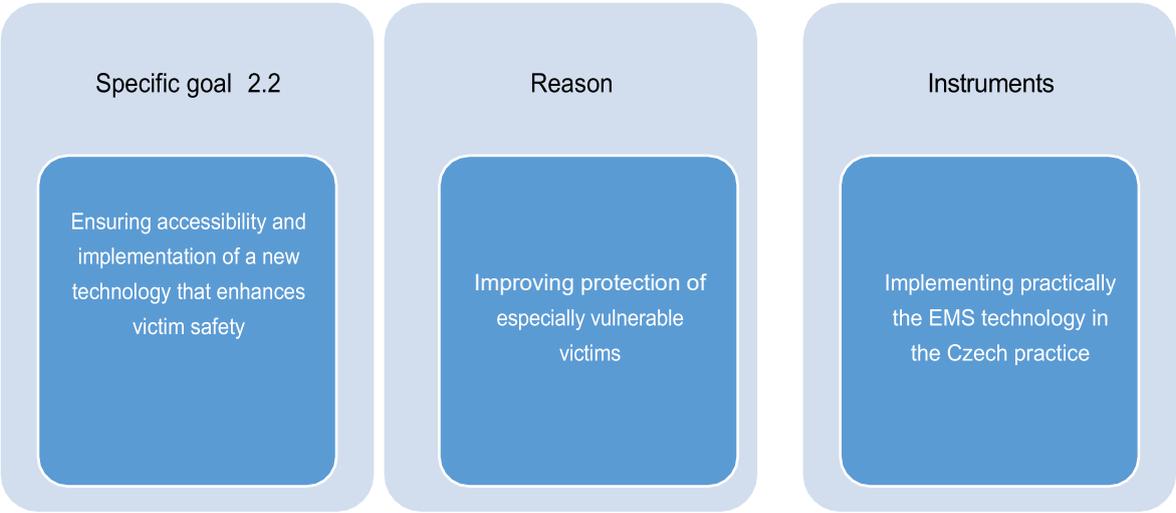
Although the passing of the Crime Victim Act meant that the scope of work the PMS did with crime victims had to be extended, no additional human resources have been hired. The result is the employees of the PMS may only dedicate a limited amount of time to work with victims as there are a number of other probation-related activities they must perform. While it is true that PMS centres offer locally available services to victims, it should also be noted that the PMS staff are unable to attend to victims appropriately by failing to address properly the actual needs of the victims and/or to ensure compliance with the Crime Victim Act and the applicable Recommendation of the Council of Europe, and the applicable international legislation. The PMS considers its inclusion in the list of professional services that work with victims, to be valuable. Since inception, the service has striven to develop the restorative approach, i.e. addressing consequences of unlawful acts in active presence of those who committed them, their victims, and the community. Interestingly, the concept of the Czech probation service can be considered unique at the European level, constituting a paragon for a number of East European countries.

Instruments to achieve the goal:

15. Hiring additional human resources (specialized officers) to ensure each judicial district has a regionally available contact point where victims can obtain free basic legal information, undergo a restorative program, and get contact details of other regionally available services for crime victims. Connecting PMS contact points to other services for crime victims.

- **Body responsible for application:** Ministry of Justice of the Czech Republic, PMS
- **Participating bodies:** Ministry of Finance of the Czech Republic, Ministry of Labour and Social Affairs of the Czech Republic, non-profit sector

Specific goal 2.2: Ensuring accessibility and implementation of a technology that enhances victim safety



The PMS seeks to offer those victims who are at risk of revictimization a new means of protecting them from being contacted by the offender. Technologies that are currently being launched make it possible to respond timely in the event that an offender fails to abide by a restraining order that prohibits him from approaching his/her victim. Research shows this protection method gets positive feedback from victims since it makes them feel less in danger.¹¹ What is more, it motivates victims to report crimes as well as increases the degree of their cooperation with the law enforcement authorities in the course of investigation.



¹¹ See e.g. Craig Paterson's "From offender to victim-oriented monitoring: a comparative analysis of the emergence of electronic monitoring systems in Argentina and England and Wales", *urbe. Revista Brasileira de Gestão Urbana* 7, No. 2 (August 2015): pp. 155–66, doi:10.1590/2175-3369.007.002.SE01.

Instruments to achieve the goal:

16. Using new technologies protecting victims from being contacted unlawfully by offenders as part of implementing practically an electronic monitoring system. Creating and validating a model of cooperation of the PMS, police, and public prosecution offices/courts while making use of this technology.

- **Body responsible for application:** Ministry of Justice of the Czech Republic, PMS
- **Participating bodies:** Ministry of the Interior of the Czech Republic, Police Headquarters, courts, public prosecution offices



Specific goal 2.3: Enhancing multidisciplinary cooperation while addressing the needs of crime victims

The PMS has introduced and continues to develop, in selected judicial districts, a comprehensive multidisciplinary advice program for crime victims. This has been achieved by means of the projects called Why Me? (Proč zrovna já?) (2012-2016) and Why Me? II (Proč zrovna já? II (2016- 2020) and funds provided by the ESF. Teams for Crime Victims were established as part of this initiative, and it was ensured these teams would be able to perform their activities. The result thereof is a greater degree of coordination while working with crime victims as well as the fact that local availability of services for crime victims has improved in 55 judicial districts in the Czech Republic. What is more, these services have been interconnected with the existing service network.

The PMS projects results prove effectiveness of Teams for Crime Victims – teams that make it possible for representative of the PMS, law enforcement authorities, and other state and private bodies providing services to crime victims, to meet regularly at the judicial district level. Such a multidisciplinary approach ensures professionals share information and delineate together practical solutions to issues that are found in the region and that must be addressed, which in turn helps to identify more accurately the needs of victims. In practical terms, the project only enables Teams to continue to operate until 2020, so it is necessary to provide conditions for them to remain active after this date. The PMS is able to manage these Teams provided new human resources are hired (see specific goal 2.1).

Instruments to achieve the goal:

17. In each judicial district, PMS officers with new specialization either continue to manage Teams for Crime Victims, or negotiate conditions for establishing them. Cooperating closely with all relevant partners while managing performance of activity plans created by Teams. Developing Teams for Crime Victims activities based on local needs, but in accordance with a shared crime victim care system development strategy.

- **Body responsible for application:** PMS

- **Participating bodies:** Ministry of Justice of the Czech Republic, Ministry of Labour and Social Affairs of the Czech Republic, Ministry of Health of the Czech Republic, Ministry of the Interior of the Czech Republic, non-profit organizations



Specific goal 2.4: Unifying procedures applied by ministries with respect to crime victim care in the Czech Republic

The aim is to achieve that those who are currently involved in the crime victim handling system (regardless of whether they fall under the Ministry of Justice or another ministry) discuss their experience and ideas regarding further development of programs and measures that improve the position of a victim. Introducing opinions, sharing insights into the existing practical problems, formulating priorities while seeking solutions thereto, and agreeing on a shared procedure to fulfil these priorities will bring substantial progress in building a crime victim handling system in the Czech Republic. Those measures that have been implemented or remain planned by ministries are to be built upon one another, which is projected to help gradually to fill in the “blank spaces” in the system and to increase its efficiency. Simultaneously, this makes it easier to respond to victims’ needs as well as to the local specifics of each region.

Instruments to achieve the goal:

18. Preparing a national strategy for crime victim care system development. The objective is for the ministries, bodies managed by the ministries, and non-profit sector to cooperate closely to create an interconnected and effective crime victim handling procedure. Basic crime victim care visions and standards are to be defined jointly.

- **Body responsible for application:** Ministry of Justice of the Czech Republic
- **Participating bodies:** PMS; Czech Republic Prison Service; Ministry of the Interior of the Czech Republic; Ministry of Health of the Czech Republic; Ministry of Labour and Social Affairs of the Czech Republic; Ministry of Youth, Education, and Sports of the Czech Republic; non-profit sector

3. Strategic goal: Improving community safety



The Probation and Mediation Service protects communities from crime, its consequences, and recidivism. It performs professional activities whose objective is to guide people towards a law-abiding life; to ensure people are taught to obey and respect laws. The PMS also checks if offenders comply with all the conditions of their non-custodial sentences, which is ensured by a PMS staff member regularly contacting the convict and inspecting whether the assigned duties and restrictions imposed by the court are being reasonably fulfilled.

If effectiveness and safety for the community are what is expected from the PMS while it inspects and guides offenders serving their alternative sentence, it is essential a PMS staff member always performs an accurate assessment of recidivism risks and risks of the offender failing to comply with the conditions of his/her sentence. What is equally significant is to evaluate and take into account the needs of each offender while he/she serves the sentence. A PMS staff member considers the results of risks and needs assessment and prepares a probation supervision plan based on which the offender is subsequently worked with. The PMS staff are currently trained to be able to assess an offender's risks and needs by means of a pen and paper interview and relevant data collection. As a more user-friendly and administratively faster assessment procedure is required the PMS needs to introduce practically an electronic version of the assessment tool.



Since 2010 when the new Criminal Code (Czech Act No. 40/2009 Sb.) became effective (the act brought, among other things, the introduction of house arrest orders), the PMS has had a statutory duty to inspect convicted persons while they serve their house arrest orders. Inspections are presently performed by the PMS staff members, who visit convicted persons in properties where the court ordered the punishment to be served. These are no notice inspections which can take place during the day, at night, and at weekends; also, there can be a repeat inspection which may be performed just a short time after the previous inspection. So far the PMS has only checked compliance by means of no notice inspections as a number of public tenders (which sought to find an experienced, high quality, and reliable supplier of an electronic monitoring system - EMS) have failed to be awarded successfully. This necessitated centre operation and work organization adjustments as well as required more time and human resources. Virtually all employees of the PMS have been involved in performing no notice inspections, a higher number than would be necessary if an EMS was used.

What is also important to note is the absence of an EMS has resulted in the courts abandoning

gradually this sentence, which manifests itself in the continuously decreasing number of decisions to impose this sentence. In 2010, the PMS registered 116 cases; 2012 marked the highest number ever – 514 cases. Since then, however, the number of cases registered annually has been decreasing – 211 cases in 2013, 196 cases in 2015 and only 169 cases in 2016. Tender negotiations, which commenced in 2016, are currently in their final phase: a contract with a supplier of the technology has already been executed. Considering the present practice, implementing an EMS and using it to monitor both offenders upon whom a house arrest order has been imposed and accused persons upon whom pre-trial detention would otherwise be imposed, is seen as the number one priority.

Recidivism is a major concern for the public, which is especially true in cases of supervision over high-risk convicted/conditionally released offenders. Heightened concern among the public can be identified in cases of offenders who have been convicted of serious violent crime and offenders who are problematic because of their addiction (alcohol and substance abuse, slot machine addiction). Another evident source of concern that the public feels are offenders with mental issues. It is necessary the PMS and judicial authorities identify an offender whose situation and behaviour while not imprisoned is worsening, and respond by adopting, in an expedited manner, appropriate preventive measures (repressive measures if necessary). This is a problem the Czech practice currently faces since the existing model of cooperation of the PMS and other bodies is insufficient. What is lacking is a model of cooperation that ensures the state of a case is assessed regularly and jointly and a decision to intervene promptly (if necessary) is made in the same way. What may inspire us are highly effective MAPPA teams (Multi-Agency Public Protection Arrangements) employed abroad to address highest-risk offender cases.

Improving community safety may also be seen as involving the PMS staff protection. If supervision over offenders is expected to be safe for the community, it must also be safe for those who perform it. The existing equipment currently used by the PMS staff (stationary and mobile signalling equipment), PMS centre access security standards, and PMS office security are insufficient and outdated, failing to comply with the standards applied by probation services abroad.

Considering the current practical issues stated above, the following specific goals have been defined. Included is also information that legitimizes these goals and offers solutions thereto.

Specific goals list:

- 3.1. Performing more effective analyses of offenders' needs and risks as well as monitoring them while they serve alternative sentences*
- 3.2. Making inter-body cooperation in high-risk offender probation cases more effective*
- 3.3. Enhancing safety of the PMS staff while they perform their probation-related duties*

Specific goal 3.1: Performing more effective analyses of offenders' needs and risks as well as monitoring them while they serve alternative sentences



The aim is to make it possible for trained PMS staff to use an electronic assessment tool in practice. The PMS and the Czech Republic Prison Service cooperated closely on its development in the past, and it is the Prison Service that has already implemented an adjusted prison-specific version of this tool. The PMS is to implement its own version of the tool (i.e. a version adjusted to its own needs) in the near future. Also, the PMS and the Prison Service are to create a method of transferring and sharing information about risks associated with, and needs of, those convicted persons' whom the PMS supervises after their conditional release. Electronic risks and needs assessment is to be standardized and recorded – such records must document an assessment was performed; details of such assessment; conclusions made in such assessment; and measures that have been adopted and that are to be used while working with the specific offender. The tool is ready in technical terms; what remains to be addressed is how it is to be incorporated in the information system of the PMS. Whether house arrest orders are abided by is to be checked more efficiently by the PMS implementing practically an electronic monitoring system.

Instruments to achieve the goal:

19. Introducing an electronic version of SARPO, a tool that assesses offenders' risks and needs, into probation practice of the PMS.
 - **Body responsible for application:** PMS
 - **Participating bodies:** Ministry of Justice of the Czech Republic, Czech Republic Prison Service
20. Implementing an EMS into the PMS practice; addressing logistical issues, if any, with an objective to ensure an EMS works in all the judicial districts throughout the Czech

Republic; and cooperating closely with the Ministry of Justice Monitoring Centre, courts, and Police of the Czech Republic in the course of operation of such a system.

- **Body responsible for application:** PMS
- **Participating bodies:** Ministry of Justice of the Czech Republic, Ministry of the Interior of the Czech Republic, Police Headquarters, Prosecutor General's Office, Supreme Court of the Czech Republic

Specific goal 3.2: Making inter-body cooperation in high-risk offender probation cases more effective



The objective is to strengthen cooperation of said bodies in crime cases which require that more attention is paid to monitoring the situation and the progress of the case during offender supervision. This helps to achieve that each signal indicating an increased risk of an offender failing to abide by the conditions of his/her sentence, is recorded in a timely manner and that each body shares information and coordinates steps to adopt appropriate preventive (repressive, if necessary) measures. The result is a reduced risk that some dangerous situations arise. Finally, it is essential that bodies involved in work with radical/extremist offenders strengthen their coordination since risks of radicalization and crimes associated with extremism have been rising continuously.

Instruments to achieve the goal:

21. Striving to expedite coordination of the PMS, judicial bodies, and Police of the Czech Republic bodies in cases of offenders with high recidivism risk who fail to abide by the conditions of their sentence; this is to be achieved by means of SAFINEV (SAFE Intervention for EVERYbody), a newly formed multidisciplinary team.

- **Body responsible for application:** PMS
- **Participating bodies:** Ministry of Justice of the Czech Republic, Ministry of the Interior of the Czech Republic, Police Headquarters, Prosecutor General's Office, Supreme Court of the Czech Republic

Specific goal 3.3: Enhancing safety of the PMS staff while they perform their probation-related duties



The objective is to make the PMS staff feel safer while they perform their work, especially those activities that involve direct contact with criminals. These are measures whose aim is to strengthen prevention of hazardous and health-endangering situations both on a centre's premises and while working outside (such as while visiting an offender in his/her place of residence). The PMS is to use new, available and effective technologies that ensure no dangerous objects may be brought into the PMS offices by offenders. It is necessary that the centres introduce measures and technical equipment that make it possible to detect each instance of a staff member being in danger and to signalize assistance from an emergency response team is requested. The PMS plans to provide gradually such equipment to all staff members who work outside. This includes, without limitation, laptops with agency information system access that expedite administrative tasks during home visits and mobile alarms that signalize the person is in danger and therefore in need of assistance.

Instruments to achieve the goal:

22. Ensuring comprehensive centre security and safety of those staff members who are in the field. Including the PMS offices in the set of buildings under surveillance by the Judicial Guard. Comprehensive security involves an access control system, camera surveillance of common areas (not online), and provision of stationary and mobile alarms to the staff. Providing the staff with available technical equipment for more comfortable and safer work outside.

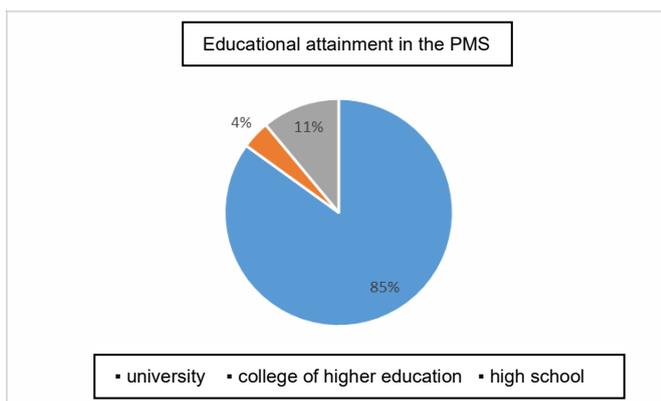
- **Body responsible for application:** PMS
- **Participating bodies:** Ministry of Justice of the Czech Republic, Ministry of Finance of the Czech Republic, Czech Republic Prison Service, Ministry of the Interior of the Czech Republic, Police Headquarters

4. Strategic goal: Ensuring the PMS continues to operate effectively

Quality and effectiveness of activities performed by the PMS is contingent upon the quality of its employees. As of July 1, 2017 the PMS had a 560-strong systematized workforce consisting of 453 probation officers and assistants, 39 employees at the headquarters, and 68 project officers. The staff is organized into 74 centres situated in all the judicial districts across the Czech Republic, three field offices, headquarters, and project offices. It is true that when 60 new probation officers were hired and joined the PMS in 2017, the unacceptably high workload born by staff members responsible for probation cases at a number of centres decreased slightly. The average workload, however, remains high.

The PMS employees need high professional qualifications. Also, mental resilience is required as some of the cases they address may be with complicated and high-risk clients. In a vast majority of cases, university education is required (see Graph 2) as well as life-long professional training and familiarity with the Czech and international legislation.

Graph 2: PMS staff educational attainment



Source of data: PMS Headquarters

As of December 31, 2016 the average salary of the professional PMS staff was CZK 28,563. Although probation officers are entitled to receive risk allowance of CZK 1000 – 4000 a month (as specified in Sec 8(2) of the Government Decree for risk class III), the current budget forces the PMS to put the risk allowance at the lower end of the range. Average personal supplementary allowance for probation officers and assistants is CZK 2,320.

The complexity of probation and mediation activities and employee overwork combined with low salaries result in a number of highly qualified and experienced employees leaving the service. The PMS employee fluctuation has ranged from 8 to 11% in the past few years. More specifically, it was 9.4% in 2012, 11.5% in 2013, 9.6% in 2014, 8.5% in 2015, and 11.3% in 2016).

The PMS seeks to curb its employee fluctuation by motivating salaries based on regular evaluation and career growth opportunities as defined in yearly personal development plans. Personal development includes, without limitation, additional training that intends to deepen expertise that professional employees of the PMS centres need to perform their professional activities. The PMS sees substantial room for improvement in a number of areas, especially in how training activities are interconnected between the ministries. The service believes a greater degree of interconnectedness would contribute to the employees of the judicial bodies being more familiar with new crime policy trends, good practice, and effectiveness of how criminals and crime victims are addressed.

Additionally, the PMS may only fulfil its assigned duties if it is provided with appropriate maintenance and supply, security, and administrative support. Workplace relocation, employee safety, optimization of administrative and management processes by means of electronization, and facilitating easier exchange of information between the PMS and the judicial bodies are considered essential to ensure the PMS works effectively and efficiently. This goal of the PMS corresponds with its intention to support multidisciplinary cooperation and may be regarded as a response to the e-Justice strategy.

The PMS is based in 78 buildings across the whole of the Czech Republic, 69 of which belong to the state administration (88%) and 9 of which (12%) are rented at market prices. Each workplace relocation decision is made after the following has been considered: whether the space in question is appropriate for performance of probation and mediation activities, whether it complies with the security requirements, and whether it is reasonably accessible by public transport. Decisions are in accordance with “Probation and Mediation Service Workplace Standards”, a document that states the minimum spatial requirements for performance of professional activities.

The strategy of the PMS includes, without limitation, a project that seeks to develop and implement a new agency information system (AIS), which is to substitute the original AIS PMS introduced in practice in 2005. A new AIS is intended to facilitate transition from the existing unsatisfactory and user-unfriendly AIS, which administers the main activities of the PMS, to a more sophisticated and easy-to-use electronic document management system. This is expected to reduce the considerable amount of paperwork associated with administering the main activities of the Probation and Mediation Service. Optimization of administrative and management processes should in turn reduce the amount of time and effort the professional employees of the PMS centres must dedicate to administrative tasks.

Unlike other judicial units the PMS lacks an auxiliary administrative support team. As a result, professional employees of the PMS are responsible for all the administrative tasks (attending to facility management as well as maintenance and supply, ensuring post is dispatched). When economic and organizational aspects are taken into account, introduction of systematized administrative positions seems optimal to make the most of the full potential of the professional employees as well as to facilitate development of additional specializations (specialization in working with victims, probation centre development and probation house operation).

The state of affairs has been addressed over the last few years by using temporarily a program of active employment policy – the PMS has teamed up with unemployment offices as well as employment agencies to offer administrative jobs to unemployed high school and university graduates. On the one hand, this provides the PMS centres with instant administrative assistance. On the other hand, it constitutes an additional burden for its employees because they must train their novice colleagues. Also, there are employee fluctuation issues. Another thing that should be said is that this way of employing people is becoming less and less viable considering the current specifics of the job market in the Czech Republic. Therefore, no systematic solution to the lack of administrative assistance is offered: these jobs are only temporary and it is unclear whether and how this method of employing people will continue to be supported.

Innovations that come out of continuous evaluation of the PMS activities as well as from external sources are perceived as necessary to improve continuously the quality of probation and mediation services. The cornerstones of further development of the professional activities performed by the PMS include, but are not limited to, following current trends in probation and mediation, participating in research carried out by offices in the Czech Republic and abroad, and fostering global awareness and understanding of probation and mediation-related matters. Planned innovations, which are inspired by research results and practice abroad, must undergo pilot validation by means of programs financed by the ESF and the Norway Grants. This is how the PMS currently implements projects that focus on providing advice to crime victims, on ensuring an inter-ministry approach to juvenile delinquents, and on preparing what is necessary for imprisoned offenders to be conditionally released.

Specific goals list:

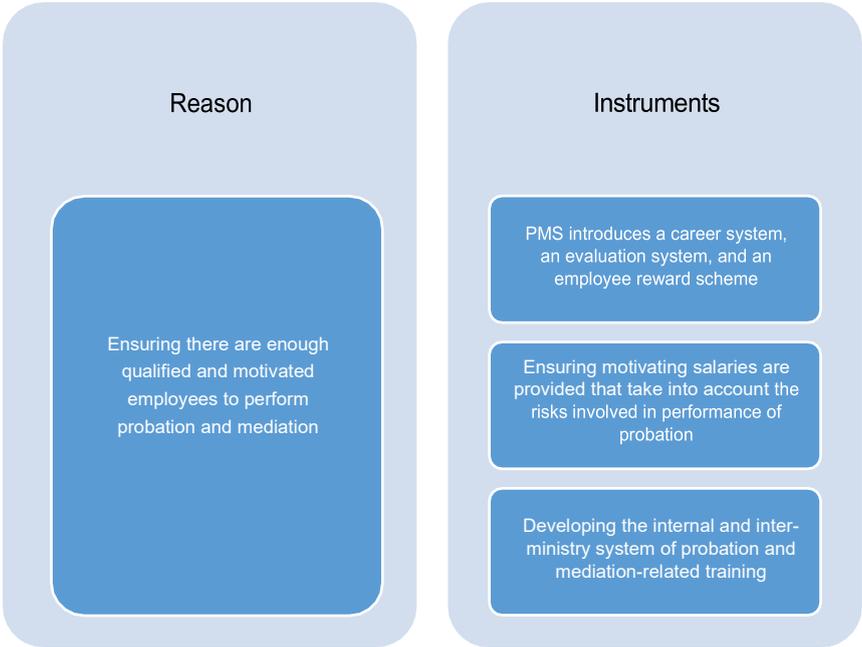
4.1 Implementing such HR policies within the PMS that put emphasis on motivation as well as ensuring employees are provided with sufficient care

4.2 Ensuring adequate maintenance and supply for the performance and development of probation and mediation

4.3 Monitoring the quality of probation and mediation services being provided as well as developing these services by introducing necessary innovations and/or analysing their efficiency and effectiveness

Specific goal 4.1: Implementing such HR policies within the PMS that put emphasis on

motivation as well as ensure the employees are provided with sufficient care



The aim of the PMS is to hire and retain highly qualified and motivated employees. To that end, employees must be supported in such a way that ensures they are able to extend their expertise, are compensated for their work adequately, and have career growth opportunities within the organization. The PMS is to create a system of regular annual employee evaluation that also delineates development goals for each employee as well as monitors whether and how these goals are being achieved. Personal supplementary allowance will or will not be provided based on the results of such formalized evaluation. Also, a procedure will be laid down that ensures probation assistants who have finished their university education are provided with career growth opportunities.

Motivating salaries are essential to retain quality employees. Variable pay must be contingent upon quality, quantity, and difficulty of the work performed. To that end, personal supplementary allowance progression is necessary for the long-term experience employees.

Probation officers and assistants have been very sensitive about their personal safety. The PMS has a long-standing commitment aimed at ensuring risk allowance always exceeds 50% of the maximum value applicable to the job group in which the PMS is included.

Support of professional activities performed by (specialized) employees is to be provided by introducing administrative positions within the PMS. This is intended to support professional development of our specialists as well as to ensure the PMS centres operate smoothly. This will have two positive outcomes. First, the probation staff members will be able to focus more on professional work with clients. Second, compliance with cost-efficiency standards will be achieved (i.e. professional employees do not perform tasks for which their qualifications are unnecessary).

The PMS has a functioning system of internal specialized training that complies with Czech Act No. 257/2000 Sb., on Probation and Mediation Service. The intention is to continue developing the system by intensifying management training. Emphasis will also be put on inter-ministry training including, without limitation, training that is attended by the employees of the Czech Republic Prison Service, social curators, judges, and public prosecutors.

Instruments to achieve the goal:

23. Creating rules for regular employee evaluation and reward schemes; preparing a career system.

- **Body responsible for application:** PMS
- **Participating Bodies:** Ministry of Justice of the Czech Republic, Probation and Mediation Council (Rada pro probaci a mediaci)

24. Achieving approval of higher salaries for the PMS employees (such that take into account the risks involved in their work as well as constitute a motivating impulse).

- **Body responsible for application:** Ministry of Justice of the Czech Republic
- **Participating Bodies:** PMS, Probation and Mediation Council, Ministry of Finance of the Czech Republic

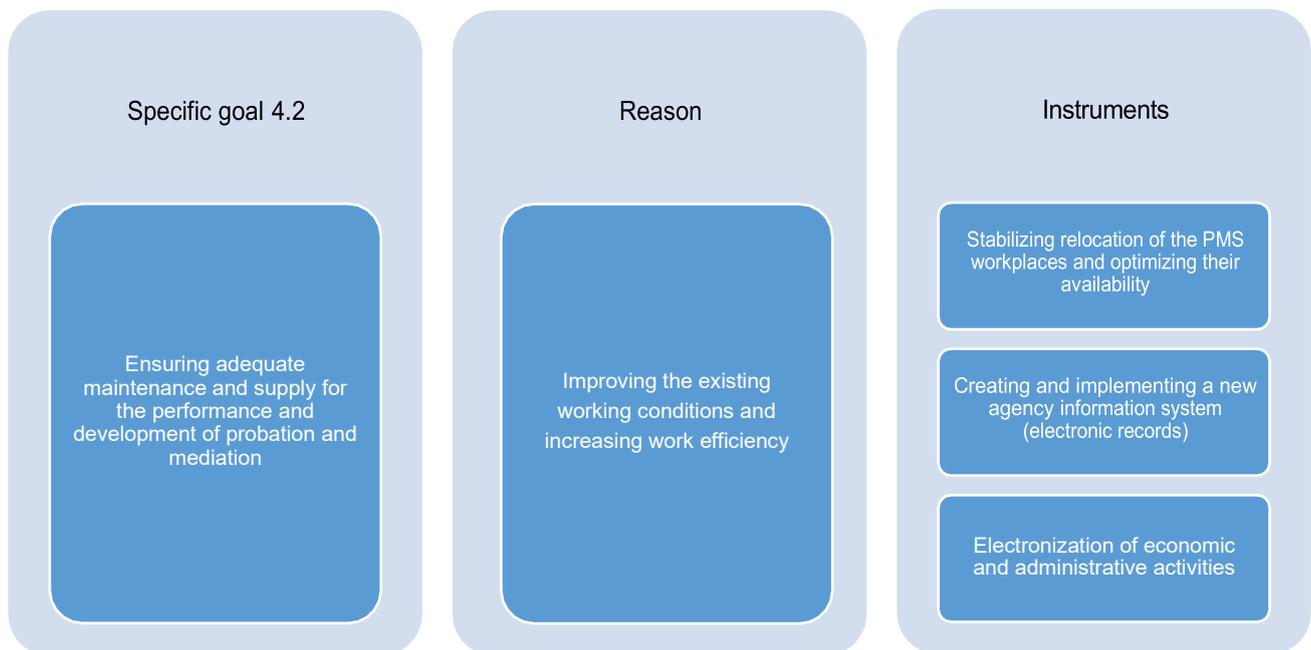
25. Creating gradually new systematized administrative jobs at the PMS centres with an objective to ensure the centres have a 90-strong administrative workforce by 2020.

- **Body responsible for application:** Ministry of Justice of the Czech Republic
- **Participating Bodies:** PMS, Ministry of Finance of the Czech Republic

26. Developing internal and inter-ministry training related to probation and mediation.

- **Body responsible for application:** Ministry of Justice of the Czech Republic
- **Participating Bodies:** PMS, Probation and Mediation Council, Czech Judicial Academy (Justiční akademie), Czech Republic Prison Service, Academy of the Czech Republic Prison Service (Akademie VS ČR), Ministry of Labour and Social Affairs of the Czech Republic, Ministry of the Interior of the Czech Republic, Police Academy of the Czech Republic

Specific goal 4.2: Ensuring adequate maintenance and supply for the performance and development of probation and mediation



The aim is to ensure the PMS centres are provided with appropriate maintenance and supply as well as adequate administrative and safety-related conditions. The PMS offices must be relocated appropriately (preferably into spaces within judicial facilities) and a security strategy for the PMS centres must be presented. Ensuring employee safety (regardless of whether they work in an office or in the field) must be prioritized.

Electronization is perceived by the PMS as an instrument that increases efficiency of the administrative and management processes: intelligent forms and their automatic electronic circulation will increase both the degree to which contractual relationships are planned, and the effectiveness of contract execution (e.g. framework agreements, central supply of services). Finally, the PMS plans to introduce a new agency information system and simplify how the service shares information electronically with judicial bodies.

Instruments to achieve the goal:

27. Striving for optimized relocation of the PMS centres within judicial facilities. In each judicial district where relocation of workplaces into spaces within judicial facilities cannot be achieved, the centres should be situated within buildings administered by the Office for Government Representation in Property Affairs (OGRPA). Optimizing availability of the centres for clients of the PMS.

- **Body responsible for application:** PMS
- **Participating Bodies:** Ministry of Justice of the Czech Republic, Office for Government Representation in Property Affairs – OGRPA

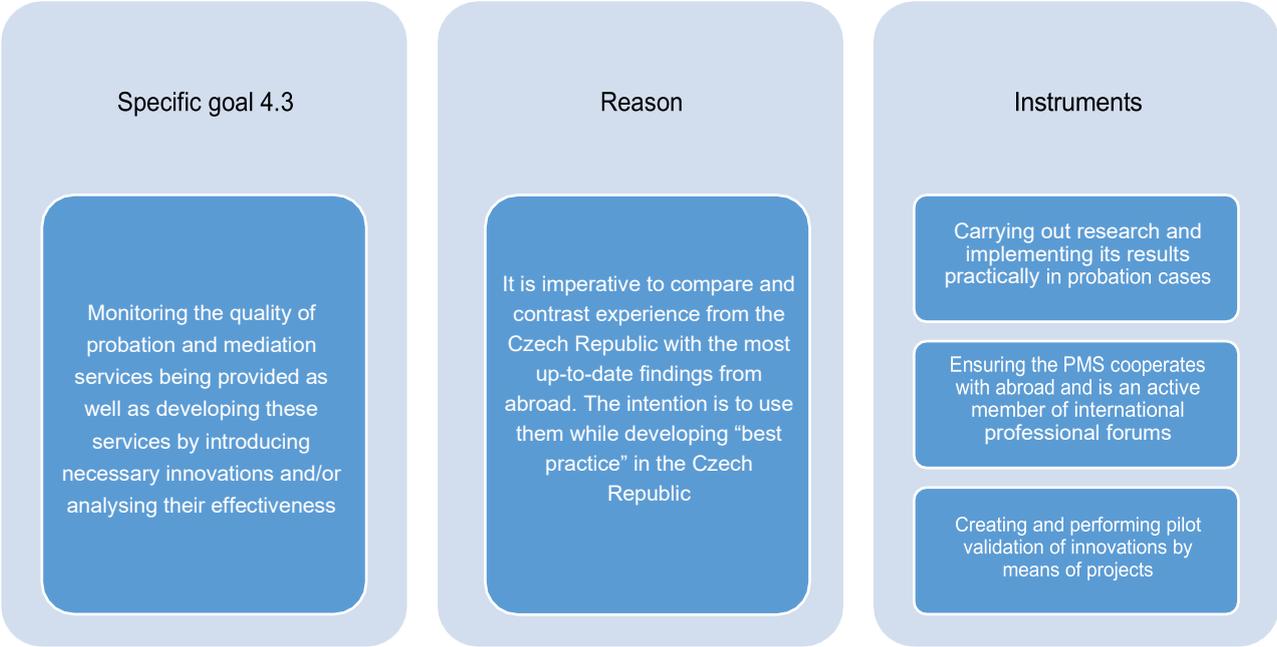
28. Preparing a project that seeks to develop an agency information system (AIS), and obtaining a majority of funds to finance this project from the IROP – Integrated Regional Operational Program); compliance with e-Justice (an inter-ministry strategy) and Czech Act No. 181/2014, on Cyber Security, must be ensured while building the information system. Additionally, the information system as well as the creation thereof must build on the unified licence policy of the IT Department of the Ministry of Justice of the Czech Republic.

- **Body responsible for application:** PMS
- **Participating Bodies:** Ministry of Justice of the Czech Republic, Ministry of the Interior of the Czech Republic

29. Performing economic and administrative activities electronically – introducing a system that makes use of intelligent forms and automatic electronic circulation thereof, increase both the degree to which contractual relationships are currently planned, and the effectiveness of contract execution.

- **Body responsible for application:** PMS
- **Participating Bodies:** Ministry of Justice of the Czech Republic

Specific goal 4.3: Monitoring the quality of probation and mediation services being provided as well as developing these services by introducing necessary innovations and/or analysing their effectiveness



In order for the PMS to be able to develop its professional activities, the service needs to perform research that validates the effectiveness/efficiency of the introduced procedures. It also has a multitude of available data and findings that may be used for basic as well as applied research associated with other units. The probation and mediation standards will only stay high if the service is involved in research (regardless of whether such research is performed by inter-ministry institutions or other institutions). Cooperation with the Institute of Criminology and Social Prevention (ICSP), an inter-ministry research institution, is perceived as playing a major part.

An equally significant source of stimuli is information from abroad. This may be information obtained while performing probation and mediation in specific countries, or information that is mediated by intergovernmental and international organizations. The Council of Europe and Confederation of European Probation (CEP) play a significant part in this regard. The PMS seeks to remain an active member of the CEP and build strong professional relationships with other cooperating international organizations that focus on issues related to probation and mediation. In addition, the service is to continue being involved in the activities performed by the relevant bodies of the Council of Europe including, without limitation, the Council for Penological Co-operation.

Considering a number of employees of the PMS have taken internship abroad successfully, the PMS seeks to continue providing its employees with opportunities to do internships at probation services abroad. Similarly, the service intends to make it possible for experts from abroad to take internships at the PMS on an exchange basis.

Finally, project activities, which are perceived as an instrument that helps to develop innovative approaches and validate new methods, are intended to continue being performed.

Instruments to achieve the goal:

30. Participating in research that investigates effectiveness of work with offenders and crime victims as well as procedures applied by the PMS while working with conditionally released offenders (penitentiary research). Implementing its findings practically in cases.
 - **Body responsible for application:** PMS
 - **Participating Bodies:** Ministry of Justice of the Czech Republic, ICSP, Ministry of the Interior of the Czech Republic

31. Involving the PMS in international cooperation, supporting its active membership in professional forums, and providing opportunities for internships abroad on an exchange basis.
 - **Body responsible for application:** PMS
 - **Participating Bodies:** Ministry of Justice of the Czech Republic, Council of Europe, CEP, and other international organizations

32. Creating and performing pilot validation of innovations by means of projects financed by the ESF and other sources from abroad.
 - **Body responsible for application:** PMS
 - **Participating Bodies:** Ministry of Justice of the Czech Republic, Czech Republic Prison Service, Ministry of Finance of the Czech Republic, Ministry of Labour and Social Affairs, Ministry of Regional Development of the Czech Republic

5. Sources of financing¹²

The goals contained in this Probation and Mediation Concept are to be financed by the PMS from its current budget. Additional resources and financing options are to be arranged, based on availability, in proceedings that address a request for extra funding made by the PMS. The third source will be funds that are intended to finance European and other projects.

Funds in excess of the current budget for these purposes must be obtained in order for the PMS to be able to fulfil the goals stated herein:

a) Sources of financing costs of human resources

Include salary requirements associated with the PMS hiring new staff as well funds that may be used to finance an increase in salaries and risk allowance.

b) Sources of financing investment projects

Include the amount that the PMS is to pay and that constitutes a portion of the total amount to be paid for redesigning and providing equipment to the new PMS workplaces, and for providing additional equipment to the existing centres that is needed after new employees have been hired. Included are also costs incurred in the continuous process of relocation of the PMS centres:

- new workplaces – 8 program centres,
- new workplaces – 4 probation houses,
- relocation of the PMS centres.

c) Sources of financing IT development

- a fully electronic system that processes information coming from support activities,
- obtaining a new agency information system,
- procuring new technological features to be used by the employees when they communicate.

¹² Ratification of this Concept by the Government of the Czech Republic does not mean the Czech Government is obliged to increase automatically budget allocations as defined in Chapter 336 – Ministry of Justice.

Conclusion

The Probation and Mediation Development Concept until 2025 is the first significant long-term strategic document that lays down the basic areas of development related to probation and mediation as well as delineates what direction the development of the Probation and Mediation Service will take. What is being presented herein is a vision of how strategic goals may be achieved one by one and how probation and mediation in the Czech Republic may evolve in the next eight years. The Concept includes key development topics as well as topics addressing the issues (and the problematic areas) that have been identified in the sixteen years of existence of the PMS. The main goals of the Concept are protection of the community by guiding offenders towards law-abiding lives, addressing conflicts that arise in connection with crimes, victim care, and efficient and effective operation of the PMS. The Concept puts special emphasis on a systematic and multidisciplinary approach that makes it possible, while dealing with problems associated with criminality, to tap the full potential of all the bodies involved.

Moreover, the Concept takes into account the strategic documents from partner organizations and seeks to build on them. These include, without limitation, the Prison Service Concept Until 2025. The two documents share topics, e.g. integration of convicted persons into the community once they have served their custodial sentence. The Probation and Mediation Concept respects and builds on international documents and recommendations that contribute to good probation and mediation practice being spread across the European and other countries. In its Concept, the PMS emphasizes the importance of the international context within which the service operates as well as its goal to be an established organization with an international reputation.

The process of fulfilling strategic and specific goals contained in the Concept is to be detailed in one-year action plans and evaluated annually on a regular basis. Evaluation is to be performed by the PMS, Ministry of Justice of the Czech Republic, and Probation and Mediation Council (an advisory body within the Ministry of Justice). Other ministries will also be involved and will participate in fulfilling the goals defined in the Probation and Mediation Development Concept. Additionally, an operating working party that currently evaluates how the goals contained in the Prison Service Concept Until 2025 are being fulfilled is to be informed about how the goals contained herein are being fulfilled. This will make it possible to change how the PMS Concept is being fulfilled based on new circumstances that could not have been anticipated at the time the Concept was being written.

List of abbreviations used

AIS PMS – Agency Information System of the Probation and Mediation Service

CEP – Confederation of European Probation (an association of European probation services)

EMS – Electronic monitoring system

ESF – European Social Fund

ICSP – Institute of Criminology and Social Prevention (Institut pro kriminologii a sociální prevenci) – a research institution under the Ministry of Justice of the Czech Republic

OGRPA – Office for Government Representation in Property Affairs (Úřad pro zastupování státu ve věcech majetkových – ÚZSVM)

PM Concept, PMS Concept, Probation and Mediation Concept, Concept – Probation and Mediation Development Concept Until 2025

PMS – Probation and Mediation Service

SARPO – Comprehensive assessment of risks and needs of convicted offenders (souhrnná analýza rizik a potřeb odsouzených)

Basic terms used

Alternative punishments – non-custodial punishments and measures.

Electronic monitoring – electronic monitoring system (an instrument that inspects if alternative punishments and measures are being duly served).

Juveniles/youth – persons under the age of 15.

Multidisciplinary approach (Youth Offending Teams and Victim Support Teams) – an approach that seeks to intensify cooperation of bodies involved in dealing with specific types of issues (juvenile crime, support and assistance provided to crime victims).

Victim – an individual who has been affected by crime in such a way that they have sustained bodily harm and/or pecuniary damage and/or non-pecuniary damage. Alternatively, a victim can be construed as an individual at the expense of whom an offender enriched himself/herself unlawfully.

Offender – a suspected/accused/convicted person (based on the stage of criminal proceedings).

PMS staff member, PMS employee – a PMS officer or assistant, i.e. an employee of the PMS who performs probation and mediation activities.

Probation – performance of supervision including inspecting whether the applicable reasonable duties and restrictions are complied with; carrying out inspections to ensure alternative punishments are being duly served (such punishments include, without limitation, community service orders, house arrest orders, prohibition of entering sporting, cultural, and other social events).

Restorative programs (mediation, restorative conferencing) – procedures that seek to use restorative principles (intensive involvement of offenders, victims, their social environment and communities) to the maximum extent possible while addressing crime so as to improve disturbed relationships, ensure victim satisfaction, and see to it that offenders assume responsibility for their unlawful behaviour.

Bibliography

- Recommendation CM/Rec (2010) 1 of the Committee of Ministers to member states on the Council of Europe Probation Rules.
- Recommendation CM/Rec (2014) 4 of the Committee of Ministers to member states on electronic monitoring.
- Recommendation No. R (85) 11 of the Committee of Ministers to member states on the position of the victim in the framework of criminal law and procedure.
- Recommendation No. R (87) 21 of the Committee of Ministers to member states on the assistance to victims and the prevention of victimization.
- Recommendation No. R (92) 16 of the Committee of Ministers to member states on the European Rules on community sanctions and measures.
- Recommendation No. R (87) 20 of the Committee of Ministers to member states on social reactions to juvenile delinquency.
- Recommendation No. (97) 12 of the Committee of Ministers to member states on staff concerned with the implementation of sanctions and measures.
- Recommendation No. R (99) 19 of the Committee of Ministers to member states concerning mediation in penal matters.
- Recommendation Rec (2000) 22 of the Committee of Ministers to member states on improving the implementation of the European Rules on community sanctions and measures.
- Recommendation Rec (2003) 22 of the Committee of Ministers to member states on conditional release (parole).
- UN Standard Minimum Rules for Non-custodial Measures – Resolution 45/110.
- Recommendation Rec (2006) 2 of the Committee of Ministers to member states on the European Prison Rules.
- Dowden, Craig and D. A. Andrews (2004). The Importance of Staff Practice in Delivering Effective Correctional Treatment: A Meta-Analytic Review of Core Correctional Practice. *International Journal of Offender Therapy and Comparative Criminology* [online]. 48(2), 203 – 214 [vid. 2017-07-31]. ISSN 0306-624X, 1552-6933. Retrieved from: doi:10.1177/0306624X03257765.
- Explanatory Memorandum to Criminal Code Proposal, Part I - Introduction (Důvodová zpráva k návrhu trestního zákoníku, I. Obecná část), 2009.
- European Convention on the Supervision of Conditionally Sentenced and Conditionally Released Offenders of Nov 30, 1964 (ratified by the Czech Republic on Jul 11, 2002 under ID No. 75/2002 Sb.m.s.).
- Farrall, Stephen (2002). Long-Term Absences from Probation: Officers' and Probationers' Accounts. *The Howard Journal of Criminal Justice* [online]. 41(3), 263 –278 [vid. 2017-07-31]. ISSN 1468-2311. Retrieved from: doi:10.1111/1468-2311.00241.
- Hankinson, Ian and Philip Priestley (2010). Diversity and effectiveness in probation: The One- to-One programme in West Mercia. *Probation Journal* [online]. 57(4), 383 –399 [vid. 2017-07- 31]. ISSN 0264-5505. Retrieved from: doi:10.1177/0264550510381328.
- Current Sanction Policy Trends in the Czech Republic (Aktuální trendy sankční politiky v ČR). *Criminal Law Journal (Trestněprávní revue)* 11-12, 256-262.
- Czech Police Development Concept until 2020 (Koncept rozvoje Policie ČR do roku 2020).
- Prison Service Concept Until 2025 (Koncept vězeňství do roku 2025).
- Mcculloch, Trish (2005). Probation, social context and desistance: Retracing the relationship. *Probation*

Journal [online]. 52(1), 8–22 [vid. 2017-07-31]. ISSN 0264-5505, 1741-3079. Retrieved from: doi:10.1177/0264550505050623.

- Czech Republic National Research, Development, and Innovations Policy for 2016-2020 (Národní politika výzkumu, vývoje a inovací ČR na léta 2016–2020).
- Paterson, Craig. "From offender to victim-oriented monitoring: a comparative analysis of the emergence of electronic monitoring systems in Argentina and England and Wales". *urbe. Revista Brasileira de Gestão Urbana* 7, No. 2 (August 2015): pp. 155–66. doi:10.1590/2175-3369.007.002.SE01.
- Rozum, J., Háková, L., Tomášek, J., & Vlach, J. (2016). Recidivism as a Metric of Criminal Policy Effectiveness (Recidiva jako měřítko účinnosti trestní politiky). *Criminal Law Journal (Trestněprávní revue)* 9, pp. 209-212.
- Rozum, J., Jarkovská, L., Kotulan, P. (2004). The Institute of Supervision over Conditionally Released Offenders (Institut dohledu u podmíněného propuštění): Final Research Report (Závěrečná zpráva z výzkumu). Prague: ICSP. ISBN 80-7338-026-9.
- Rozum, J., Kotulan, P., Háková, L., Nečada, V., Diblíková, S. (2005). Imposition of Unconditional Sentences and their Alternatives (Ukládání nepodmíněného trestu odnětí svobody a jeho alternativy). Prague: ICSP.
- Rozum, J., Kotulan, P., Tomášek, J. (2008). Effectiveness of Supervision over Conditionally Released Persons (Účinnost dohledu u osob podmíněně propuštěných). Prague: ICSP. ISBN 978-80-7338-073-1.
- Rozum, J., Kotulan, P., Tomášek, J., Špejra, M. (2013). Juvenile Probation Programs (Probační programy pro mladistvé). Prague: ICSP. ISBN 978-80-7338-114-1.
- Scheinost, M., Válková, H., et al. (2015). Sanction Policy and How It Is Applied (Sankční politika a její uplatňování). Prague: ICSP.
- Directive 2012/29/EU of the European Parliament and of the Council of Oct 25, 2012 establishing minimum standards on the rights, support and protection of victims of crime.
- Council Directive No. 2004/80/ES of Apr 29, 2004 relating to compensation to crime victims.
- Strategy for Combating Social Exclusion for 2016-2020 (Strategie boje proti sociálnímu vyloučení na období 2016-2020).
- e-Justice Development Strategy of the Czech Ministry of Justice (Strategie Ministerstva spravedlnosti ČR v oblasti rozvoje e-Justice)
- Czech Republic Criminality Prevention Strategy for 2016-2020 (Strategie prevence kriminality v ČR na léta 2016 až 2020)
- "2016 Czech Republic Internal Security and Public Order Report" (Zpráva o situaci v oblasti vnitřní bezpečnosti a veřejného pořádku na území České republiky v roce 2016). Ministry of the Interior of the Czech Republic, Department of Security Policy and Crime Prevention, May 2017. <http://www.mvcr.cz/clanek/zprava-o-situaci-v-oblasti-vnitri-bezpecnosti-a-verejneho-poradku-na-uzemi-ceske-republiky-v-roce-2016.aspx>.