

Justice Cooperation Network (JCN)

European treatment and transition management of high risk offenders



Presented by Prof. Dr. Frieder Dünkel and Moritz von der Wense at the First World Congress on Probation (London/UK, 8 - 10 Oct 2013)

Overview

The objective of the JCN project, Justice Cooperation Network, European treatment and transition management of high risk offenders, is to develop a European network and database of best practice in the transition management of high risk offenders leaving custody. Transition management means the organizing of co-operation and processes between criminal justice agencies, statutory and voluntary providers and other partners involved in the reintegration of offenders.

The project is comprised of the responsible institutions of the four project partner states (Estonia, Finland, Germany, Ireland) and associated with ministries for justice and prison services from Belgium, Slovakia and Slovenia as well as the European Organization for Probation (CEP).

The course of the project and its outcomes are evaluated by a research team of the Department for Criminology of the University of Greifswald (Germany) headed by Prof. Frieder Dünkel.

Schedule

Workshop 1 (Tallinn, Estonia, 13-16 Mar 2013): Development of a shared understanding of definitions and terminology in the field of high risk offenders and transition management in the partner countries.

Workshop 2 (Dublin, Ireland, 12-15 June 2013): Comparison of existing systems of transition management practice in the partner countries.

Workshop 3 (Helsinki, Finland, 30 Oct - 2 Nov 2013): Identification of best practices in existing systems of transition management in the partner countries and possibilities for development.

Workshop 4 (Schwerin, Germany, 2-5 Apr 2014): Development of standards and a best practice model for managing high risk offenders.

Final Conference (Mecklenburg-Western Pomerania, 3-5 Sept 2014): Presentation of the final report of the project results.

Key Findings

- The project has defined the term „high risk offender“ as „a violent or sexual offender who presents a high probability to commit further crimes which may cause very serious personal, physical or psychological harm“.
- References to the concept of high risk can be found in the national criminal codes of Finland and Germany. Further such references appear in the national prison codes of Belgium and Slovenia.
- Out of the seven countries involved in the project, Finland is the only state in which provisions for risk assessment exist in the law on sentencing. In contrast, legal provisions for a redefinition of risk or a risk assessment during the execution of the prison sentence are found in all project member states, except in Belgium and Ireland.
- Early release as an automatic or unconditional release scheme is only available in Ireland and Slovenia. Conditional release, however, is a form of release known to all seven jurisdictions. While a conditional release after having served one third of the prison term is rather the exception than the rule, the average standard time for release is somewhere between half and two thirds of the prison term. The probation term generally reflects the extent of the unserved part of the term of imprisonment, while the minima (1 – 2 years) and maxima (3 – 7 years) vary. The term of post-custody supervision is either connected to the probation term (as it is in Belgium, Finland and Slovenia) or dependent on the respective court order for such supervision, ranging from one to five years.
- All prison systems differentiate between open and closed institutions.
- Sentence plans exist throughout all penitentiary systems, as do release plans (which are part of the sentence plans in Slovakia and Slovenia).
- A transfer to an open prison was reported as being legally provided for in almost all countries.
- Halfway houses as part of the transition process are legally provided for in Finland and Mecklenburg-Western Pomerania, but are as yet practically only used in Finland.
- Electronic monitoring is either used as a means of preparation for conditional release (Belgium, Finland), as a condition to an early conditional release (Estonia) or in post-custody supervision (Mecklenburg-Western Pomerania). In Slovakia a scheme for electronic monitoring in the post-custody phase is currently being developed.
- The services predominantly engaged in the community are the probation service, social workers or the local municipality. In Ireland and Mecklenburg-Western Pomerania other services, such as the police or employment agencies, are involved in the community as well.
- Police forces are involved in post-custody supervision in almost all countries except for Ireland, where they are involved only in relation to the requirements of sex offenders under the Sex Offenders Act 2001.

	Belgium	Estonia	Finland	Ireland	M-W	Slovakia	Slovenia
Probation	Extent of the unserved part of the term of imprisonment, but ≥ 2 years 5 – 10 years for more severe cases	Extent of the unserved part of the term of imprisonment, but ≥ 1 year	Extent of the unserved part of the term of imprisonment, but < 3 years	Extent of the unserved part of the term of imprisonment (Temporary Release)	Extent of the unserved part of the term of imprisonment, between 2 – 5 years	1 – 7 years	Extent of the unserved part of the term of imprisonment
Post-custody supervision	Equivalent to probation term	12 months - 3 years	Equivalent to probation term	Custody and post-custodial supervision combined may not exceed the maximum term of imprisonment provided for by domestic law for the offence committed	2 – 5 years	1 – 3 years ≤ 5 years for recidivists	Equivalent to probation term
	Life imprisonment: 10 years	Life imprisonment: 5 years	Life imprisonment: 3 years	Life imprisonment: life long	Life imprisonment: 5 years	Life imprisonment: not regulated by law	Life imprisonment: not regulated by law

The table shows the different lengths of the terms of probation and post-custody supervision in the surveyed countries

Publications:

Report: “Common Understanding of Terms and Definitions on the topic of high risk offenders and transition management” (Eng/Ger)

Report: “Transnational Comparative Analysis of Transition Management Strategies” (Eng)

Progress Evaluation Report (July 2013, Eng)

Related projects:

Developing Offender Management in Corrections in Europe (DOMICE), Sept 2009 – Nov 2011

Website: www.domice.org

Serious Offending by Mobile European Criminals (SOMECE), Started 2013

Project number: HOME/2011/ISEC/AG/2521

Project information:

Website: <http://jcn.pixel-online.org>

Project number: JUST/2011/JPEN/AG2943

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Further project partners are: Tallinn Prison (Estonia); Ministry of Justice of Finland, Criminal Sanctions Agency (Finland); Department of Justice and Equality (Ireland); Pixel (Italy)



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Ministry of Justice of Mecklenburg-Western Pomerania