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European treatment and transition management of high risk offenders – a justice cooperation network (JCN)

The aim of the research is to compare the different legal concepts and practice concerning high risk/"dangerous" offenders. Therefore the following questionnaire is distributed to the partners in order to collect information on the legal base and the practical organization of supervision and surveillance of such offenders. Furthermore we want to gather statistical data on the quantity of high risk offenders and empirical data on the recidivism and reintegration of high risk offenders in the participating countries.

When talking about **high risk offenders** the partners have decided to focus only on offenders identified as at high risk of reoffending through threat of or serious injury or offences against the person (i. e. sex offenders, serious violent offenders).

We have decided to exclude high risk offenders dealt by other institutions such as psychiatric hospitals. The questionnaire therefore is restricted only to **high risk offenders in prisons** and after release from prisons.

Please forward the responses to me latest until 15 February 2013.

Questionnaire

Legal issues	
I.	Definition of „dangerous“ or „high risk“ offenders
1.	<p>How is the legal concept of “dangerousness”/high risk addressed in Criminal Law, in your country? Is there a difference between “dangerous” and high risk offenders? If yes, please outline it briefly.</p> <p>(Legal conditions of criminal sanctions, preventive/security measures)</p> <p>Criminal offences are divided in the Estonian Penal Code as following:</p> <ol style="list-style-type: none"> 1. A criminal offence of the first degree is an offence for which the punishment is imprisonment for a term of more than five years, life imprisonment or compulsory dissolution. 2. A criminal offence of the second degree is an offence for which the punishment is imprisonment for a

	<p>term of up to five years or a pecuniary punishment.</p> <p>There is no legal separation between offender's dangerousness and risk. Court is taking into account several factors like Penal Code § 58. Aggravating circumstances, some of which at least partly relate to dangerousness.</p> <p>Aggravating circumstances are:</p> <ol style="list-style-type: none"> 1) self interest or other base motives; 2) commission of the offence with peculiar cruelty, or degradation of the victim; 3) commission of the offence knowingly against a person who is less than 18 years of age, pregnant, in an advanced age, in need of assistance or has a severe mental disorder; 4) commission of the offence against a person who is in a service, financial or family-related dependent relationship with the offender; 5) commission of the offence during a state of emergency or state of war; 6) commission of the offence by taking advantage of a public accident or natural disaster; 7) commission of the offence in a manner which is dangerous to the public; 8) causing of serious consequences; 9) commission of the offence in order to facilitate or conceal another offence; 10) commission of the offence by a group; 11) taking advantage of an official uniform or badge in order to facilitate commission of the offence. <p>In the prison and probation the risks of each offender are assessed and these results show the dangerous and risk level of convicted persons. This is taken into account by planning sentence or probation period. The assessment and the sentence/probation plan are linked together very closely.</p> <p>English version of the Penal Code is available at the webpage - http://www.legaltext.ee/et/andmebaas/tekst.asp?loc=text&dok=X30068K10&keel=en&pg=1&ptyyp=RT&tyyp=X&query=karistusseadustik</p>
2.	<p>What kind of offenders are defined, in law or in practice, as “dangerous”/high risk in your country? (Offences, recidivist offenders in general or concerning specific offences, length of imprisonment?)</p> <p>The law doesn't define high risk and dangerousness as such. In practice mostly the violent offenders and sexual offenders are being defined as dangerous, but also offences against public safety are considered to be such. Risk and dangerousness level is assessed after conviction using an assessment tool.</p> <p>According to the risk-assessment manual the definitions are as follows:</p> <ol style="list-style-type: none"> 1. Risk (low, medium, high) – probability that with some action may incur a possible damage. Risk includes two components: possibility of undesired event (behaviour), which may cause damage/negative results (material, physical or moral). 2. Dangerousness (low, medium, high, very high) – a person's ability to damage surroundings, it includes judgements to persons behaviour and actions. It is needed to acknowledge what kind and how much damage (physical or mental) a person may cause. Dangerous are events, which are life-threatening and with severe consequences and from which a recovery will take time or is impossible.
3.	<p>Please describe the boundaries and interaction of criminal sanctions (based on the guilt of the offender) and preventive/security measures (based on the concept of dangerousness) and how these are dealt with in practice on a day to day basis.</p> <p><u>Criminal sanctions and their interaction</u></p> <p>There are three principal punishments according to the Penal Code, two of them applies to physical persons:</p> <ol style="list-style-type: none"> 1. pecuniary punishment of 30 to 500 daily rates; 2. Imprisonment for a term of thirty days to twenty years, or life imprisonment.

3. Compulsory dissolution of legal person

One principal punishment and one or several supplementary punishments may be imposed for one offence.

There are following possibilities to apply substitution to principal punishment:

1. Community Service (with probation officers supervision).
2. Substitution of imprisonment by electronic surveillance (with probation officers supervision).
3. Substitution of imprisonment by addiction treatment (with probation officers supervision).
4. Substitution of pecuniary punishment by imprisonment, community service or addiction treatment (without supervision).
5. Substitution of fine to extent of assets by imprisonment (without supervision).

There are following possibilities to release from punishment:

1. Probation for a period of three to five years (without supervision).
2. Probation with subjection of convicted offender to **supervision of conduct** for a period of 18 to 36 months (with probation officers supervision).
3. Electronic surveillance (with probation officers supervision).
4. Release on parole (with probation officers supervision).
5. Release on parole in case of life imprisonment (with probation officers supervision).
6. Release from punishment due to terminal illness of person (without supervision).
7. Release from punishment in case person is seriously injured as result of criminal offence (without supervision).
8. Probation supervision as a measure (not a sanction!) for juveniles

II Preventive measures

There is a legal possibility for a preventive measure such as probation supervision after fully served imprisonment. This option has to be decided by the court and is applicable if:

1. offender has fully served his/her two-years imprisonment;
2. offender has been previously convicted for the intentional offence with sentence to 1-year imprisonment;
3. There is a solid ground to believe that offender is going o continue committing offences.

If court find it necessary then probation period will be set between 18-36 months. In that case the process looks like regular probation supervision process under supervision of the probation officer according to the risk-profile of the offender.

There is also a possibility in the penal Code to impose preventive imprisonment after serving the sentence, but this is not used due the decision that this sanction doesn't comply with constitution and need to be revised.

4. Does the law on sentencing in criminal cases provide for specific risk assessment and, if yes, how is the procedure of assessment legally regulated?

Since 2007 the risk assessment tool has been applied to all adult probationers and convicted offenders, whose actual prison sentence exceeds one year. It is legally regulated by respective paragraphs of the Imprisonment Act and Probation Supervision Act.

	<p>There are more exact secondary legislative acts on the matter given according to the previously mentioned laws. The risk assessment use for prisoners and their sentence planning is regulated and described in detail by "Prisoners individual sentence and implementation instruction". For the probationers more precise guidelines are given in the "Probation Standards".</p> <p>Risk assessment shows level of risk and dangerous of offenders and is an obligatory tool for compiling the sentence plan and pre-release report. The collected information serves as the basis for a further intervention plan and gives an overview to the specialists about person's problems and needs.</p> <p>Early release risk assessment is integrated with the tool based on static risks in order to estimate the probability of recidivism and predict likelihood of reconviction. This formula is calculated to each inmate prior sending case to the court. The likelihood of a new offence within two years after release is given in for of a percentage. The formula can be generalized to a result that the similar group of offenders commits a new criminal offense with x% probability. This however is only a one small part of the evaluation.</p>
5.	<p>Does the law provide for a redefinition of risk or a risk assessment during the execution of the prison sentence? (e.g. after certain periods of time?)</p>
	<p>Yes, it does. Risk assessment is compiled once a year and in the circumstances if the important issues, information change. Risk assessment is also compiled before release on parole. After renewing a risk-assessment the sentence plan will be reviewed as well.</p>
II.	Early*/conditional release
1.	<p>Please describe the legal provision and conditions of early/conditional release from prisons in general and any particular legal conditions or requirements applying in the case of dangerous/high risk offenders.</p> <p>Penal code provides that person can be released on parole if:</p> <ol style="list-style-type: none"> 1. a person has been convicted of a criminal offence in the second degree, or a criminal offence in the first degree through negligence, the court may release the convicted offender on: <ol style="list-style-type: none"> a. at one third but not less than six months of the term of the imposed punishment and the person agrees to the application of the electronic surveillance or b. at least half but not less than six months of the term of the imposed punishment. 2. a person has been convicted of intentional criminal offence in the first degree, the court may release the person on parole: <ol style="list-style-type: none"> 1) at half but not less than six months of the term of the imposed punishment and the person agrees to the application of the electronic surveillance or 2) at least two-thirds of the term of the imposed punishment. 3. to probation supervision after service of full sentence (see above).
2.	<p>What kind of conditions or requirements (supervision orders, curfews etc.) can be imposed as a condition of early release?</p> <p>If offender is released on parole then for all of them the rules of the supervision of conduct will be applied together of without electronic monitoring.</p> <p>During the probation supervision person is required to comply with the following requirements:</p> <ol style="list-style-type: none"> 1) to reside in a permanent place of residence determined by the court; 2) to report at intervals determined by the probation supervisor at the probation supervision department; 3) to submit, in his or her place of residence, to the supervision of the probation officer and provide the probation officer with information relating to the performance of the offender's obligations and his or her means of subsistence; 4) to obtain the permission of the probation officer before leaving the place of residence for longer than fifteen days in the territory of Estonia;

	<p>5) to obtain the permission of the probation officer before changing residence, employment or place of study.</p> <p>6) To obtain the permission of the probation officer to leave a country.</p> <p>Taking into consideration of circumstances court can decide, if it is necessary, to impose additional responsibilities to the person; such as:</p> <ol style="list-style-type: none"> 1. to remedy the damage caused by the criminal offence within a term determined by the court; 2. not to consume alcohol or narcotics; 3. not to hold, carry or use weapons; 4. to seek employment, acquire general education or a profession within the term determined by the court; 5. to undergo the prescribed treatment if the offender has previously consented to such treatment; 6. to perform the maintenance obligation; 7. not to stay in places determined by the court or communicate with persons determined by the court; 8. to participate in social assistance programmes; 9. to submit to electronic surveillance if the offender has previously consented to such surveillance.
3.	<p>What is the length of the post-custody supervision period provided by law?</p> <p>Period of probation supervision in case of early release is determined to the extent of the unserved part of the term of the punishment but for not less than one year. In case of probation supervision as release from punishment the term will be from twelve months to three years.</p> <p>If a person has been sentenced to life imprisonment, the court may release the person on parole if the convicted offender has actually served at least thirty years of the term of the punishment. Probation will be ordered for a period of five to ten years.</p> <p>(Are there indeterminate periods, e.g. for life-time, or long-term determinate periods of supervision provided by law? Is the period of supervision equivalent to the rest of the sentence not served in prison or independent of it? i.e. like in Germany 2-5 years, independent of the 1/2 or 1/3-period not served in prison)</p> <p>The supervision of conduct after service of the sentence shall be imposed for the term of twelve months to three years. If a convicted offender fails to comply with supervisory requirements or perform the obligations imposed on him or her, the court may, on the basis of a report prepared by the probation officer, extend the term of supervision of conduct by up to one year at a time or impose additional obligations.</p>
III.	Transitional phase
1.	<p>How the preparation for release is legally and practically organised? (sentence and release plan, transfer to open prison, prison leaves etc., specific plans for “dangerous”/high risk offenders)</p> <p>There is no specific plan for high risk offenders comparing with all offenders. In case of all sentenced offenders, whose imprisonment is longer than 12 months, must be done a risk assessment and sentence plan where all the necessary measures are described. The dates when the opportunity to release on parole opens to the offender are marked in the sentence plan also.</p> <p><u>Placement to the open prison is possible in case of three categories of prisoners:</u></p> <ol style="list-style-type: none"> 1. Short sentences - if imposed sentence doesn't exceed one year and the intake phase to the prison is ended, person's dangerousness is evaluated not high or very high, person is not an addict. 2. Prior release - if unserved part of the sentence doesn't exceed 18 months and offender has served sentence up to early release date, person's dangerousness is evaluated not very high, person is not an addict. 3. On the basis of the individual sentence plan - if person's dangerousness is evaluated not high or very high, he has fulfilled individual sentence plan objectives or made efforts to fulfil them, if diagnosed to be addicted he's

agreed with treatment and is not in rehabilitation phase.

All mentioned categories also have to confirm with following conditions:

1. no effective disciplinary punishment for refusing to work, breaching tobacco and smoking rules in the facility, not fulfilling orders from a prison staff, possession of illegal communication means or being in the wrong place in the territory of prison.
2. Not in escape list.
3. No need for placement to extra security ward.
4. He's not a suspect or accused in criminal case.
5. In case of foreigner the living permit has to be issued.

If abovementioned requirements are met then prison shall provide opportunity for placement to open prison.

II The early release process is following:

1. If the person will be released on parole:

- ½ or 2/3 of imprisonment must be served (see in detail above), process starts automatically 2 months prior to those dates.
- Prison prepares a report based on risk-assessment and progress of the sentence. Probation officers view is asked.
- Report and a personal file are sent to the court.
- Court announces a hearing with presence of an offender (usually video conference).
- Court will make a decision on release.

2. If the person will be released to electronic monitoring + parole:

- 1/3 or ½ of imprisonment must be served.
- Persons` applies for it and agrees with electronic monitoring.
- Prison prepares a report based on risk-assessment and progress of the sentence.
- Probation officers view is asked with extra focus on the suitability for electronic monitoring.
- Report and a personal file are sent to the court.
- Court announces a hearing with presence of an offender (usually video conference).
- Court will make a decision on release.
- EM period from 1 month to 1 year, offender will be subject for probation order during and after the period of EM. The minimum period of probation is 1 year.

3. If the person will be released on parole to the addiction treatment

- Persons gives agreement for treatment
- ½ of imprisonment must be served
- Prison prepares a report based on risk-assessment and progress of the sentence.
- Probation officers view is asked with extra focus on the suitability for electronic monitoring.
- Report and a personal file are sent to the court.
- Court announces a hearing with presence of an offender (usually video conference).
- Court will make a decision on release.
- The minimum period of treatment is 18 months and maximum 3 years.

The court is taking into consideration the circumstances relating to the commission of the criminal offence, the personality of the convicted offender, his or her previous personal history and conduct during the service of the sentence, his or her living conditions and the consequences which release on parole may bring about for the convicted offender.

If a person, during a period of probation, fails to comply with probation requirements or perform the obligations imposed on him or her or fails to submit to electronic surveillance, the court will enforce the unserved part of the sentence on the basis of a report by the probation officer. If a person commits a new intentional criminal offence during a period of probation and is sentenced to imprisonment, the unserved part of the sentence is enforced.

	<p>2. What services are involved in release preparation? What are the roles and tasks of the services inside the institution?</p> <p>The Case manager, who is preparing release materials, is the prisons` contact person/officer who collects necessary information and involves other specialists (e.g. probation officer, social worker, local authorities etc.), makes risk assessment, characterization of the inmate and forwards package of materials to be sent to the court.</p> <p>Probation officer by request of contact person/officer compiles pre-release report and controls the place of residence what offender has stated to be his/her place of living after the prison. If possible the support person from third sector can be involved to the process at this point. I needed then local municipality is informed prior release about the need of social services.</p> <p>If offender serves full sentence and is released then two months prior to the end of sentence a case manager send a letter with necessary information about offenders needs and abilities to the local municipality social worker. It is an obligation of the local municipality to provide necessary shelter and support in the community.</p>
	<p>3. What services are involved in the community after release? What are the roles and tasks of aftercare services such as the probation service?</p> <p>Probation service is only involved in case of early release. Probation officers do not carry out aftercare service tasks, which is the role of the local municipality. Person is entitled to receive aid, support and services from local municipality and the state according to the rules defined by the law of social welfare services on equal grounds with general population.</p>
	<p>4. When does the preparatory stage for release begin? (Is it defined by law? Are there standards, guidelines?)</p> <p>In general it begins with the beginning of the sentence. More precisely it`s defined in law that a preparatory stage starts 2 months prior release.</p>
	<p>5. Do the probation officers visit the prisoners in prison? How often? When do they start? Is continuity of care provided by law or practice?</p> <p>Probation officers as employees of regional prisons cooperate with prison officers on daily basis and visit the prisoners when it is needed. Usually it takes place in release process, but probation officers also conduct risk-assessments for the prison and deliver programmes inside.</p> <p>Also, probation officers have access to prison database and to the offender`s case file. In case of juveniles and young prisoners there is a probation officer from home region appointed to them as addition to case managers in the prison.</p>
	<p>6. Is there a case manager in the prison and/or in the community? If yes, who is the case manager and what are their responsibilities?</p> <p>Yes, case managers are both in prison and probation departments. In prison the case managers are officers-contact persons and in probation service probation officers. These persons are responsible of every day case management work with inmates and probationers according to sentence, risk factors, sentence plan. They also conduct assessments, sentence plans, deliver programmes and carry on control activities.</p>
	<p>7. Please describe the system of prison/institutional leave (absence or release during sentence) in general and for “dangerous”/high risk prisoners in particular.</p> <p>Does the law provide for a transfer to open prisons for “dangerous”/high risk prisoners and what are the</p>

	<p>procedures for such a transfer?</p> <p>Prison may provide offenders a short time leave from prison up to 21 days a year. An opportunity for a short time leave appears when at least 1 year of imprisonment is served. Offender, who is convicted for first degree crime at least second time, has to be served at least ½ of the penalty. In decision-making process prison takes into account a crime that offender committed, how the offender has been following his/her individual schedule and the purpose of the short time leave. Short time leave is not available for inmates who are imprisoned for life and for offenders who are assessed potentially to escape. As a general practice shows the short term leave from a closed prison is possible only in few cases per year.</p> <p>For transferring offenders to an open prison please see above. Offenders who are assessed as very high risk offenders can't be transferred to an open prison.</p>
8.	<p>Does the national law provide for halfway houses and/or electronic supervision for “dangerous” or high risk prisoners in the preparatory stage for release or on release?</p> <p>There are no halfway houses in use in Estonia. There is only a possibility to be place to open prison or to be released from the prison on parole with/without electronic monitoring.</p>
9.	<p>Are NGOs or private aftercare services involved during the prison sentence, in the transitional phase or in the community following release? What is their role and to what authority are they accountable?</p>
	<p>NGOs can be involved in providing rehabilitation services to offenders. They are engaged where is a need and options for the certain services e.g. support person, self-help groups for addicts and anonymous alcoholics, drug treatment services etc. Every prison and probation department has its regional partners. Prison may also fund some services fully or partly. Usually the NGOs are operating on project grants awarded from elsewhere.</p>

* The term **early release** refers to automatic or unconditional release schemes that exist in some countries, see Padfield, N., van Zyl Smit, D., Dünkel, F. (Eds.) (2010): *Release from Prison – European policy and practice*. Cullompton: Willan Publishing.

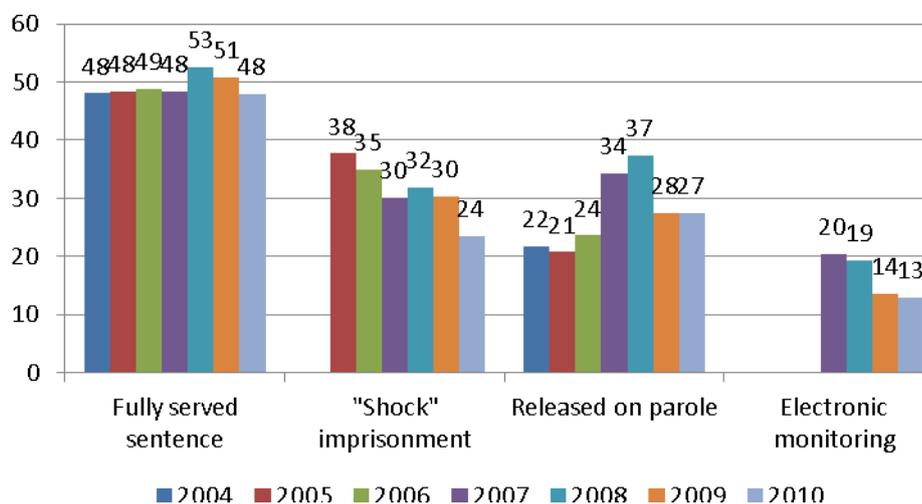
IV.	Aftercare	
	1.	<p>Please describe the system and forms of control/supervision after release. Are there particular legal requirements or restrictions for certain types of offenders? (Registration etc.) Please outline them briefly.</p> <p>Please explain any different requirements applying to offenders conditionally released and those having fully served their sentence.</p> <p>Offenders can be released from prison:</p> <ul style="list-style-type: none"> • on parole with probation supervision • on parole with probation supervision and electronic monitoring • on parole with probation supervision and placement to addiction treatment center • after serving full sentence • To probation supervision after fully serving the sentence. <p>The exact requirements applied under probation supervision are described in detail above section II question 2. The supervision over those requirements is carried out by a probation officer.</p> <p>If person is released without probation supervision after serving full sentence, then there aren't any requirements.</p>
	2.	<p>Are there legal and practice provisions or guidelines/standards for the definition of risk, risk assessment during the probation/aftercare period? If yes, please outline them briefly.</p> <p>Yes, for the probationers there is a risk assessment tool with respective handbook in use. Please see section I Q 2 and 4.</p>
	3.	<p>What services are involved, with legal responsibilities, in aftercare supervision? What other services are involved? (See Q9 below)</p> <p>E.g. Addiction treatment.</p>
	4.	<p>Please briefly describe their tasks and working practice.</p> <p>-</p>
	5.	<p>What is the role and interplay/co-operation of state and private aftercare services?</p> <p>The co-operation of the state and private, NGO sector is working but is evaluated as not very active. Local municipalities are the key organizations to ensure different social rehabilitation services, social benefits. NGOs can be involved to a rehabilitation of the offenders where is need and options for the certain services e.g. support person, addicts and alcoholics anonymous, drug treatment center etc.</p>
	6.	<p>How, to what extent and on what legal basis, the police are involved?</p> <p>Police is involved with probation process if there is need for information exchange or joint actions. In the law on probation, the probation officer is entitled to receive and request information from police regarding probationer.</p> <p>Generally they deal with investigation of offences and prevention activities. Local police officers also must be informed about their region and offenders as well, but it is rather general task than supervision obligation.</p>

	<p>7. Is electronic monitoring applied?</p> <p>Yes, from the 2007. Electronic monitoring can be applied :</p> <ul style="list-style-type: none"> * Release on parole (1/2 or 2/3 of imprisonment must be served) with electronic monitoring. * Electronic monitoring as alternative for arrest in pretrial phase (suspect, defendant). * Electronic monitoring as a supplement for short sentences (up to 6 months). <p>On January 2013 Tallinn Prison had 58 electronic monitoring cases. In Estonia altogether the number was 85. More than thousand offenders have been under EM scheme so far.</p>
	<p>8. Which form of electronic supervision is used? (House arrest, GPS?)</p> <p>Mostly its house arrest solution. GPS is available, but being used in few cases - mostly for the inmates' short term departures/leaves from the prison.</p>
	<p>9. Are NGOs or private aftercare services involved in the aftercare phase?</p> <p>In some cases according to the regional possibilities; e.g. addiction treatment services or housing. Usually they operate on grants or have contracts with local municipalities.</p>
<p>V. Statistics/empirical studies on recidivism</p>	
	<p>1. How many and what kind of “dangerous”/high risk offenders are in prison? (Absolute and percentage numbers data)</p> <p>Concerning to the risk assessment in Tallinna prison in January of 2013 altogether 133 offenders are evaluated as high risk offender. This is approximately 22,9 percentage of the offenders with whom the risk assessment has been made. 32 of the high risk offenders are marked to be danger to concrete adult, officer, prisoner or child. One overriding risk factor what high risk offenders have is violence.</p>
	<p>2. Please give longitudinal statistical data concerning question 1 for the time since 1995 (or for the period data is available)</p> <p>Unfortunately we do not have such a data.</p>
	<p>3. How many and what kind of “dangerous”/high risk offenders (see question 1) are under supervision of the probation and aftercare services?</p> <p>There are 2 Probation Departments in Tallinn Prison: Harju Probation Department and Pärnu Probation Department with altogether 3171 probationers which is approximately half of the Estonian probationers.</p> <p>Concerning to the risk assessment results in January 2013 altogether 86 probationers are evaluated as high risk offenders and one as very high risk offender. This is approximately 3,4 percent of the offenders with whom the risk assessment has been made. 36 of the high risk offenders are marked to be threat to a children, concrete adult or officer.</p>
	<p>4. Please provide longitudinal data since 1995 concerning question 3 (or for the period data is available).</p> <p>Unfortunately we do not have such a data.</p>
	<p>5. How many “dangerous”/high risk offenders are under police surveillance or supervision as a legal condition or requirement?</p> <p>There is no a possibility for high risk offenders to be under specific police supervision.</p>

6. Please provide any studies on recidivism and/or recall from early/conditional release.

Estonian Ministry of Justice is gathering and analyzing recidivism rates on regular bases.

Last studies made at 2012 showed that 2010 the recidivism rate of the early/conditionally released persons was 27%. Recidivism rate of the probationers under electronic monitoring surveillance was 13%. In comparison, the recidivism rate of he persons who released after serving their whole sentence was 48%.



English summary of the study "Crime in Estonia in year 2011" available at the webpage http://www.just.ee/orb.aw/class=file/action=preview/id=57627/Kuritegevus_Eestis_2011.pdf (pages 154-172).

7. Have the risk assessment instruments used by the prison and probation services been evaluated? What have been the results? Please provide details of evaluation studies.

In 2004 and 2006 were carried out first validity researches on risk assessment tool. Research made prior use of the tool in 2004 showed a little reliability with quite many indicators. As a result the tool was changed and second research in 2006 proved that tool is valid for predicting recidivism and its outcome is rather good. Researchers analysed over 500 cases and data for that which was gathered during piloting phase in 2003-2004.

Research conducted in 2008 showed, that predictive power of the tool is at good level. The tool does not distinguish between types of offences, but shows remarkably well overall recidivism.

Based on the research carried out in 2010 some changes in the tool were made and also formula for predicting likelihood of reconviction was modified.

In 2011 and 2012 there has been scientific research only on formula of predicting likelihood of reconviction. These results proved that currently used formula is predicting reoffending rather well, but the results are not so good if we talk only about conditional release.

VI.	Further issues	
1.		<p>Has your country been subject of decisions of the European Court of Human Rights with regards the accommodation and treatment of “dangerous”/high risk offenders?</p> <p>As much as we are informed there are no such decisions.</p>
2.		<p>Please provide relevant information and the references of reports of the Committee for the Prevention of Torture (CPT) and the Government’s answers to them in respect of “dangerous”/high risk prisoners. Have there been policy or legislative amendments with regards to the CPT-reports?</p> <p>The last visit of the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) to Estonia was carried out from 30 May to 6 June 2012. At the moment there are no public final results available as the consultation process is ongoing.</p>
3.		<p>Is there a legal basis for information exchange between agencies dealing with “dangerous”/high risk offenders in prisons and/or in the community? If yes, please outline them briefly.</p> <p>Prisons inform local authorities about the prisoners release time and include information of the themes necessary to deal after prisoner has released. Also in some cases probation officers have to inform the victim about offenders release or progress.</p> <p>The legislation provides a possibility for information exchange, but in case of the dangerous/high risk offenders it’s rather unsystematic and case based than well-coordinated.</p> <p>Nevertheless the intelligence sharing between prison security and police is at high level. This information however is often closed to case managers.</p>
4.		<p>Please detail here any further important issues related to “dangerous”/high risk offenders not considered in the questionnaire.</p>
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Florence, 12 December 2012

Frieder Dünkel