

Probation supervision after sentence

History of the measure

- Initially two new measures (entered into force from 24.07.2009):
 - Supervision of conduct after serving of prison sentence.
 - Detention after serving a sentence (**Repealed** - RT I, 05.07.2013, 2 - entry into force 15.07.2013)

Target group and considerations

- The general aim of the measure is to reduce recidivism and therefore to raise public safety.
- Target group of the measure is high risk offenders.

Target group and considerations

The court may subject supervision of conduct after service of sentence to a person who:

- is sentenced for an intentionally committed criminal offence by at least two years of imprisonment and has served the sentence.
- has been previously sentenced for an intentionally committed criminal offence with at least one year of imprisonment.
 - Remark: In case of violent crime (f.ex. murder) the previous sentence may not be necessary.

Target group and considerations

The court must also take into consideration following factors:

- circumstances relating to the commission of the criminal offence;
- personality;
- previous personal (criminal) history;
- living conditions;
- conduct during the service of the sentence.

Rules of supervision

- The term is from twelve months to three years.
- Conditions of the probation supervision are applied
- In case of breach:
 - extension of the supervision period by one year
 - Additional obligations applicable for probationers
- On the basis of a report by the probation officer, a court may mitigate or annul the obligations imposed.
- Intentional violation of supervision is punishable by a pecuniary punishment or up to one year of imprisonment.

Statistics

- 17 offenders are on supervision of conduct (31.12.2012) They are previously convicted for;
 - Larceny (8);
 - Robbery (3);
 - Unlawful handling of large quantities of narcotic drugs or psychotropic substances (2);
 - Causing serious health damage (2);
 - Physical abuse (1);
 - Fraud (1);
 - Aggravated breach of public order (1).

Statistics

- 2012 - the court has considered 23 cases, from which in 17 (70%) cases the court imposed supervision
- 2013 - altogether 26 cases sent to the court from Tallinn prison
- **Currently 14 persons under such supervision**

Thank you!