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**COUNCIL OF EUROPE  
ANNUAL PENAL  
STATISTICS**

**SPACE II**

***PERSONS SERVING NON-CUSTODIAL SANCTIONS AND  
MEASURES IN 2012***

**SURVEY 2012**

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## Executive Summary

- The participation rate in the 2012 SPACE II Survey was very satisfying: 46 out of the 52 probation services of the 47 Council of Europe Member States answered the questionnaire.
- About 80% of the probation services of the responding countries are placed under the authority of the national Ministry of Justice, even though this authority is shared with the Prison Administration in about 50% of these cases.
- During the year 2012, 1 457 757 persons entered into supervision by the probation services, and 1 053 869 left that supervision. As a comparison, the year 2011 saw 1 433 300 (+ 1.7% in 2012) entries and 1 031 278 exits (+2.2% in 2012). For the exits, the evolution between 2010 and 2011 was + 13.9%.
- On 31<sup>st</sup> December 2012, there were 1 732 518 persons under the supervision or care of the probation services of the responding countries. On 31<sup>st</sup> December 2011, this number was 1 525 544 (+ 13.6% in 2012). The evolution between 2010 and 2011 was 29.6%.
- Although comparisons between 2011 and 2012 should be conducted cautiously as there are minor differences concerning the countries that answered both questionnaires, the trends in entries, exits, and stock of the probation population, suggest that persons are being placed under supervision for slightly longer periods of time (14.1 months in average in 2011 and 14.9 in 2012).
- The average European probation population rate was 214.3 probation clients per 100 000 inhabitants, which is slightly higher than in 2010, when there were 208.6 probation clients per 100 000 inhabitants.
- Non-custodial sanctions and measures are seldom used as an alternative to pre-trial detention: Roughly, only 7% of the probation population is placed under supervision before trial.
- Community service exists in approximately 95% of the responding countries (n=42). It can be pronounced without the consent of the offender in 26% of the responding countries.
- Correctional work exists in 14% of the responding countries (mostly countries from Eastern Europe).
- There is a great diversity in the ways of using community service among the responding countries, but it is mostly used as a sanction in its own right.
- On average, female probation clients represented 9.8% of a responding country's total probation population on 31<sup>st</sup> December 2012, whereas juveniles represented 6.9% of the same population, and foreigners 13.7%.

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- On average, the responding countries count 9.8 probation staff members per 100 000 inhabitants, with great individual variation among the responding countries (min: 0.6, max: 53.4).
  - Each probation staff member across Europe is in charge, on average, of 8.4 pre-sentence reports.

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# COUNCIL OF EUROPE ANNUAL PENAL STATISTICS – SPACE II – PERSONS SERVING NON-CUSTODIAL SANCTIONS AND MEASURES IN 2012

by Marcelo F. AEBI and Yann MARGUET<sup>1</sup>

## Introduction

### Background and scope of the survey

The 2012 version of SPACE II considers **persons serving non-custodial and semi-custodial sanctions and measures supervised by probation agencies** (or any other equivalent institution). These sanctions and measures are frequently referred to as *alternatives to imprisonment* and most of them are **community sanctions and measures (CMS)**.

According to the Council of Europe's Recommendation CM/Rec(2010)1, the concept of CSM refers to "sanctions and measures which maintain offenders in the community and involve some restrictions on their liberty through the imposition of conditions and/or obligations. The term designates any sanction imposed by a judicial or administrative authority, and any measure taken before or instead of a decision on a sanction, as well as ways of enforcing a sentence of imprisonment outside a prison establishment."

The persons who are under a sanction or measure alternative to imprisonment are generally under the supervision of the probation agencies of each country. By **probation agencies**, we mean any body designated by law to fulfil the tasks and responsibilities related to the implementation in the community of sanctions and measures defined by law. The work of probation agencies includes a range of activities and interventions, which involve supervision, guidance and assistance to the persons affected by such sanctions and measures. "Depending on the national system, the work of a probation agency may also include providing information and advice to judicial and other deciding authorities to help them reach informed and just decisions; providing guidance and support to offenders while in custody in order to prepare their release and resettlement; monitoring and assistance to persons subject to early release; restorative justice interventions; and offering assistance to victims of crime" (Recommendation CM/Rec(2010)1).

SPACE II is not designed to cover all the existing CSM. The sanctions and measures covered are basically those suggested by the Council of Europe through principle 15 of Recommendation Rec n° R (99)22 on prison overcrowding and prison population inflation. The Recommendation n° R (2000)22 enlarged the list of possible sanctions, and the Recommendation CM/Rec(2010)1 on the Council of Europe Probation Rules stated the principles that should guide the establishment and proper functioning of probation agencies.

The data gathered by the SPACE II survey includes the **stock (number of persons under the supervision or care of probation agencies on 31 December 2012)**, the **flow of entries (number of persons placed under the supervision or care of probation agencies during 2012)**, the **flow of exits (number of persons that have ceased to be**

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under the supervision or care of probation agencies during 2012), socio-demographic information on these persons, and information on the staff of probation agencies. The report includes an annual rotating module, which, in 2012, relates to community service.

SPACE II does not consider the persons who have finished to serve their sanction or measure and that are under the aftercare of probation agencies according to Recommendation CM/Rec(2010)1.

*In principle, SPACE II does not consider sanctions and measures imposed by the juvenile criminal law or applicable only to juveniles.* However, some countries include juveniles in their figures (see Table 3.1).

The information included in this report was gathered through a questionnaire sent to all Member States of the Council of Europe. In that context, it must be pointed out that the questionnaire used since the 2010 SPACE II survey has been completely revised on the basis of the experience accumulated through the previous SPACE II surveys. The main revisions include the use of the **person** as the *counting unit* throughout the questionnaire, the inclusion of the **flow of exits** as a new indicator, a clarification of the **status of probation agencies** inside the different criminal justice systems, the inclusion of the **reports** produced by probation agencies, as well as a new classification of the items included in the questionnaire. Comparability with previous SPACE II surveys is thus problematic, but the increase in the quantity and the quality of the answers received suggest that the new questionnaire produces better results, in terms of validity and reliability of the data, than the previous ones.

The goal of the survey is to gather and compare, in a reliable way, the information provided by Member States of the Council of Europe. In order to allow comparisons at the European level, States were asked to **adapt their national categories to the categories proposed by SPACE II**. Moreover, in order to improve the validity of such comparisons, the questionnaire used for the survey included questions on the particularities of the sanctions and measures used in each country and had enough room for comments.

This survey counted with the support of the European Organisation for Probation (CEP), which contacted all its Member States, encouraging them to answer the questionnaire.

## Conventions used

***	The question is irrelevant. The item refers to a notion that does not exist in the respondent's criminal justice system.
0	The number is zero at the date of reference, but the item refers to a notion that exists in the respondent's criminal justice system.
...	No figures available, but the item refers to a notion that exists in the respondent's criminal justice system.
()	When the data are shown in brackets this means that they are not strictly comparable with the data requested by SPACE. For example, this applies to items whose definition is not the same as the one used in the SPACE questionnaire. Or when the total number of analysed figure is less or equal to 10 individuals.
---	When the questionnaire box is left blank or a symbol is used, whose meaning is not explicit (for example "/" or "-"), we used the symbol "- - -".

All the explanations and additional comments provided by the national correspondents are located in the notes to each Table.

## Measures of central tendency

In Tables containing rates or percentages we have used the following measures to describe the distribution of the data:

- **MEAN:** THE ARITHMETIC MEAN IS THE OUTCOME OF DIVIDING THE SUM OF THE DATA SUPPLIED BY THE TOTAL NUMBER OF COUNTRIES. THE MEAN IS SENSITIVE TO EXTREME VALUES (VERY HIGH OR VERY LOW), THEREFORE, THE MEDIAN IS ALSO USED AS A MEASURE OF CENTRAL TENDENCY.
- **MEDIAN:** THE MEDIAN IS THE VALUE THAT DIVIDES THE DATA SUPPLIED BY THE COUNTRIES CONCERNED INTO TWO EQUAL GROUPS SO THAT 50% OF THE COUNTRIES ARE ABOVE THE MEDIAN AND 50% ARE BELOW IT. THE MEDIAN IS NOT INFLUENCED BY VERY HIGH OR VERY LOW VALUES.
- **MINIMUM:** THE LOWEST RECORDED VALUE IN THE GIVEN COLUMN OF THE TABLE.
- **MAXIMUM:** THE HIGHEST RECORDED VALUE IN THE GIVEN COLUMN OF THE TABLE.

FOR REASONS OF ACCURACY WE HAVE CALCULATED THE MEAN AND MEDIAN VALUES FROM THE ORIGINAL DATABASE, WHICH CONTAINS ALL THE DECIMALS NOT PRESENTED IN THE TABLES. READERS WHO REWORK THE CALCULATIONS FROM THE DATA IN THE TABLES - WHICH ONLY CONTAIN ONE OR TWO DECIMALS - WILL THEREFORE OBTAIN SLIGHTLY DIFFERENT RESULTS FROM OURS.

## Demographic data

The rates presented in this report have been calculated using demographic data (total population of each European country on January 1<sup>st</sup>, 2012), taken from the *Eurostat* Database (“*Population on 1<sup>st</sup> January by age and gender*”<sup>2</sup>).

**Exceptions:** For some countries, the figures of the population are not available in the *Eurostat* datasets (i.e. for 2012 it was the case of Albania and Monaco). Moreover, some national correspondents provided information for different territorial divisions than the ones used in EUROSTAT demographic data. The territories concerned and the sources used for their demographic data are the following:

- **Albania:** Demographic data refer to 1<sup>st</sup> January 2012. Data were retrieved from the Website of Institute of Statistics (INSTAT) *Population: Population 1 January 2001-2013 by age groups* (subcategory: Figures), available at: <http://www.instat.gov.al/en/themes/population.aspx> (retrieved on February 26<sup>th</sup>, 2014).
- **Bosnia and Herzegovina (Federation of Bosnia and Herzegovina):** Demographic data refer to 30<sup>th</sup> June 2012. Data were retrieved from the Website of the Federal Office of Statistics (report: *The estimate of the present population by age and sex, June 30, 2012*), available at: <http://www.fzs.ba/saopcenja/2012/14.2.1.pdf> (retrieved on February 26<sup>th</sup>, 2014).
- **Bosnia and Herzegovina (Republika Srpska):** Demographic data are estimates. The estimates are done for 2012 on the basis of the natural changes of population and migration (“*Demographic statistics. Statistical Bulletin*” no. 16, Republika Srpska Institute of Statistics, Banja Luka, 2013, p. 15), available at: <http://www.rzs.rs.ba/front/article/778/> (retrieved on February 26<sup>th</sup>, 2014).
- **France:** Demographic data includes the European territory of France (known as the Metropolitan France), the French overseas departments (Guadeloupe, Martinique, Guiana and Reunion, known as DOM or Départements d’Outre-mer) as well as overseas communities (French Polynesia, New Caledonia, Mayotte, Saint-Pierre-and-Miquelon, Wallis and Futuna, Saint-Martin and Saint-Barthélemy).

<sup>2</sup> [http://epp.eurostat.ec.europa.eu/portal/page/portal/statistics/search\\_database](http://epp.eurostat.ec.europa.eu/portal/page/portal/statistics/search_database) (figures retrieved from the database on February 26<sup>th</sup>, 2014)



- **Serbia:** Demographic data exclude Kosovo and Metohija territories.
- **Monaco:** Demographic data are mid-2012 estimates. Data available on the Website of the World Bank: <http://data.worldbank.org/country/monaco> (retrieved on February 26<sup>th</sup>, 2014).
- **Spain (State Administration and Catalonia):** Demographic data refer to 1<sup>st</sup> January 2012. Data were retrieved on February 26<sup>th</sup>, 2014, available for Spain (Total figure) and separately for Catalonia on the Website of the National Statistics Institute of Spain (INE) in the dataset *Populations by Autonomous Communities and Cities and sex*: <http://www.ine.es/jaxi/tabla.do>.
- **United Kingdom (England and Wales, Northern Ireland, and Scotland):** Demographic data are mid-2012 estimates. Data were retrieved on February 26<sup>th</sup>, 2014:
  1. **England and Wales:** Statistical bulletin: *Annual Mid-year Population Estimates for England and Wales, 2012*, by Office for National Statistics: <http://www.ons.gov.uk/ons/rel/pop-estimate/population-estimates-for-england-and-wales/mid-2012/mid-2012-population-estimates-for-england-and-wales.html>,
  2. **Northern Ireland:** *Mid-Year Population Estimates*, by Northern Ireland Statistics and Research Agency (NISRA): <http://www.nisra.gov.uk/demography/default.asp17.htm>.
  3. **Scotland:** *Mid-2011 and Mid-2012 Population Estimates Scotland Population estimates by sex, age and administrative area*, by National Records of Scotland: <http://www.gro-scotland.gov.uk/files2/stats/population-estimates/mid2012/mid-2011-2012-pop-est.pdf> .

## Data Validation Procedure

According to the authors of the European Sourcebook of Crime and Criminal Justice Statistics (Strasbourg, Council of Europe, 1999), "validation is often the most important - and in many cases the most forgotten - stage of the data collection process". Therefore, we have introduced a validation procedure for the data received. Such procedure substantially increases the workload of all the individuals and countries involved in the elaboration of SPACE II. It also delays the publication of the data. However, we believe that the results obtained –in other words, the improvements to the quality of the data– justify its use.

As part of the validation procedure, we produced a preliminary version of SPACE II and a series of control Tables that revealed a number of inconsistencies in the data received from some countries. Those countries were contacted again by means of a telephone call or a personal letter –sent by e-mail or fax– setting out the specific problems encountered in their data. In some cases, it was imperative to translate some information in order to avoid mistakes. Most of the countries corrected their figures, sent new ones for certain parts of the questionnaire, or indicated the reasons for the divergences identified. Such divergences are mainly due to differences in the national prison statistics systems as well as in criminal justice systems across Europe and are explained in the notes to the relevant Tables.

Nevertheless, despite our efforts to identify errors and inconsistencies, some of them may still remain and others may have been introduced involuntarily during the data processing. Moreover, it has not always been possible to correct the inconsistencies discovered in a totally satisfactory way. In that context, any readers' comments, notes or criticisms are welcomed.

## Response rate of the survey

Forty-six (46) countries and administrative entities answered the 2012 SPACE II questionnaire, which represents two more respondents than for the 2011 survey (compared to 25 countries for the 2007 edition, 34 for 2009 and 43 for 2010). We are glad to count only six countries and administrative entities missing from this year's survey. We are confident that, by next year or the one that will follow, we will be able to count the 52 Member States and administrative entities of the Council of Europe and provide a global, complete picture of the European statistics on community sanctions and measures.

The following countries did not answer the questionnaire despite several reminders: **Hungary, Montenegro, Russia, FYRO Macedonia** and **Ukraine**. We regret that the answers provided by **Greece** had to be removed from the tables due to inconsistencies that could not be fixed.

The constant increase in the number of respondents for the period 2007-2012 seems to reflect the fact that some probation agencies, still young at the time of the 2007 survey, are now willing to take part in this European comparative exercise.

**Table A: Administrative status of the probation agencies** (Under the authority of which official body are the probation agencies placed?)

Reference: Council of Europe, SPACE II 2012.A.

Country	Ministry of Justice	Ministry of Interior	Prison Administration	Probation agencies are independent State bodies	Probation agencies are independent private bodies	Probation agencies are mixed (State and private) independent bodies	Probation services do not exist in the country	Other (please specify)
	A	B	C	D	E	F	G	H
Albania								
Andorra								
Armenia								
Austria								
Azerbaijan								
Belgium								
BiH : State level								
BiH : Fed. BiH								
BiH: Rep.Srpska								
Bulgaria								
Croatia								
Cyprus								
Czech Republic								
Denmark								
Estonia								
Finland								
France								
Georgia								
Germany								
Iceland								
Ireland								
Italy								
Latvia								
Liechtenstein								
Lithuania								
Luxembourg								
Malta								
Moldova								
Monaco								
Netherlands								
Norway								
Poland								
Portugal								
Romania								
San Marino								
Serbia								
Slovak Rep.								
Slovenia								
Spain (State Admin.)								
Spain (Catalonia)								
Sweden								
Switzerland								
Turkey								
UK: England and Wales								
UK: Northern Ireland								
UK: Scotland								

## **Notes –Table A**

### **Andorra:**

- General comment: The probation service is a public agency under the Ministry of Justice and is composed of a General Directorate and 12 Local Probation Offices organized around 22 Albanian judicial court districts.

### **Andorra:**

- H: "Other" are:  
Social services of the Government of Andorra.  
Treatment against addiction Unit (alcoholism, narcotic substances, etc.).

### **Austria:**

- General comment: the Austrian Probation Service "Verein Neustart" is an association, which is subsidized (around 80 percent) by the Federal Ministry of Justice.

### **Azerbaijan:**

- General comment: Probation Services do not exist in Azerbaijan. The Ministry of Justice is responsible for the execution and supervision of non-custodial sanctions (community sanctions and measures (CMS), as well as for exercising control over conditionally released persons).

### **Belgium:**

- General comment: the "Direction générale des maisons de justice" is a specific directorship of the Federal public service of justice, as well as the General directorship of the penitentiary establishments.

### **BiH: Republika Srpska:**

- General comment: the Law on execution of criminal sanctions of Republika Srpska does not regulate probation service nor probation agencies. Conditional release is regulated in the said law.

### **Cyprus:**

- General comment: The Prison Administration is under the authority of the Ministry of Justice. The Police (Ministry of Justice) and the Social Welfare Services (of the Ministry of Interior) are not considered probation agencies. However, these two official bodies employ probation officers who handle probation cases (among other responsibilities that they have).

### **Czech Republic:**

- General comment: Probation and Mediation Service of Czech republic (PMS) is an organizational unit of the Czech Republic. Supervision of the activities is carried out by the Ministry of Justice.

### **Georgia:**

- H: The National Agency for the Execution of Non-custodial Sentences and the Probation Agency are under the jurisdiction of the Ministry of Corrections and Legal Assistance of Georgia.

### **Iceland:**

- General comment: General comment: The Prison system in Iceland is runned by the Prison and Probation Administration (PPA), a governmental institution controlled by the Ministry of Interior (before 1st January 2011, it was the Ministry of Justice).

**Latvia:**

- General comment: Latvian law on State Probation Service (SPS) defines the SPS as "a State administrative institution under the supervision of the Ministry of Justice".

**Liechtenstein:**

- General comment: General comment: "Bewährungshilfe Liechtenstein" is a private and independent association that is publicly funded.

**Luxembourg:**

- General comment: The Ministry of Justice is a supervision ministry. The probation agencies is linked to the general court and is part of the judicial administration.

**Malta:**

- General comment: The Directorate of Probation and Parole (DPP) was set up on 1 January 2012. In 2011 the objectives of the Probation Services were revised in preparation for the implementation of the new functions. On an administrative level, the Probation Services were to be separate and distinct from the Correctional Services. On a legislative level, the department was to assume the responsibilities of the Parole and Victim Support functions in addition to the Probation services. As from 1 September 2011, Probation Officers started using the established risk assessment and risk management tools to all new post-sentencing cases. This also led to ongoing collaborations with the Institute of Criminology within the University of Malta, which is the main provider of training to probation officers. In-service training is also provided by the Probation Services in collaboration with various organizations, including the Institute of Criminology. The Department also works in close cooperation with local and foreign stakeholders, such as the Police, Criminal Court and Correctional Services. Senior officials also participate in workshops, seminars and conferences held locally or abroad on issues relating to criminal justice, in particular Restorative Justice issues.
- Categories of documents held by the Department of Probation and Parole:
  - Register of offenders as referred to by the Court.
  - Case Files on all offenders referred to the Department by the Court.
  - Case statistics.
  - General Correspondence.
  - Personal files of staff.
  - Human Resources Documents.
  - Accounts Documents.
  - Internal Administration Documents.
  - Standard forms determining information at the pre and post sentencing stage.
  - Community Service Order Guidelines.

**Netherlands:**

- General comment: In the Netherlands, there are three probation agencies, which are independent private bodies. These agencies are almost fully financed by the Ministry of Justice.

**Norway:**

- General comment: The Ministry of Justice and National Security is responsible for the Directorate of Corrections. The Directorate of Corrections administers 5 regional units which, in turn, administer prisons and probation offices. I.e. prisons and probation are one and the same service.

**San Marino:**

- General comment: General comment: The probation services in the Republic of San Marino are a public organism depending on the Ministry of Justice.

**Serbia:**

- General comment: Probation services do not exist in Serbia. Alternative sanctions are enforced by the Department for treatment and alternative sanctions, within the Administration for the Enforcement of Criminal Sanctions (prison administration).

**Slovenia:**

- General comment: In Slovenia, a part of the tasks of the probation services are carried out by the Prison Administration of the Republic of Slovenia as a body of the Ministry of Justice (e.g. weekend prison) and by centers for social work in case of conditional sentence under protective supervision or in case of conditional release under protective supervision, or community service.

**Spain (State Administration):**

- General comment: In a strict sense, probation is a figure that does not exist in the Spanish penitentiary system. Nonetheless, the Spanish legislation contemplates a series of measures, such as electronic control, conditional release, treatment, community service, etc, as modalities of execution of the prison sentence, or as alternatives to it. Under the frame of this general secretariat there are two general deputy directorships directly related with this figure: the general deputy directorship of penitentiary treatment and management is in charge of managing prison sentences in the different modalities of semi-freedom, and the general deputy directorship of alternative penalties and measures is in charge of managing conditional release and the execution of penalties and measures alternatives to imprisonment.

**UK: Northern Ireland:**

- General comment: The Northern Ireland Assembly is the devolved legislature for Northern Ireland. It is responsible for making laws on transferred matters in Northern Ireland and for scrutinising the work of Ministers and Government Departments. The Probation Board for Northern Ireland is a Non Departmental Public Body, its sponsoring department is the Department of Justice.

**UK: Scotland:**

- H: Probation services in Scotland are funded through the Scottish Government equivalent of the Ministry of Justice (Directorate General of Learning and Justice). The funding is then distributed by geographically-based Community Justice Authorities to local government bodies (local authorities) who manage the operation of criminal justice social work through their social work departments. Some services are also provided by the voluntary sector.

## Section A: Persons under the supervision or care of probation agencies in 2012

### **COUNTING UNIT: THE PERSON**

The counting unit in Section A is **the person**, and not the number of cases or records. The goal is to know the number of persons that on 31<sup>st</sup> December 2012 (stock), respectively during the year 2012 (flow), were under the supervision or care of probation agencies.

### Items 1 and 2 (in Tables 1.1 to 2.3): Forms of probation/supervision

#### Definitions and explanations

#### 1.1, 2.1 Forms of probation/supervision before the sentence

##### **1.1.1, 2.1.1 ALTERNATIVES TO PRE-TRIAL DETENTION WITH SUPERVISION BY PROBATION AGENCIES (TOTAL)**

Pre-trial detention is used in this questionnaire as a synonym of remand in custody. Remand in custody is any period of detention of a suspected offender ordered by a judicial authority and prior to conviction; it also includes any period of detention after conviction whenever persons awaiting either sentence or the confirmation of conviction or sentence continue to be treated as unconvicted persons (Rec (2006) 13, ch.1).

##### **1.1.1.1, 2.1.1.1 ELECTRONIC MONITORING**

Electronic Monitoring allows the localization of the person using different techniques. Electronic monitoring can be pronounced as a sanction in its own right, as a condition attached to a suspended or conditional sentence, or as a condition attached to a conditional release.

##### **1.1.1.2, 2.1.1.2 HOME ARREST**

The person is required to remain in a permanent way at his/her residence. If, in your country, home arrest is used exclusively with Electronic Monitoring, please indicate it under the heading "Comments".

##### **1.1.2, 2.1.2 CONDITIONAL SUSPENSION OF THE CRIMINAL PROCEEDINGS**

This item refers to cases where the whole procedure is postponed before the person is found guilty. Indeed, it covers cases where, before any finding of guilt, an authority of the criminal justice system (examining magistrate, court, prosecutor or other) orders the suspension of the procedure for a given time in order to assess the behaviour of the accused person during that period or to allow mediation or conciliation procedure.

##### **1.1.3, 2.1.3 DEFERRAL (POSTPONEMENT OF THE PRONOUNCEMENT OF A SENTENCE)**

Cases where the person is found guilty, but the decision on the sentence to be imposed is postponed during a certain period of time in order to appreciate the evolution of the behaviour of the person during that time. At the end of it, and according to the evolution of his/her behaviour, the person can be sentenced or the proceedings can be filed. Cases in which the deferral is pronounced without probation are not included.

**1.1.4, 2.1.4 VICTIM-OFFENDER MEDIATION**

Mediation is a way of resolving conflicts or differences of interests between the offender and the victim. It is not a CSM but it is sometimes handled by probation agencies.

**1.2, 2.2 Forms of probation/supervision after the sentence****1.2.1, 2.2.1 FULLY SUSPENDED CUSTODIAL SENTENCE WITH PROBATION**

The judge can attach conditions to the suspension of a sentence during a given period. The person has been sentenced to imprisonment, but the enforcement of the sanction is suspended and the person remains under the obligation to conform to the conditions imposed.

**1.2.2, 2.2.2 PARTIALLY SUSPENDED CUSTODIAL SENTENCE WITH PROBATION**

The partial suspension allows the judge to pronounce a sentence of imprisonment of which a part is served under custody and the other is suspended. In this category are also counted periodical prison stays (e.g. semi-custodial sanctions) accompanied by probation supervision during the rest of the time.

**1.2.3, 2.2.3 CONDITIONAL PARDON OR CONDITIONAL DISCHARGE (WITH PROBATION)**

The pardon or the discharge are granted if the attached requirements (e.g. payment of the damages to the victim, detoxification therapy, etc.) have been fulfilled during a given period of time. The conditional pardon can be pronounced after a sentence has been imposed. The discharge can be pronounced when the person is found guilty (i.e. before the sentence is imposed).

**1.2.4, 2.2.4 COMMUNITY SERVICE**

Community service consists in unpaid work for the benefit of society. Community service can be pronounced as a sanction on its own right, as a condition attached to a suspended or conditional sentence or a conditional release, as well as a supplementary sanction. **If community service is combined with another CSM, the number is included under item 1.2.10, respectively 2.2.10.**

**1.2.5, 2.2.5 ELECTRONIC MONITORING**

Please refer to the definition provided for item 1.1.1.1

**1.2.6, 2.2.6 HOME ARREST**

Please refer to the definition provided for item 1.1.1.2

**1.2.7, 2.2.7 SEMI-LIBERTY (INCLUDING WEEKEND IMPRISONMENT AND IMPRISONMENT ON SEPARATE DAYS)**

Under this regime, the offender must spend a certain amount of time in the community and a certain amount of time in prison. The time spent in prison can be placed at different times. For example, the person may be obliged to spend the nights, the weekends or certain days in prison.

**1.2.8, 2.2.8 TREATMENT**

Treatment requirements can be pronounced at different stages of criminal proceedings. These may concern treatment provided for drug-dependent, alcohol-addicted offenders, as well as offenders with mental disorders and persons convicted for sexual offence.

**1.2.9, 2.2.9 CONDITIONAL RELEASE / PAROLE WITH PROBATION**

Conditional release of a prisoner before the end of his/her sentence (also known as parole) under individual/specific conditions.



**1.2.10, 2.2.10 MIXED ORDERS**

Two or several types of CSM ordered at the same time or that supplement each other during the execution of the sentence. The applied combinations are presented in the subcategories of item 1.2.10, respectively 2.2.10.

**Table 1.1: Number of persons serving CSM or being under probation (STOCK) on 31<sup>st</sup> December 2012**

Reference: Council of Europe, SPACE II 2012.1.1

Country	Country population in 2012 (in thousands)	Total number of persons under the supervision or care of probation agencies	1.1 Forms of probation/supervision <u>before</u> the sentence					1.2 Forms of probation/supervision <u>after</u> the sentence										
			Alternatives to pre-trial detention with supervision by probation agencies (total)	Conditional suspension of criminal proceedings	Deferral (postponement of the pronouncement of a sentence)	Victim-offender mediation	Other	Fully suspended custodial sentence with probation	Partially suspended custodial sentence with probation	Conditional Pardon or conditional discharge (with probation)	Community service	Electronic Monitoring	Home arrest (curfew orders)	Semi-liberty	Treatment	Conditional release / parole <b>with</b> probation	Mixed orders	Other
			1.0	1.1.1*	1.1.2	1.1.3	1.1.4	1.1.5	1.2.1	1.2.2	1.2.3	1.2.4	1.2.5	1.2.6	1.2.7	1.2.8	1.2.9	1.2.10
Albania	2 815.7	7 271	0	***	***	...	***	5 794	***	***	654	0	145	1	***	677	***	***
Andorra	78.1	...	...	***	***	***	...	...	...	...	...	...	...	...	...	...	...	...
Armenia	3 274.3	2 733	***	***	***	***	***	1 102	***	***	468	***	***	***	***	183	...	1 346
Austria	8 408.1	14 997	104	4 327	***	***	***	4 644	1 163	8	783	203	***	147	3 618	***	***	
Azerbaijan	9 235.1	9 564	...	***	***	***	***	98	***	***	30	***	...	***	***	2 361	***	7 075
Belgium	11 094.9	39 031	2 073	***	5 967	5 400	***	12 786	...	1	9 090	1 103	***	94	***	2 517	***	***
BiH: state level	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
BiH: Fed. BiH	2 338.3	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
BiH: Rep. Srpska	1 429.3	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
Bulgaria	7 327.2	11 893	***	***	***	***	***	147	***	***	287	***	***	***	***	838	***	10 621
Croatia	4 276.0	2 987	0	0	0	***	***	456	0	0	2 527	0	0	0	0	4	***	***
Cyprus	862.0	1 241	312	***	***	***	***	929	...	...	...	...	...	...	1	...	...	...
Czech Republic	10 505.4	33 678	789	243	***	...	4 687	13 507	***	80	11 136	0	473	***	336	4 885	***	1 271
Denmark	5 580.5	9 636	***	***	***	***	***	1 777	388	14	2 269	227	...	...	502	1 751	...	2 708
Estonia	1 325.2	7 008	9	***	***	***	***	4 564	379	***	1 368	2	***	***	0	608	***	78
Finland	5 401.3	2 352	***	***	***	***	***	***	***	...	1 215	16	***	***	***	1 034	87	***
France	65 287.9	187 614	3 911	***	141	***	***	144 937	...	...	34 096	9 617	1 785	...	6 651	45	10 069	
Georgia	4 497.6	33 122	...	...	11	13	...	27 824	5 180	***	32	***	***	***	...	604	***	62
Germany	81 843.7	156 358	...	...	...	...	...	...	***	***	...	34	***	***	***	...	...	...
Iceland	319.6	243	***	12	0	0	***	6	1	0	96	6	***	25	0	97	***	***
Ireland	4 582.7	6 509	***	***	***	***	***	814	765	1 823	2 563	***	***	***	***	***	5	757
Italy	59 394.2	28 815	***	***	***	***	***	4 398	***	***	2 525	***	9 139	858	2 777	2 405	3 012	3 701
Latvia	2 044.8	...	***	***	***	38	***	4 521	***	***	...	***	***	***	...	...	***	***
Liechtenstein	36.5	46	1	19	0	12	***	19	2	5	6	***	***	***	0	0	9	20
Lithuania	3 003.6	7 990	***	***	***	***	***	2 843	***	***	644	17	2 950	***	***	988	548	***
Luxembourg	524.9	1 045	***	***	***	***	11	500	165	***	136	56	10	***	147	***	20	
Malta	417.5	856	62	***	***	***	***	126	***	***	8	***	***	***	***	27	633	***
Moldova	3 559.5	9 135	***	***	***	...	***	***	4 287	24	977	***	***	***	***	479	***	3 368

Country	Country population in 2012 (in thousands)	Total number of persons under the supervision or care of probation agencies	1.1 Forms of probation/supervision <u>before</u> the sentence					1.2 Forms of probation/supervision <u>after</u> the sentence											
			Alternatives to pre-trial detention with supervision by probation agencies (total)	Conditional suspension of criminal proceedings	Deferral (postponement of the pronouncement of a sentence)	Victim-offender mediation	Other	Fully suspended custodial sentence with probation	Partially suspended custodial sentence with probation	Conditional Pardon or conditional discharge (with probation)	Community service	Electronic Monitoring	Home arrest (curfew orders)	Semi-liberty	Treatment	Conditional release / parole <b>with</b> probation	Mixed orders	Other	
			1.0	1.1.1*	1.1.2	1.1.3	1.1.4	1.1.5	1.2.1	1.2.2	1.2.3	1.2.4	1.2.5	1.2.6	1.2.7	1.2.8	1.2.9	1.2.10	1.2.11
Monaco	37.6	51	***	***	***	***	***	44	0	***	***	***	***	6	1	***	***	***	
Netherlands	16 730.3	35 153	2 681	1 454	***	***	***	13 592		1	19 073	38	***	249	360	1 233	...	***	
Norway	4 985.9	2 267	***	***	***	***	***	448	***	***	1 284	98	***	***	41	379	***	17	
Poland	38 538.4	202 077	***	***	***	***	3 252	***	162 558	***	***	...	4 016	***	***	7	36 269	***	3 243
Portugal	10 542.4	23 818	713	3 961	***	...	...	2	11 098	...	...	6 682	46	107	...	380	2 610	0	28
Romania	20 096.0	15 020	...	***	***	...	...	***	14 840	***	...	...	***	***	180	...	***	***	
San Marino	33.4	27	0	***	9	***	***	16	0	0	16	***	0	0	...	2	0	***	
Serbia	7 216.6	344	20	...	...	...	***	***	***	***	32	228	46	***	***	0	***	18	
Slovak Republic	5 404.3	...	0	...	...	...	***	...	***	...	...	...	...	***	...	...	...	***	
Slovenia	2 055.5	...	...	***	...	...	***	...	***	...	...	...	***	...	...	...	...	...	
Spain (State Admin.)	39 694.4	67 777	***	***	***	***	***	10 566	...	***	40 972	1 788	111	4 673	1 354	8 313	***	***	
Spain (Catalonia)	7 570.9	9 682	***	***	***	106	***	1 758	***	***	4 431	22	***	1 717	413	1 044	191	***	
Sweden	9 482.9	14 539	***	***	***	***	***	***	***	***	2 792	290	...	1 269	4 526	...	5 662		
Switzerland	7 954.7	7 533	2 436	***	***	***	***	1 016	119	***	1 754	145	***	...	589	1 474	...	***	
Turkey	74 724.3	620 127	113 732	***	49 593	***	***	23 229	***	35 337	13 562	***	1 040	***	344 104	2 702	***	36 828	
UK: Eng. / Wales	56 567.8	155 662	***	***	***	***	***	38 452	***	***	16 712	178	***	***	16 678	42 162	32 654	10 009	
UK: North. Ireland	1 823.6	4 317	***	***	***	***	***	***	***	***	866	...	***	***	***	522	1 514	1 597	
UK: Scotland	5 313.6	...	...	***	...	...	...	***	***	***	...	...	***	***	...	...	...	...	

\* Item 1.1.1: See breakdown in Table 1.2

**Table 1.2: Number of persons serving alternatives to pre-trial detention with supervision by probation agencies (STOCK) on 31<sup>st</sup> December 2012 (breakdown of item 1.1.1 in Table 1.1)**

Reference: Council of Europe, SPACE II 2012.1.2

Country	Alternatives to pre-trial detention with supervision by probation agencies (total)	Electronic Monitoring	Home arrest (curfew orders)	Other
	1.1.1	1.1.1.1	1.1.1.2	1.1.1.3
Albania	0	0	0	0
Andorra	...	...	...	...
Armenia	***	***	***	***
Austria	104	...	...	104
Azerbaijan	...	***	...	***
Belgium	2'073	***	***	2'073
BiH: State Level	---	---	---	---
BiH: Fed. BiH	---	---	---	---
BiH: Rep. Srpska	---	---	---	---
Bulgaria	***	***	***	***
Croatia	0	0	0	***
Cyprus	312	***	***	312
Czech Republic	789	***	***	789
Denmark	***	***	***	***
Estonia	9	9	***	***
Finland	***	***	***	***
France	3'911	231	...	3'680
Georgia	...	...	...	***
Germany	...	...	***	...
Iceland	***	***	***	***
Ireland	***	***	***	***
Italy	***	***	***	***
Latvia	***	***	***	***
Liechtenstein	1	***	***	1
Lithuania	***	***	***	***
Luxembourg	***	***	***	***
Malta	62	***	***	62
Moldova	***	***	***	***
Monaco	***	***	***	***
Netherlands	2'681	65	***	2'616
Norway	***	***	***	***
Poland	***	***	***	***

Country	Alternatives to pre-trial detention with supervision by probation agencies (total)	Electronic Monitoring	Home arrest (curfew orders)	Other
	1.1.1	1.1.1.1	1.1.1.2	1.1.1.3
Portugal	713	92	477	144
Romania	...	...	***	...
San Marino	0	***	0	***
Serbia	20	12	8	***
Slovak Republic	0	0	...	***
Slovenia	...	***	...	***
Spain (State Admin.)	***	***	***	***
Spain (Catalonia)	***	***	***	***
Sweden	***	***	***	***
Switzerland	2'436	***	***	2'436
Turkey	113'732	***	***	113'732
UK: Eng. / Wales	***	***	***	***
UK: North. Ireland	***	***	***	***
UK: Scotland	...	***	***	...

**Table 1.3: Breakdown (in percentages) of persons serving CSM or being under probation (STOCK) on 31st December 2012**

Reference: Council of Europe, SPACE II 2012.1.3

Country	Total number of persons under the supervision or care of Probation agencies per 100,000 population	Of which: Percentage of																Total %
		1.1 Forms of probation/supervision before the sentence					1.2 Forms of probation/supervision after the sentence											
		Alternatives to pre-trial detention with supervision by probation agencies (total)	Conditional suspension of criminal proceedings	Deferral (postponement of the pronouncement of a sentence)	Victim-offender mediation	Other	Fully suspended custodial sentence with probation	Partially suspended custodial sentence with probation	Conditional Pardon or conditional discharge (with probation)	Community service	Electronic Monitoring	Home arrest (curfew orders)	Semi-liberty	Treatment	Conditional release / parole with probation	Mixed orders	Other	
		1.0	1.1.1	1.1.2	1.1.3	1.1.4	1.1.5	1.2.1	1.2.2	1.2.3	1.2.4	1.2.5	1.2.6	1.2.7	1.2.8	1.2.9	1.2.10	
Albania	258.2	0.0	...	...	...	...	79.7	...	...	9.0	0.0	2.0	0.0	...	9.3	...	...	100.0
Andorra	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Armenia	(83.5)	...	...	...	...	...	40.3	...	...	17.1	...	...	...	...	6.7	...	49.2	113.4
Austria	178.4	0.7	28.9	...	...	...	31.0	7.8	0.1	5.2	1.4	...	...	1.0	24.1	...	...	100.0
Azerbaijan	103.6	...	...	...	...	...	1.0	...	...	0.3	...	...	...	...	24.7	...	74.0	100.0
Belgium	351.8	5.3	...	15.3	13.8	...	32.8	...	0.0	23.3	2.8	...	0.2	...	6.4	...	...	100.0
BiH: State Level	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
BiH: Fed. BiH	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
BiH: Rep. Srpska	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Bulgaria	162.3	...	...	...	...	...	1.2	...	...	2.4	...	...	...	...	7.0	...	89.3	100.0
Croatia	69.9	0.0	0.0	0.0	...	...	15.3	0.0	0.0	84.6	0.0	0.0	0.0	0.0	0.1	...	...	100.0
Cyprus	(144.0)	25.1	...	...	...	...	74.9	...	...	...	...	...	...	...	0.1	...	...	100.1
Czech Republic	(320.6)	2.3	0.7	...	...	13.9	40.1	...	0.2	33.1	0.0	1.4	...	1.0	14.5	...	3.8	111.1
Denmark	172.7	...	...	...	...	...	18.4	4.0	0.1	23.5	2.4	...	...	5.2	18.2	...	28.1	100.0
Estonia	528.8	0.1	...	...	...	...	65.1	5.4	...	19.5	0.0	...	...	0.0	8.7	...	1.1	100.0
Finland	43.5	...	...	...	...	...	...	...	...	51.7	0.7	...	...	...	44.0	3.7	...	100.0
France	(287.4)	2.1	...	0.1	...	...	77.3	...	...	18.2	5.1	...	1.0	...	3.5	0.0	5.4	112.6
Georgia	(736.4)	...	...	0.0	0.0	...	84.0	15.6	...	0.1	...	...	...	...	1.8	...	0.2	101.8
Germany	191.0	...	...	...	...	...	...	...	...	...	0.0	...	...	...	...	...	...	...
Iceland	76.0	...	4.9	0.0	0.0	...	2.5	0.4	0.0	39.5	2.5	...	10.3	0.0	39.9	...	...	100.0
Ireland	(142.0)	...	...	...	...	...	12.5	11.8	28.0	39.4	...	...	...	...	...	0.1	11.6	103.3
Italy	48.5	...	...	...	...	...	15.3	...	...	8.8	...	31.7	3.0	9.6	8.3	10.5	12.8	100.0
Latvia	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Liechtenstein	(126.0)	2.2	41.3	0.0	26.1	...	41.3	4.3	10.9	13.0	...	...	...	0.0	0.0	19.6	43.5	202.2
Lithuania	266.0	...	...	...	...	...	35.6	...	...	8.1	0.2	36.9	...	...	12.4	6.9	...	100.0
Luxembourg	199.1	...	...	...	...	1.1	47.8	15.8	...	13.0	5.4	...	1.0	...	14.1	...	1.9	100.0

Country	Total number of persons under the supervision or care of Probation agencies per 100,000 population	Of which: Percentage of																Total %
		1.1 Forms of probation/supervision <u>before</u> the sentence					1.2 Forms of probation/supervision <u>after</u> the sentence											
		Alternatives to pre-trial detention with supervision by probation agencies (total)	Conditional suspension of criminal proceedings	Deferral (postponement of the pronouncement of a sentence)	Victim-offender mediation	Other	Fully suspended custodial sentence with probation	Partially suspended custodial sentence with probation	Conditional Pardon or conditional discharge (with probation)	Community service	Electronic Monitoring	Home arrest (curfew orders)	Semi-liberty	Treatment	Conditional release / parole <b>with</b> probation	Mixed orders	Other	
1.0	1.1.1	1.1.2	1.1.3	1.1.4	1.1.5	1.2.1	1.2.2	1.2.3	1.2.4	1.2.5	1.2.6	1.2.7	1.2.8	1.2.9	1.2.10	1.2.11		
Malta	205.0	7.2	...	...	...	...	14.7	...	...	0.9	...	...	...	...	...	3.2	73.9	100.0
Moldova	256.6	...	...	...	...	...	...	46.9	0.3	10.7	...	...	...	...	5.2	...	36.9	100.0
Monaco	135.6	...	...	...	...	...	86.3	0.0	...	...	...	11.8	2.0	...	...	...	...	100.0
Netherlands	(210.1)	7.6	4.1	...	...	...	38.7	...	0.0	54.3	0.1	...	0.7	1.0	3.5	...	...	110.0
Norway	45.5	...	...	...	...	...	19.8	...	...	56.6	4.3	...	...	1.8	16.7	...	0.7	100.0
Poland	(524.4)	...	...	...	1.6	...	80.4	...	...	...	2.0	...	...	0.0	17.9	...	1.6	103.6
Portugal	(225.9)	3.0	16.6	...	...	0.0	46.6	...	...	28.1	0.2	0.4	...	1.6	11.0	0.0	0.1	107.6
Romania	74.7	...	...	...	...	...	98.8	...	...	...	...	...	...	1.2	...	...	...	100.0
San Marino	(80.8)	0.0	...	33.3	...	...	59.3	0.0	0.0	59.3	...	0.0	0.0	...	7.4	0.0	...	159.3
Serbia	4.8	5.8	...	...	...	...	...	...	...	9.3	66.3	13.4	...	...	0.0	...	5.2	100.0
Slovak Republic	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Slovenia	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Spain (State Admin.)	170.7	...	...	...	...	...	15.6	...	...	60.5	2.6	0.2	6.9	2.0	12.3	...	...	100.0
Spain (Catalonia)	127.9	...	...	...	1.1	...	18.2	...	...	45.8	0.2	...	17.7	4.3	10.8	2.0	...	100.0
Sweden	153.3	...	...	...	...	...	...	...	...	19.2	2.0	...	...	8.7	31.1	...	38.9	100.0
Switzerland	94.7	32.3	...	...	...	...	13.5	1.6	...	23.3	1.9	...	...	7.8	19.6	...	...	100.0
Turkey	829.9	18.3	...	8.0	...	...	3.7	...	5.7	2.2	...	0.2	...	55.5	0.4	...	5.9	100.0
UK: Eng. / Wales	(275.2)	...	...	...	...	...	24.7	...	...	10.7	...	0.1	...	10.7	27.1	21.0	6.4	100.8
UK: North. Ireland	(236.7)	...	...	...	...	...	...	...	...	20.1	...	...	...	...	12.1	35.1	37.0	104.2
UK: Scotland	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
<b>Mean</b>	<b>214.3</b>	<b>7.0</b>	<b>13.8</b>	<b>7.1</b>	<b>7.1</b>	<b>5.0</b>	<b>38.6</b>	<b>7.1</b>	<b>3.8</b>	<b>24.6</b>	<b>4.4</b>	<b>5.7</b>	<b>4.4</b>	<b>5.7</b>	<b>12.7</b>	<b>8.5</b>	<b>24.0</b>	
<b>Median</b>	<b>171.7</b>	<b>2.7</b>	<b>4.9</b>	<b>0.1</b>	<b>1.4</b>	<b>1.1</b>	<b>34.2</b>	<b>2.8</b>	<b>0.1</b>	<b>19.2</b>	<b>1.4</b>	<b>0.2</b>	<b>1.0</b>	<b>1.7</b>	<b>10.8</b>	<b>3.4</b>	<b>9.0</b>	
<b>Minimum</b>	<b>4.8</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>1.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.1</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.1</b>	
<b>Maximum</b>	<b>829.9</b>	<b>32.3</b>	<b>41.3</b>	<b>33.3</b>	<b>26.1</b>	<b>13.9</b>	<b>98.8</b>	<b>46.9</b>	<b>28.0</b>	<b>84.6</b>	<b>66.3</b>	<b>36.9</b>	<b>17.7</b>	<b>55.5</b>	<b>44.0</b>	<b>35.1</b>	<b>89.3</b>	

## **Notes –Tables 1.1, 1.2 and 1.3**

General Comment: Figures between brackets indicate that the total does not correspond to the sum of the subcategories.

### **Andorra:**

- 1.1.4: Mediation Service is offered as pre-sentence supervision by an NGO when referred by the Probation Service. It is therefore not a service provided by probation officers and it is performed during pre-sentence assessment reports. There are no numbers available.
- 1.1.1.3: "Other" are:  
Denial of leaving the country: 0.  
Denial or constriction to stay at a certain place: 0.  
Protection order: 0.  
Immediate protection order: 0.

### **Andorra:**

- 1.0: Stock data are not available.
- 1.1.1.1: Electronic monitoring is extended to forms of semi-liberty, home arrest or night arrest, assorted to the contract that the execution does not violate the offender's intimacy.

### **Armenia:**

- 1.0: There are 366 persons who have received more than one punishment.
- 1.2.11: "Other" are:  
Fines: 1 001.  
Deprivation of the right to hold certain posts or to practice certain professions: 342.  
Postponed punishment (for pregnancy or a child under 3 years old): 3.

### **Austria:**

- 1.1.1: Electronic monitoring is combined exclusively with home arrest. Electronic "ankle bracelets" are used as technical support. The person charged with a crime wears a plastic band at the ankle which communicates with a base station at its home.
- 1.1.1.3: The 104 units in the category "Other" have not been specified by Austria.
- 1.1.2: Criminal proceedings can be suspended ("diversion") in four different forms: for paying an amount of money, as a suspension with probation to assess the behaviour of the accused person, for community service and for mediation. Only community service, mediation and, partly, suspension with probation are supervised by probation agencies.
- 1.1.3: This measure only exists for juveniles.
- 1.1.4: In Austria, mediation is a CSM whereas the definition for item 1.1.4 states the opposite, so the number of persons who underwent mediation is included in item 1.1.2.
- 1.2.4: Community service after the sentence is only possible as an alternative to arrest in case you can't afford to pay your fine (unpaid work for fine defaulters).

### **Azerbaijan:**

- 1.0: There is no probation service in the Republic of Azerbaijan, as such. The penalties not associated with imprisonment are executed by the officers (bailiffs) of the local Execution Departments of the Ministry of Justice.
- 1.2.1: The number of persons for whom the execution of the sentence was postponed is included under this heading (The postponement of the execution of the penalty with respect to a pregnant women or a single parent taking care of a child under the age of 8).



- 1.2.11: "Other" are:  
Correctional work: 3 655.  
Fine: 3 131.  
Deprivation of the right to hold certain positions or to engage in certain professional activities: 63.  
Deprivation of the right to operate a vehicle: 226.

### Belgium:

- General comment: the numbers provided by Belgium have been extracted from the SIPAR database in the course of October 2012. Some differences in the ways of coding between the houses of justice exist in practice, so the numbers provided may contain some bias. However, the coding error rate is limited.
- 1.1.13: "Other" are:  
Alternative à la détention préventive: 2 073.
- 1.1.5: The examining magistrate has the possibility to release a suspect with or without conditions. The numbers provided here only are only related to the releases without conditions, which are a task of the Belgian houses of justice/probation agencies.
- 1.2.1: This number includes the data for items 1.2.1 and 1.2.2 together. Belgium's database doesn't allow the distinction between fully and partially suspended custodial sentences.
- 1.2.4: The numbers of community service as a proposition during a victim-offender mediation are not retrieved under this category, since it is a "form of supervision after the sentence".
- 1.2.5: The numbers come from the National Center of Electronic Monitoring. The numbers of ongoing mandates at the Center are therefore lower than the number of mandates that can be found in the Houses of Justice, since the Center only counts the number of devices actually placed.
- 1.2.7: Since the introduction of the "loi du 17 mai 2006 sur le statut juridique externe des détenus", the limited detention has been implemented for the persons sentenced to custody for more than 3 years. Semi-liberty is destined to be removed.
- 1.2.8: Treatment doesn't exist as an independent sentence in the Belgian system. It can be pronounced as a condition. The persons falling under the "loi relative à l'internement" (internment) are not included in SPACE II.
- 1.2.10: Mixed orders don't exist in their own right in Belgium. However, a person sentenced to community service and being under a measure of electronic monitoring for another sentence can serve his or her community service during his or her allowed free time. Thus, this person will combine two CSM, but for two different convictions.

### Cyprus:

- 1.0: See comment of item 1.2.9.
- 1.1.1.3: "Other" are:  
Requirements to report on a daily basis or on a periodic basis to a judicial authority, the Police or other authority: 312.  
Those 312 report to police stations.
- 1.2.1: The total comprises 928 persons (figure provided by the Social Welfare Services) and one person (figure provided by the Prison Department). The total provided by the Social Welfare Services cannot be broken down further this year.
- 1.2.9: This single case is handled by the Prison Department and is therefore not included in the total.

**Czech Republic:**

- General comment: The Number of persons, who were at least one case under supervision or care of probation agencies on 31st December 2012 and their file status were administrative active to this date.
- 1.0: One person can be registered with more than one sanction and/or measure (form of probation / supervision) on 31st December 2012. Juveniles are not included.
- 1.1.2 Number of persons to whom a conditional suspension of criminal proceedings with appropriate obligations or restrictions, supervised by PMS after the decision of prosecutors, was imposed. It was imposed more frequently during the year 2012, but only a small part of these cases can be registered within PMS. PMS has recorded 5 919 decisions during the year 2012. The number of Conditional suspension of criminal proceedings WITHOUT appropriate obligations or restrictions can't be countable within STOCK.
- 1.1.1.3: "Other" are:  
Replacement of pre-trial detention with probation: 789.
- 1.1.4: The definition of victim-offender mediation, which is defined in this questionnaire, has a constrictive character. This type of mediation is not monitored like a form of probation/supervision within the Czech statistical system, because victim-offender mediation can be performed in a cross-sectional way in every activities of probation officers before and after sentence, even though it is most often recorded in the pre-sentence (pre-trial) phase of proceedings. This number of persons cannot be counted within the category STOCK.
- 1.1.5: "Other" are:  
Mediation of resolving conflicts: 4 569 (The Mediation of resolving conflicts has a broader character than the victim-offender mediation in the Czech probation service. The definitions of the Mediation of resolving conflicts includes all activities aimed at the settlement of conflicts in context of criminal proceedings (including victim-offender mediation)).  
"Other" (unspecified): 118.
- 1.2.1: Number of persons with a fully suspended custodial sentence with probation (13 167) and fully suspended custodial sentence without probation, but only with appropriate obligations or restrictions (340), which are supervised by PMS from decision of the court too. Only a small part of these cases can be registered within PMS. The number of persons to whom a fully suspended sentence without probation was imposed cannot be counted in the STOCK. PMS has recorded 41 086 persons with a fully suspended sentence without probation in Czech legal system during the year 2012.
- 1.2.5: Electronic monitoring can be imposed by court together with Home arrest or a conditional release with an obligation to stay at home, but it is not technically available now.
- 1.2.8: Protective Treatment is imposed by the court as a protective measure, not as form of probation, separately or together with another sanction.
- 1.2.9: Number of persons with a conditional release with appropriate obligations or restrictions (92) and parole with probation (4 793), which are supervised by PMS from decision of the court. Only a small part of these cases can be registered within PMS. The number of persons to whom a conditional release with appropriate obligations or restrictions was granted cannot be counted in the STOCK. PMS has recorded 3 260 persons with a conditional release with appropriate obligations or restrictions in Czech legal system during the year 2012.
- 1.2.11: "Other":  
Prohibition to enter to sport, cultural and social event: 73.  
"Other" (unspecified): 1 198.

**Denmark:**

- 1.2.11: "Other" are:  
Mentally disturbed under supervision: 2 708.  
Alternative imprisonment (as being placed in a special institution): 31.  
Others (unspecified): 21.

**Estonia:**

- 1.2.11: Estonia did not give any specifications for this category "Other".

**Finland:**

- 1.2.10: "Mixed orders" are:  
Conditional prison sentence and community service: 87.

**France:**

- 1.0: The sum of the subcategories is not equal to the total provided in 1.0 because they are related to a number of measures, not to a number of persons (1 person => n measures).
- 1.1.1.1, 1.1.1.2; 1.2.5, 1.2.6: In France, home arrests are only applicable with stationary or mobile electronic monitoring.
- 1.1.1.3: "Other" are:  
Judicial control (*Contrôles judiciaires*): 3 680.
- 1.2.1, 1.2.2: France does not separate the data related to the fully and partially suspended sentences with probation.
- 1.2.10: "Mixed orders":  
Placement under electronic mobile surveillance (*Placement sous surveillance électronique mobile* - PSEM): 45.  
The PSEM is an execution modality of a primary sentence, such as conditional release, judicial surveillance or social and legal supervision.
- 1.2.11: "Other" are:  
Refusing of stay (*Interdiction de séjour*): 641.  
Social and legal supervision (*Suivi socio-judiciaire*): 5 524.  
Unpaid work (*Travail non rémunéré*): 1 929.  
Judicial surveillance (*Surveillance judiciaire*): 413.  
Citizenship classes (*Stage de citoyenneté*): 858.  
Work release (*Placement à l'extérieur*): 976.

**Georgia:**

- 1.0: As certain measures can be pronounced together (e.g. 1.2.1 and 1.2.3, 1.2.1 and 1.2.11, etc.), the total number of item 1.0 is not equal to the sum of the other items.
- 1.2.11: This category "Other" has not been specified.

**Germany:**

- General comment: Data for the territory of Germany (except for items 1.0 and 1.2.5), are taken from statistics published by the Federal Statistical Office in Wiesbaden
- 1.0: This number covers data for December 31st 2011 (more recent data is not yet available) and for the former territory of the Federal Republic of Germany including Berlin (data for December 31st 2007), Brandenburg (data for December 31st 2009) and Mecklenburg-Vorpommern but without Hamburg. The data covers supervisions conducted by person working primary as parole officers only. Statistisches Bundesamt (Ed.), *Bewährungshilfe*, Table 1.2.1. (number of person under supervisory care).
- 1.1.1: That kind of data is not collected. The judge can choose "any" measure within constitutional limitations he deems best to achieve the desired result (i.e. avoiding the flight of the suspect or his tempering with evidence).
- 1.2.5: Gemeinsame Überwachungsstelle der Länder (GÜL) (shared monitoring agency)

Elektronische Aufenthaltsüberwachung im Rahmen der Führungsaufsicht 2012 (electronic monitoring in the context of supervision of conduct).

This number covers data for December 31st 2012 for all German Länder.

The technical support used for the electronic monitoring in Germany includes electronic ankle bracelets provided with GPS as well as telephone calls. Electronic monitoring is not exclusively used with home arrest. It can be free from restrictions of the monitored person's whereabouts or there can either be inclusion zones that must not be left or exclusion zones that must not be entered.

#### Iceland:

- 1.1.1: If there are conditions for detention, a judge may, instead of pre-trial detention in prisons, order the accused person to stay at a certain location and/or forbid him or her to leave the country (15 persons on 31.12.2012, thereof 14 foreign nationals). The police can decide that the accused person shall inform the police about his location or visit the police at certain times. Furthermore, the police can decide that the accused person has to give his or her passport to the police for safekeeping. They are not under the supervision of the PPA.
- 1.1.4: According to Icelandic regulations, mediation is a resource that can be used as a substitute for prosecution, but it is not used concurrently. If mediation is successful, i.e. leads to a contract that is fulfilled, the prosecutor then cancels prosecution and the offence does not go on the offender's criminal record and there is no follow up on behalf of the police or the Prison and Probation Administration.
- 1.2.4: The Prison and Probation Administration (PPA) decides whether a prison sentence is to be executed in the form of community service and what type of community service the person sentenced is to perform in each individual case. On 31. December 2011 there were 58 persons doing community service instead of unconditional imprisonment and 30 instead of surrogate punishment.
- 1.2.5: From 1. October 2011, an enforcement outside prison is allowed under electronic monitoring. When an unconditional sentence is 12 months prison or longer, the PPA may decide that a prisoner can complete serving his sentence outside prison provided he has a device (ankle bracelets) so that it is possible to track his movements. When an unconditional sentence is 12 months, the electronic surveillance is 30 days and lengthens by 2,5 days per month, to the maximum of 240 days. The PPA has a contract with a private security company to monitor those who are in community service and under electronic monitoring in addition with the PPA.

#### Ireland:

- 1.0: The total of all people on different orders is 6 929. However, people can be subject to more than one order at any given time. The total number of individual PERSONS covered by the orders above is 6 509.
- 1.2.3: This item now includes the standard Probation Supervision Order, this is moved from "Other" in previous submission.
- 1.2.10: "Mixed orders" are:  
Probation supervision with community service: 5.
- 1.2.11: "Other" are:  
Supervision during deferment of penalty: 641.  
Post release supervision orders: 53.  
Life sentence prisoners: 63.

#### Italy:

- 1.2.1: Persons assigned to the probation service directly from liberty, excluding the drug addicted offenders, who come under point 1.2.8.
- 1.2.8: Drug addicted offenders assigned to the probation service both from detention and from liberty.
- 1.2.9: Persons assigned to the probation service from the state of detention.

- 1.2.10: "Mixed orders" are:  
Supervised liberty: 2 840.  
Substitutive sanctions: 172.
- 1.2.11: "Other" are:  
Activity of observation of offenders at liberty: 3 383.  
Inquiries for security measures: 318.

**Latvia:**

- General comment: No official data on the number of clients as of December 31st, 2012 are available, even though the probation agencies perform the functions associated to these items.
- General comment: Unfortunately, Latvia is unable to provide number of persons as probation statistics are designed to record the number of cases/files, which may differ from the actual number of probation clients.

**Liechtenstein:**

- 1.0: The total includes items 1.2.1, 1.2.2, 1.2.3 and 1.2.11, the other numbers being related to alternative sanctions outside probation.
- 1.1.1.3: "Other" are:  
Provisional probation: 1.
- 2.2.10: "Mixed orders" are:  
Treatment and probation: 9.
- 2.2.11: "Other" are:  
(Partly) conditional fine or trial period with associated obligations and probation: 20.

**Lithuania:**

- 1.2.5: Persons upon whom a measure of penal impact – works free of charge – is imposed are not included in the number. This measure is not listed separately as it is usually imposed as additional one in case of a suspended sentence.
- 1.2.10: "Mixed orders" are:  
Persons upon whom a measure of criminal impact is imposed: 548 (Persons upon whom a measure of penal impact – withdrawal of a special right – is imposed are not included in the number. This measure is not listed separately as it is usually imposed as additional one in case of a suspended sentence).

**Luxembourg:**

- 1.1.1.3: "Other" are:  
Judicial control (*Contrôles judiciaires*): 11.
- 1.2.5, 1.2.6: Home arrests are exclusively applied with electronic monitoring.
- 1.2.11: "Other" are:  
Suspension of the punishment (*Suspensions de peine*): 20.

**Malta:**

- 1.2.11: "Other" are:  
Unspecified: 633.

**Moldova:**

- 1.2.11: "Other" are:  
Deprivation of the right to hold certain functions or to perform certain activities: 3 283.  
Replacing the unenforced punishment with a milder penalty: 6.  
Postponement of the enforcement of punishment for pregnant women or women who have children of up to 8 years of age: 79.

**Netherlands:**

- 1.0: Persons with mixed orders are counted double. See comments item 1 and item 3.

- 1.1.1.1: Electronic monitoring in the Netherlands is not a sanction in its own right, but a condition attached to:
  - pre-trial supervision by probation agencies (1.1.1.1, without electronic monitoring is 1.1.1.3).
  - fully or partially suspended custodial sentence with probation (1.2.5, without electronic monitoring are 1.2.1 and 1.2.2 (these can not be separated in the statistics));
  - conditional release with probation (1.2.9).
- 1.1.1.2, 1.2.6: Home arrest is also called Electronic Detention (frontdoor EM). Home arrest in the Netherlands was only used after the sentence. Until 2010, there was no legal foundation (ED was not laid down as a law) and the legal foundation was never established. The regulations were withdrawn on the 1st of July of 2010. So to date, ED is no longer an alternative for short prison sentences (NAP for 2011 and 2012). The Netherlands at this time don't have a shortage of capacity.
- 1.1.1.3: "Other" are:  
Pre-trial supervision by probation agencies without electronic monitoring: 2 616.
- 1.2.5: This item includes fully or partially suspended custodial sentences with probation with the attached condition 'electronic monitoring'. It's not the number of persons who experienced electronic monitoring after the sentence. The total number of persons with fully or partially suspended custodial sentence with probation = 1.2.1 + 1.2.2 + 1.2.5.

**Norway:**

- 1.2.11: This category "Other" is unspecified.

**Poland:**

- 1.0: The total is inferior to the sum of the items because Mediation (1.1.4) and Electronic Monitoring (1.2.5) are not included in it, due to the fact that they are not conducted as a form of outright probation.
- 1.2.4: Poland first gave the answer "NAP" to this category, which would mean that community service does not exist in the Polish system. However, Poland always gave numbers for community service in SPACE II, which is why we marked the category as "...", meaning that the CSM does exist but that the numbers are unavailable. Moreover, Poland responded to the annual module on community service in this same report.
- 1.1.11: "Other" are:  
Conditional sentence: 3 243.

**Portugal:**

- General comment: The sum of distinct persons under supervision, in 31st Dec, of a particular measure is different from the total of distinct persons under supervision of all measures due to the fact that some persons can have more than one measure simultaneously.
- 1.1.1.1: Before the sentence, Electronic Monitoring is used: 1) As a way of executing home arrest as alternative to pre-trial detention (477 -> 1.1.1.2); 2) As a way of monitoring the court restrain orders in cases of domestic violence (92).
- 1.1.1.2: Home arrest is used exclusively with Electronic Monitoring
- 1.1.1.3: "Other" are:  
Supervision of imposition of conditions: 115.  
Supervision of treatment: drug dependents: 29.
- 1.2.5, 1.2.6: After the sentence, Electronic Monitoring is used: 1) As a way of executing home arrest as alternative for prison (97); 2) As a condition release adaptation period (13); 3) As a way of monitoring the court restrain orders in cases of domestic violence (33); 4) As modification of imprisonment, especially aimed at disease cases (10).
- 1.1.5: "Other" are:  
Other measures (not specified): 2.

- 1.2.11: "Other" are not specified.

### Romania:

- 1.2.1: The figure only reflects the number of adults.
- 1.2.4: According to the legislation in force, in the criminal field, the community service can be imposed to an adult as an obligation in case of the suspension of the enforcement of the sentence under supervision.
- 1.2.3, 1.2.9: The conditional suspension of the enforcement of the sentence, the conditional pardon or conditional discharge and conditional release without probation also exists in the romanian legislation, but the probabtion system does not have any competence in this respect.

### San Marino:

- 1.0: See comment under 1.2.1 and 1.2.4.
- 1.2.1, 1.2.4: These numbers represent the same persons. Every fully suspended custodial sentence is combined with community service.

### Serbia :

- 1.2.5: These figures pertain to home arrest/detention with electronic monitoring, because in the Serbian jurisdiction, an electronic monitoring measure is used only as an option to home arrest/detention (two options: home arrest/detention with or without electronic monitoring).
- 1.1.1.2, 1.2.6: This item refers to persons submitted to home arrest without electronic monitoring.
- 1.2.11: "Other" are:  
Persons with conditional sentence with protective monitoring: 18 (certain obligations are being determined by the court, the implementation of which is being controlled by commissioners (probation officers) who report to the court on sucessfull implementation).

### Slovak Republic:

- General comment: Slovak Republic does not have exact figures of persons under supervision of probation and mediation officers on 31st of December 2012, because the statistics only reflect flow of probationers during the year. The figures also consists of sanctions and measures imposed to juveniles.

### Spain (Catalonia) :

- 1.2.10: "Mixed orders" are:  
Community service and fully suspended custodial sentence with probation (*Travail d'intérêt général et sursis total avec mise à l'épreuve*): 191.

### Sweden:

- General comment: The data are dated October 1st, 2012.
- 1.2.6: Curfew order combined with electronic monitoring
- 1.2.11: "Other" are:  
Probation without community service and special treatment plan: 5 489.  
Half-way house: 30.  
Extended activity release: 143 (Extended activity release means that a prisoner serves the prison sentence under controlled forms in his or her home).

### Switzerland:

- 1.1.1.3: "Other" are:  
Social assistance: 2 436.

### Turkey :

- 1.1.1.3: "Other" are:  
Judicial control: 113 732.

- 1.2.11: "Other" are:  
Deferral: 9 777.  
Effective repentance: 1 419.  
Security measures: 17 883.  
Supervision of children: 4 333.  
After release probation: 3 416.

### UK: England and Wales

- General comment: Figures given in sub-categories 1.2.4, 1.2.5, 1.2.8, 1.2.10 and 1.2.11 are breakdowns of total Community Orders.
- 1.0: The total number of persons in 1.0 is lower than the sum of the component parts because it counts persons only once, and they may appear in more than one sub-category (ie 1.2.1 and 1.2.4). Persons are however only counted once in sub-category 1.2.1, 1.2.9 and once only in all other sub-categories combined.
- 1.2.4: Community Orders with standalone unpaid work only.
- 1.2.5: Community Orders with standalone curfews only. Most standalone curfews are not supervised by the probation service.
- 1.2.6: Home arrest is used exclusively with electronic monitoring.
- 1.2.8: Includes orders containing drug, alcohol, mental health treatments, accredited programs and supervision.
- 1.2.10: "Mixed orders" are any combination of 12 possible requirements: unpaid work, supervision, accredited programs, drug treatment, alcohol treatment, mental health treatment, specified activities, prohibited activities, curfew, exclusion, attendance centre, residential.
- 1.2.11: "Other" are:  
Standalone supervision: 8 757.  
Standalone specified activities: 1 020.  
Other standalone requirements: 232.

### UK : Northern Ireland

- 1.0: The sum of the items is slightly higher than the overall total because some people are subject to more than one order. 1.0 is the total number of people under supervision by PBNI at 31 December 2012. This figure includes people who commence their sentence in custody. This figure excludes people that PBNI supervise serving a Juvenile Justice Centre Order.
- 1.2.10: "Mixed orders" are:  
Combination Order: 345 (Combination Orders require probation supervision and completion of a specified number of hours of unpaid work)  
Custody Probation Order: 238 (Custody Probation Orders and Determinate Custodial Sentences require a specified period in custody followed by supervision in the community).  
Determinate Custodial Sentence: 940.
- 1.2.11: "Other" are:  
Probation Order: 1 549.  
Other: 49.

### UK : Scotland

- General comment: Currently Scotland has very little central data on stock. Scotland is developing a new reporting system which should provide stock data from 2012-13 onward.



**Table 2.1: Number of persons having started to serve CSM or probation (FLOW) in 2012**

Reference: Council of Europe, SPACE II 2012.2.1

Country	Country population in 2012 (in thousands)	Total number of persons under the supervision or care of probation agencies	1.1 Forms of probation/supervision <u>before the sentence</u>					1.2 Forms of probation/supervision <u>after the sentence</u>										
			Alternatives to pre-trial detention with supervision by probation agencies (total)	Conditional suspension of criminal proceedings	Deferral (postponement of the pronouncement of a sentence)	Victim-offender mediation	Other	Fully suspended custodial sentence with probation	Partially suspended custodial sentence with probation	Conditional Pardon or conditional discharge (with probation)	Community service	Electronic Monitoring	Home arrest (curfew orders)	Semi-liberty	Treatment	Conditional release / parole <b>with</b> probation	Mixed orders	Other
Albania	2 815.7	2 601	0	***	***	...	***	2 166	***	***	213	0	34	0	***	188	***	***
Andorra	78.1	1 152	62	***	***	***	***	111	...	16	1	...	98	7	108	23	***	726
Armenia	3 274.3	1 562	***	***	***	***	***	666	***	***	248	***	***	***	***	73	...	938
Austria	8 408.1	18 567	172	9 951	***	***	***	1 779	536	1	4 010	626		***	113	1 379	***	***
Azerbaijan	9 235.1	17 560	***	***	***	***	***	118	***	***	325	***	...	***	***	5 178	***	11 939
Belgium	11 094.9	31 275	4 495	***	2 232	6 356	...	4 000		0	9 562	3 501	***	169	***	960	***	***
BiH: state level	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
BiH: Fed. BiH	2 338.3	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
BiH: Rep. Srpska	1 429.3	---	---	---	---	---	---	---	---	---	---	---	---	---	---	...	---	---
Bulgaria	7 327.2	28 921	***	***	***	***	***	1 573	***	***	7 241	***	***	***	***	3 727	***	16 380
Croatia	4 276.0	3 852	0	0	0	***	***	665	0	0	3 179	0	0	0	0	8	0	***
Cyprus	862.0	1 013	1 012	***	***	***	***	...	...	...	...	...	...	...	...	1	...	...
Czech Republic	10 505.4	15 211	475	89	***	1 171	3 590	4 699	***	29	8 024	0	451	***	113	1 505	***	817
Denmark	5 580.5	11 693	***	***	***	***	***	1 734	369	14	3 719	2 419	...	...	524	2 051	...	863
Estonia	1 325.2	5 763	32	***	***	***	***	2 868	206	***	2 123	5	***	***	0	444	***	85
Finland	5 401.3	3 507	***	***	***	***	***	***	***	...	2 363	198	***	***	***	755	191	***
France	65 287.9	140 209	944	***	277	***	***	70 123	...	...	29 789	27 169	...	4 866	...	7 980	...	8 324
Georgia	4 497.6	13 075	...	...	4	635	...	8 404	3 741	***	236	...	***	***	...	304	***	21
Germany	81 843.7	...	...	237 122	2 382	31 474	...	98 566	***	***	...	40	***	***	***	...	...	14 617
Iceland	319.6	418	***	5	0	0	***	1	0	0	202	32	***	75	37	66	***	***
Ireland	4 582.7	6 142	***	***	***	***	***	590	378	1 602	2 440	***	***	***	***	***	3	1 752
Italy	59 394.2	46 659	***	***	***	***	***	4 988	***	***	5 208	***	16 598	826	2 637	2 526	1 982	11 894
Latvia	2 044.8	18 810	***	***	***	706	***	11 381	***	***	5 320	***	***	***	810	...	***	***
Liechtenstein	36.5	53	1	64	0	48	***	23	3	7	16	***	***	***	0	0	16	20
Lithuania	3 003.6	11 196	***	***	***	***	***	2 571	***	***	1 617	---	4 298	***	***	1 331	1 379	***
Luxembourg	524.9	659	***	***	***	***	12	119	34	***	234	60		42	***	79	***	79
Malta	417.5	437	34	***	***	***	***	50	***	***	7	***	***	***	***	***	11	335
Moldova	3 559.5	7 358	***	***	***	...	***	***	3 116	5	2 093	***	***	***	***	454	***	1 690

Country	Country population in 2012 (in thousands)	Total number of persons under the supervision or care of probation agencies	1.1 Forms of probation/supervision <u>before the sentence</u>					1.2 Forms of probation/supervision <u>after the sentence</u>										
			Alternatives to pre-trial detention with supervision by probation agencies (total)	Conditional suspension of criminal proceedings	Deferral (postponement of the pronouncement of a sentence)	Victim-offender mediation	Other	Fully suspended custodial sentence with probation	Partially suspended custodial sentence with probation	Conditional Pardon or conditional discharge (with probation)	Community service	Electronic Monitoring	Home arrest (curfew orders)	Semi-liberty	Treatment	Conditional release / parole <b>with</b> probation	Mixed orders	Other
			2.0	2.1.1	2.1.2	2.1.3	2.1.4	2.1.5	2.2.1	2.2.2	2.2.3	2.2.4	2.2.5	2.2.6	2.2.7	2.2.8	2.2.9	2.2.10
Monaco	37.6	25	***	***	***	***	***	18	0	***	***	***	***	6	0	1	***	***
Netherlands	16 730.3	43 483	3 873	1 174	***	***	***	7 743		1	33 203	28	***	983	211	1 530	...	***
Norway	4 985.9	5 331	***	***	***	***	***	522	***	***	2 422	1 490	***	***	29	798	***	70
Poland	38 538.4	349 999	***	***	***	3 252	***	274 270	***	***	...	11 285	***	***	21	69 429	***	6 279
Portugal	10 542.4	30 867	843	10 024	***	...	2	8 246	...	...	13 046	75	141	...	133	1 267	0	14
Romania	20 096.0	2 837	...	***	***	...	***	2 837	***	***	...	***	***	***	...	***	***	***
San Marino	33.4	29	0	...	9	***	***	10	0	0	10	***	0	0	...	0	0	***
Serbia	7 216.6	1 390	27	...	...	...	***	***	***	***	458	746	136	***	***	0	***	23
Slovak Republic	5 404.3	7 262	231	...	...	...	...	1 869	***	...	3 179	0	25	***	...	519	...	...
Slovenia	2 055.5	632	65	***	124	***	***	76	***	...	61	***	28	...	22	25	...	231
Spain (State Adm.)	39 694.4	164 965	***	***	***	***	***	24 987	...	***	121 614	...	...	...	1 683	16 681	***	***
Spain (Catalonia)	7 570.9	14 397	***	***	***	1 278	***	1 759	***	***	7 589	49	***	2 059	266	1 107	290	***
Sweden	9 482.9	19 258	***	***	***	***	***	***	***	***	5 982	2 296	...	923	4 951	...	5 106	
Switzerland	7 954.7	6 267	2 531	***	***	***	***	396	39	***	1 986	182	***	...	176	957	...	***
Turkey	74 724.3	219 633	39 221	***	7 543	***	***	4 394	***	35 337	3 187	***	191	***	117 950	1 055	***	10 755
UK: Eng. / Wales	56 567.8	177 500	***	***	***	***	***	45 275	***	***	33 880	4 304	***	***	16 821	32 282	35 289	13 465
UK: North. Ireland	1 823.6	3 602	***	***	***	***	***	***	***	***	1 494	...	***	***	***	90	922	1 259
UK: Scotland	5 313.6	22 587	497	***	...	...	...	***	***	***	6 538	662	***	***	1 986	1 047	6 852	5 005

**Table 2.2: Number of persons having started to serve alternatives to pre-trial detention with supervision by probation agencies (FLOW) in 2012 (breakdown of item 2.1.1 in Table 2.1)**

Reference: Council of Europe, SPACE II 2012.2.2

Country	Alternatives to pre-trial detention with supervision by probation agencies (total)	Electronic Monitoring	Home arrest (curfew orders)	Other
	2.1.1	2.1.1.1	2.1.1.2	2.1.1.3
Albania	0	0	0	0
Andorra	62	1	6	55
Armenia	***	***	***	***
Austria	172	...		172
Azerbaijan	***	***	...	***
Belgium	4'495	***	***	4'495
BiH: State level				
BiH: Fed. BiH				
BiH: Rep. Srpska	---	---	---	---
Bulgaria	***	***	***	***
Croatia	0	0	0	***
Cyprus	1'012	***	***	1'012
Czech Republic	475	***	***	475
Denmark	***	***	***	***
Estonia	32	32	***	***
Finland	***	***	***	***
France	944	348		596
Georgia	...	...	...	***
Germany	...	...	***	...
Iceland	***	***	***	***
Ireland	***	***	***	***
Italy	***	***	***	***
Latvia	***	***	***	***
Liechtenstein	1	***	***	1
Lithuania	***	***	***	***
Luxembourg	***	***	***	***
Malta	34	***	***	34
Moldova	***	***	***	***
Monaco	***	***	***	***
Netherlands	3'873	100	***	3'773
Norway	***	***	***	***

Country	Alternatives to pre-trial detention with supervision by probation agencies (total)	Electronic Monitoring	Home arrest (curfew orders)	Other
	2.1.1	2.1.1.1	2.1.1.2	2.1.1.3
Poland	***	***	***	***
Portugal	843	121	547	175
Romania	...	...	***	***
San Marino	0	***	0	***
Serbia	27	17	10	***
Slovak Republic	231	0	...	231
Slovenia	65	***	65	***
Spain (State Admin.)	***	***	***	***
Spain (Catalonia)	***	***	***	***
Sweden	***	***	***	***
Switzerland	2'531	***	***	2'531
Turkey	39'221	***	***	39'221
UK: Eng. / Wales	***	***	***	***
UK: North. Ireland	***	***	***	***
UK: Scotland	497	***	***	497

**Table 2.3: Breakdown (in percentages) of persons having started to serve CSM or probation (FLOW) in 2012**

Reference: Council of Europe, SPACE II 2012.2.3

Country	Total number of persons having started to serve CSM or probation per 100,000 pop.	Of which: Percentage of																Total %	
		2.1 Forms of probation/supervision before the sentence					2.2 Forms of probation/supervision after the sentence												
		Alternatives to pre-trial detention with supervision by probation agencies (total)	Conditional suspensions of criminal proceedings	Deferral (postponement of the pronouncement of a sentence)	Victim-offender mediation	Other	Fully suspended custodial sentence with probation	Partially suspended custodial sentence with probation	Conditional Pardon or conditional discharge (with probation)	Community service	Electronic Monitoring	Home arrest (curfew orders)	Semi-liberty	Treatment	Conditional release / parole with probation	Mixed orders	Other		
																			2.0
Albania	92.4	0.0	...	...	...	...	83.3	...	...	8.2	0.0	1.3	0.0	...	7.2	...	...	100.0	
Andorra	1475.0	5.4	...	...	...	...	9.6	...	1.4	0.1	...	8.5	0.6	9.4	2.0	...	...	63.0	100.0
Armenia	(47.7)	...	...	...	...	...	42.6	...	...	15.9	...	...	...	...	4.7	...	...	60.1	123.2
Austria	220.8	0.9	53.6	...	...	...	9.6	2.9	0.0	21.6	3.4	...	...	0.6	7.4	...	...	...	100.0
Azerbaijan	190.1	...	...	...	...	...	0.7	...	...	1.9	...	...	...	...	29.5	...	...	68.0	100.0
Belgium	281.9	14.4	...	7.1	20.3	...	12.8	...	0.0	30.6	11.2	...	0.5	...	3.1	...	...	...	100.0
BiH: state level	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
BiH: Fed. BiH	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
BiH: Rep. Srpska	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Bulgaria	394.7	...	...	...	...	...	5.4	...	...	25.0	...	...	...	...	12.9	...	...	56.6	100.0
Croatia	90.1	0.0	0.0	0.0	...	...	17.3	0.0	0.0	82.5	0.0	0.0	0.0	0.0	0.2	0.0	...	...	100.0
Cyprus	117.5	99.9	...	...	...	...	...	...	...	...	...	...	...	...	0.1	...	...	...	100.0
Czech Republic	(144.8)	3.1	0.6	...	7.7	23.6	30.9	...	0.2	52.8	0.0	3.0	...	0.7	9.9	...	...	5.4	137.8
Denmark	209.5	...	...	...	...	...	14.8	3.2	0.1	31.8	20.7	...	...	4.5	17.5	...	...	7.4	100.0
Estonia	434.9	0.6	...	...	...	...	49.8	3.6	...	36.8	0.1	...	...	0.0	7.7	...	...	1.5	100.0
Finland	64.9	...	...	...	...	...	...	...	...	67.4	5.6	...	...	...	21.5	5.4	...	...	100.0
France	(214.8)	0.7	...	0.2	...	...	50.0	...	...	21.2	19.4	...	3.5	...	5.7	...	...	5.9	106.6
Georgia	(290.7)	...	...	0.0	4.9	...	64.3	28.6	...	1.8	...	...	...	...	2.3	...	...	0.2	102.1
Germany	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Iceland	130.8	...	1.2	0.0	0.0	...	0.2	0.0	0.0	48.3	7.7	...	17.9	8.9	15.8	...	...	...	100.0
Ireland	(134.0)	...	...	...	...	...	9.6	6.2	26.1	39.7	...	...	...	...	...	...	0.0	28.5	110.1
Italy	78.6	...	...	...	...	...	10.7	...	...	11.2	...	35.6	1.8	5.7	5.4	4.2	...	25.5	100.0
Latvia	(919.9)	...	...	...	3.8	...	60.5	...	...	28.3	...	...	...	4.3	...	...	...	...	96.8
Liechtenstein	(145.2)	1.9	120.8	0.0	90.6	...	43.4	5.7	13.2	30.2	...	...	...	0.0	0.0	30.2	37.7	373.6	
Lithuania	372.8	...	...	...	...	...	23.0	...	...	14.4	...	38.4	...	...	11.9	12.3	...	...	100.0
Luxembourg	125.5	...	...	...	...	1.8	18.1	5.2	...	35.5	9.1	...	6.4	...	12.0	...	12.0	...	100.0

Country	Total number of persons having started to serve CSM or probation per 100,000 pop.	Of which: Percentage of																Total %
		2.1 Forms of probation/supervision <u>before</u> the sentence					2.2 Forms of probation/supervision <u>after</u> the sentence											
		Alternatives to pre-trial detention with supervision by probation agencies (total)	Conditional suspension of criminal proceedings	Deferral (postponement of the pronouncement of a sentence)	Victim-offender mediation	Other	Fully suspended custodial sentence with probation	Partially suspended custodial sentence with probation	Conditional Pardon or conditional discharge (with probation)	Community service	Electronic Monitoring	Home arrest (curfew orders)	Semi-liberty	Treatment	Conditional release / parole <b>with</b> probation	Mixed orders	Other	
Malta	104.7	7.8	...	...	...	...	11.4	...	...	1.6	...	...	...	...	...	2.5	76.7	100.0
Moldova	206.7	...	...	...	...	...	...	42.3	0.1	28.4	...	...	...	...	6.2	...	23.0	100.0
Monaco	66.5	...	...	...	...	...	72.0	0.0	...	...	...	24.0	0.0	4.0	...	...	...	100.0
Netherlands	(259.9)	8.9	2.7	...	...	...	17.8	...	0.0	76.4	0.1	...	2.3	0.5	3.5	...	...	112.1
Norway	106.9	...	...	...	...	...	9.8	...	...	45.4	27.9	...	...	0.5	15.0	...	1.3	100.0
Poland	(908.2)	...	...	...	0.9	...	78.4	...	...	...	3.2	...	...	0.0	19.8	...	1.8	104.2
Portugal	(292.8)	2.7	32.5	...	...	0.0	26.7	...	...	42.3	0.2	0.5	...	0.4	4.1	0.0	0.0	109.5
Romania	14.1	...	...	...	...	...	100.0	...	...	...	...	...	...	...	...	...	...	100.0
San Marino	86.8	0.0	...	31.0	...	...	34.5	0.0	0.0	34.5	...	0.0	0.0	...	0.0	0.0	...	100.0
Serbia	19.3	1.9	...	...	...	...	...	...	...	32.9	53.7	9.8	...	...	0.0	...	1.7	100.0
Slovak Republic	(134.4)	3.2	...	...	...	...	25.7	...	...	43.8	0.0	0.3	...	...	7.1	...	...	80.2
Slovenia	30.7	10.3	...	19.6	...	...	12.0	...	...	9.7	...	4.4	...	3.5	4.0	...	36.6	100.0
Spain (State Admin.)	415.6	...	...	...	...	...	15.1	...	...	73.7	...	...	...	1.0	10.1	...	...	100.0
Spain (Catalonia)	190.2	...	...	...	8.9	...	12.2	...	...	52.7	0.3	...	14.3	1.8	7.7	2.0	...	100.0
Sweden	203.1	...	...	...	...	...	...	...	...	31.1	11.9	...	...	4.8	25.7	...	26.5	100.0
Switzerland	78.8	40.4	...	...	...	...	6.3	0.6	...	31.7	2.9	...	...	2.8	15.3	...	...	100.0
Turkey	293.9	17.9	...	3.4	...	...	2.0	...	16.1	1.5	...	0.1	...	53.7	0.5	...	4.9	100.0
UK: Eng. / Wales	(313.8)	...	...	...	...	...	25.5	...	...	19.1	2.4	...	...	9.5	18.2	19.9	7.6	102.1
UK: North. Ireland	(197.5)	...	...	...	...	...	...	...	...	41.5	...	...	...	...	2.5	25.6	35.0	104.5
UK: Scotland	425.1	2.2	...	...	...	...	...	...	...	28.9	2.9	...	...	8.8	4.6	30.3	22.2	100.0
<b>Mean</b>	<b>250.6</b>	<b>11.1</b>	<b>30.2</b>	<b>6.8</b>	<b>17.1</b>	<b>8.5</b>	<b>28.7</b>	<b>6.1</b>	<b>4.4</b>	<b>31.6</b>	<b>8.3</b>	<b>6.0</b>	<b>5.9</b>	<b>5.3</b>	<b>8.6</b>	<b>10.2</b>	<b>24.4</b>	
<b>Median</b>	<b>190.2</b>	<b>2.9</b>	<b>2.7</b>	<b>0.2</b>	<b>6.3</b>	<b>1.8</b>	<b>17.8</b>	<b>1.8</b>	<b>0.1</b>	<b>30.8</b>	<b>3.1</b>	<b>0.3</b>	<b>2.0</b>	<b>1.8</b>	<b>6.7</b>	<b>4.2</b>	<b>22.2</b>	
<b>Minimum</b>	<b>14.1</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.2</b>	<b>0.0</b>	<b>0.0</b>	<b>0.1</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	
<b>Maximum</b>	<b>1475.0</b>	<b>99.9</b>	<b>120.8</b>	<b>31.0</b>	<b>90.6</b>	<b>23.6</b>	<b>100.0</b>	<b>42.3</b>	<b>26.1</b>	<b>82.5</b>	<b>53.7</b>	<b>38.4</b>	<b>24.0</b>	<b>53.7</b>	<b>29.5</b>	<b>30.3</b>	<b>76.7</b>	

## **Notes – Tables 2.1, 2.2 and 2.3**

### **Andorra:**

- 2.1.4: Mediation Service is offered as pre-sentence supervision by an NGO when referred by the Probation Service. It is therefore not a service provided by probation officers and it is performed during pre-sentence assessment reports. There are no numbers available.
- 2.1.1.3: "Other" are:
  - Denial of leaving the country: 0.
  - Denial or constriction to stay at a certain place: 0.
  - Protection order: 0.
  - Immediate protection order: 0.

### **Andorra:**

- 2.0: Stock data are not available.
- 2.1.1.1: Electronic monitoring is extended to forms of semi-liberty, home arrest or night arrest, assorted to the contract that the execution does not violate the offender's intimacy.
- 2.1.1.3: "Other" are:
  - Obligation to justify a regular job: 2.
  - Obligation to come to Court regularly: 13.
  - Avoid certain public places: 14.
  - Suspension of driving license: 1.
  - Interdiction to contact the victim: 19.
  - Obligation to follow a medical treatment: 6.
- 2.2.6:
  - Home arrest (curfew orders): 50.
  - Uncommutable home arrest: 4.
  - Home arrest combined with a suspended sentence: 37.
  - Home arrest combined with a suspended sentence and an obligation: 2.
- 2.2.7:
  - Ab initio: 7
  - During the execution: 0.
- 2.2.11: "Other" are:
  - Night custody: 6.
  - Night custody combined with a suspended sentence: 360.
  - Night custody combined with a suspended sentence and an obligation: 52.
  - Day custody: 2.
  - Day custody combined with a suspended sentence: 2.
  - Day custody combined with a suspended sentence and an obligation: 0.
  - Weekend custody: 1.
  - Festive time custody: 1.
  - Festive time custody combined with a suspended sentence: 7.
  - Suspension of driving license: 268.
  - Interdiction to issue a check: 1.
  - Interdiction to contact the victim: 11.
  - Suspension from job: 1.
  - Work in the benefit of the community: 1.
  - Expulsion from Andorra: 12.
  - Suspension of firearms license: 1.

**Armenia:**

- 2.0: There are 363 persons who have received more than one punishment.
- 2.2.11: "Other" are:  
Fines: 803.  
Deprivation of the right to hold certain posts or to practice certain professions: 133.  
Postponed punishment (for pregnancy or a child under 3 years old): 2.

**Austria:**

- 2.1.1: Electronic monitoring is combined exclusively with home arrest. Electronic "ankle bracelets" are used as technical support. The person charged with a crime wears a plastic band at the ankle which communicates with a base station at its home.
- 2.1.1.3: The 172 units in the category "Other" have not been specified by Austria.
- 2.1.2: Criminal proceedings can be suspended ("diversion") in four different forms: for paying an amount of money, as a suspension with probation to assess the behaviour of the accused person, for community service and for mediation. Only community service, mediation and, partly, suspension with probation are supervised by probation agencies.
- 2.1.3: This measure only exists for juveniles.
- 2.1.4: In Austria, mediation is a CSM whereas the definition for item 2.1.4 states the opposite, so the number of persons who underwent mediation is included in item 2.1.2.
- 2.2.4: Community service after the sentence is only possible as an alternative to arrest in case you can't afford to pay your fine (unpaid work for fine defaulters).

**Azerbaijan:**

- 2.0: There is no probation service in the Republic of Azerbaijan, as such. The penalties not associated with imprisonment are executed by the officers (bailiffs) of the local Execution Departments of the Ministry of Justice.
- 2.2.1: The number of persons for whom the execution of the sentence was postponed is included under this heading (The postponement of the execution of the penalty with respect to a pregnant women or a single parent taking care of a child under the age of 8).
- 2.2.11: "Other" are:  
Correctional work: 5 566.  
Fine: 5 785.  
Deprivation of the right to hold certain positions or to engage in certain professional activities: 78.  
Deprivation of the right to operate a vehicle: 510.

**Belgium:**

- General comment: the numbers provided by Belgium have been extracted from the SIPAR database in the course of October 2012. Some differences in the ways of coding between the houses of justice exist in practice, so the numbers provided may contain some bias. However, the coding error rate is limited.
- 2.1.13: "Other" are:  
Alternative à la détention préventive: 4 495.
- 2.1.5: The examining magistrate has the possibility to release a suspect with or without conditions. The numbers provided here only are only related to the releases without conditions, which are a task of the Belgian houses of justice/probation agencies.
- 2.2.1: This number includes the data for items 2.2.1 and 2.2.2 together. Belgium's database doesn't allow the distinction between fully and partially suspended custodial sentences.
- 2.2.4: The numbers of community service as a proposition during a victim-offender mediation are not retrieved under this category, since it is a "form of supervision after the sentence".



- 2.2.5: The numbers come from the National Center of Electronic Monitoring. The numbers of ongoing mandates at the Center are therefore lower than the number of mandates that can be found in the Houses of Justice, since the Center only counts the number of devices actually placed.
- 2.2.7: Since the introduction of the "loi du 17 mai 2006 sur le statut juridique externe des détenus", the limited detention has been implemented for the persons sentenced to custody for more than 3 years. Semi-liberty is destined to be removed.
- 2.2.8: Treatment doesn't exist as an independent sentence in the Belgian system. It can be pronounced as a condition. The persons falling under the "loi relative à l'internement" (internment) are not included in SPACE II.
- 2.2.10: Mixed orders don't exist in their own right in Belgium. However, a person sentenced to community service and being under a measure of electronic monitoring for another sentence can serve his or her community service during his or her allowed free time. Thus, this person will combine two CSM, but for two different convictions.

### Cyprus:

- 2.0: See comment of item 2.2.9.
- 2.1.1.3: "Other" are:  
Requirements to report on a daily basis or on a periodic basis to a judicial authority, the Police or other authority: 1 012.  
Those 312 report to police stations.
- 2.2.1: The total comprises 928 persons (figure provided by the Social Welfare Services) and one person (figure provided by the Prison Department). The total provided by the Social Welfare Services cannot be broken down further this year.
- 2.2.9: This single case is handled by the Prison Department and is therefore not included in the total.

### Czech Republic:

- General comment: The Number of persons, who were at least one case under supervision or care of probation agencies on 31st December 2012 and their file status were administrative active to this date.
- 2.0: One person can be registered with more than one sanction and/or measure (form of probation / supervision) on 31st December 2012. Juveniles are not included.
- 2.1.2 Number of persons to whom a conditional suspension of criminal proceedings with appropriate obligations or restrictions, supervised by PMS after the decision of prosecutors, was imposed. It was imposed more frequently during the year 2012, but only a small part of these cases can be registered within PMS. PMS has recorded 5 919 decisions during the year 2012.
- 2.1.1.3: "Other" are:  
Replacement of pre-trial detention with probation: 475.
- 2.1.4: The definition of victim-offender mediation, which is defined in this questionnaire, has a constrictive character. This type of mediation is not monitored like a form of probation/supervision within the Czech statistical system, because victim-offender mediation can be performed in a cross-sectional way in every activities of probation officers before and after sentence, even though it is most often recorded in the pre-sentence (pre-trial) phase of proceedings.
- 2.1.5: "Other" are:  
Mediation of resolving conflicts: 3 573 (The Mediation of resolving conflicts has a broader character than the victim-offender mediation in the Czech probation service. The definitions of the Mediation of resolving conflicts includes all activities aimed at the settlement of conflicts in context of criminal proceedings (including victim-offender mediation)).  
"Other" (unspecified): 17.
- 2.2.1: Number of persons with a fully suspended custodial sentence with probation (4 674) and fully suspended custodial sentence without probation, but only with appropriate obligations or restrictions (25), which are supervised by PMS from

decision of the court too. Only a small part of these cases can be registered within PMS. The number of persons to whom a fully suspended sentence without probation was imposed cannot be counted in the STOCK. PMS has recorded 41 086 persons with a fully suspended sentence without probation in Czech legal system during the year 2012.

- 2.2.5: Electronic monitoring can be imposed by court together with Home arrest or a conditional release with an obligation to stay at home, but it is not technically available now.
- 2.2.8: Protective Treatment is imposed by the court as a protective measure, not as form of probation, separately or together with another sanction.
- 2.2.9: Number of persons with a conditional release with appropriate obligations or restrictions (68) and parole with probation (1 437), which are supervised by PMS from decision of the court. Only a small part of these cases can be registered within PMS. PMS has recorded 3 260 persons with a conditional release with appropriate obligations or restrictions in Czech legal system during the year 2012.
- 2.2.11: "Other":  
Prohibition to enter to sport, cultural and social event: 46.  
"Other" (unspecified): 771.

#### Denmark:

- 2.2.11: "Other" are:  
Mentally disturbed under supervision: 704.  
Alternative imprisonment (as being placed in a special institution): 135.  
Others (unspecified): 24.

#### Estonia:

- 2.2.11: Estonia did not give any specifications for this category "Other".

#### Finland:

- 2.2.10: "Mixed orders" are:  
Conditional prison sentence and community service: 191.

#### France:

- 2.0: The sum of the subcategories is not equal to the total provided in 2.0 because they are related to a number of measures, not to a number of persons (1 person => n measures).
- 2.1.1.1, 2.1.1.2; 2.2.5, 2.2.6: In France, home arrests are only applicable with stationary or mobile electronic monitoring.
- 2.1.1.3: "Other" are:  
Judicial control (*Contrôles judiciaires*): 596.
- 2.2.1, 2.2.2: France does not separate the data related to the fully and partially suspended sentences with probation.
- 2.2.11: "Other" are:  
Refusing of stay (*Interdiction de séjour*): 232.  
Social and legal supervision (*Suivi socio-judiciaire*): 1 137.  
Unpaid work (*Travail non rémunéré*): 3 053.  
Judicial surveillance (*Surveillance judiciaire*): 194.  
Citizenship classes (*Stage de citoyenneté*): 1 450.  
Work release (*Placement à l'extérieur*): 2 258.

#### Georgia:

- 2.0: As certain measures can be pronounced together (e.g. 2.2.1 and 2.2.3, 2.2.1 and 2.2.11, etc.), the total number of item 2.0 is not equal to the sum of the other items.
- 2.2.11: This category "Other" has not been specified.

**Germany:**

- General comment: Data taken from statistics published by the Federal Office of Statistics in Wiesbaden
- 2.1.2: "Staatsanwaltschaften 2011" and "Strafgerichte 2011" (more recent data is not available yet). This number covers diversion-decisions person-based on sect. 153a StPO (except para 1 no. 1 and no. 5) and sect. 37 BtMG by the prosecution "Staatsanwaltschaften 2011" (Table 2.4.1) (176 910) and by the court "Strafgerichte 2011" (Tables 2.3, 4.3, 5.3, 7.3 and 8.3) (60 212).
- 2.1.3: "Strafverfolgung 2011" (more recent data is not yet available). This kind of sanction is applicable to juveniles and adolescents only (sect. 27 JGG).
- 2.1.4: "Staatsanwaltschaften 2011" and "Strafgerichte 2011" (more recent data is not available yet). This number covers diversion-decisions person-based on sect. 153a para 1 no. 1 (compensation) and no. 5 (victim-offender-mediation) StPO by the prosecution (23 483) and by the court (7 991). Sect. 153a para 1 no. 5 (victim-offender-mediation) StPO alone: 15 121 (12 993 by the prosecution and 2 128 by the court).
- 2.2.1: "Strafverfolgung 2011" (more recent data is not yet available).
- 2.2.5: Gemeinsame Überwachungsstelle der Länder (GÜL) (shared monitoring agency). Elektronische Aufenthaltsüberwachung im Rahmen der Führungsaufsicht 2012 (electronic monitoring in the context of supervision of conduct).
- 2.2.11: "Strafgerichte 2011" and "Strafverfolgung 2011" (more recent data is not available yet)  
"Other" are:  
Conditional suspension of the enforcement of the sentence: 2 603 (Decisions applying sect. 27 JGG (vide supra 2.1.3).  
Compensations: 11 944 (this data needs explanation, as it is a combination of two different units: 3 061 cases with a decision concerning civil liability plus 5 863 suspects (persons) whose case was discharged under the condition of compensation (sect. 153a StPO; counted under item 2.1.4 as well) plus 3 020 juvenile offenders (persons) sentenced to compensation (data 2010; more recent data is not yet available).  
Ban from office, position or profession: 70.

**Iceland:**

- 2.1.1: If there are conditions for detention, a judge may, instead of pre-trial detention in prisons, order the accused person to stay at a certain location and/or forbid him or her to leave the country (15 persons on 31.12.2012, thereof 14 foreign nationals). The police can decide that the accused person shall inform the police about his location or visit the police at certain times. Furthermore, the police can decide that the accused person has to give his or her passport to the police for safekeeping. They are not under the supervision of the PPA.
- 2.1.4: According to Icelandic regulations, mediation is a resource that can be used as a substitute for prosecution, but it is not used concurrently. If mediation is successful, i.e. leads to a contract that is fulfilled, the prosecutor then cancels prosecution and the offence does not go on the offender's criminal record and there is no follow up on behalf of the police or the Prison and Probation Administration.
- 2.2.4: According to the Execution of Sentences Act (ESA) no. 49/2005 the Prison and Probation Administration, PPA decides whether a prison sentence is to be executed in the form of community service and what type of community service the person sentenced is to perform in each individual case. The same applies to the length of time for which community service is to be performed. However this period may never be shorter than two months. In the year 2011, the PPA decided to execute 88 unconditional prison sentences in the form of community service. According to the abovementioned law, the PPA also decides whether a surrogate punishment (instead of paying fine) is to be executed in the form of community service. In the year 2011 the PPA decided to execute 52 surrogate punishments in the form of community service.

- 2.2.5: From 1. October 2011, an enforcement outside prison is allowed under electronic monitoring. When an unconditional sentence is 12 months prison or longer, the PPA may decide that a prisoner can complete serving his sentence outside prison provided he has a device (ankle bracelets) so that it is possible to track his movements. When an unconditional sentence is 12 months, the electronic surveillance is 30 days and lengthenes by 2,5 days per month, to the maximum of 240 days. The PPA has a contract with a private security company to monitor those who are in community service and under electronic monitoring in addition with the PPA.

#### **Ireland:**

- 2.0: The total of all people on different orders is 6 983. However, people can be subject to more than one order at any given time. The total number of individual PERSONS covered by the orders above is 6 142.
- 2.2.3: This item now includes the standard Probation Supervision Order, this is moved from "Other" in previous submission.
- 2.2.10: "Mixed orders" are:  
Probation supervision with community service: 3.
- 2.2.11: "Other" are:  
Supervision during deferment of penalty: 1 597.  
Post release supervision orders: 43.  
Life sentence prisoners: 112.

#### **Italy:**

- 2.2.1: Persons assigned to the probation service directly from liberty, excluding the drug addicted offenders, who come under point 2.2.8.
- 2.2.8: Drug addicted offenders assigned to the probation service both from detention and from liberty.
- 2.2.9: Persons assigned to the probation service from the state of detention.
- 2.2.10: "Mixed orders" are:  
Supervised liberty: 1 706.  
Substitutive sanctions: 276.
- 2.2.11: "Other" are:  
Activity of observation of offenders at liberty: 10 344.  
Inquiries for security measures: 1 550.

#### **Latvia:**

- General comment: The information is provided for the number of cases because the State Probation Service doesn't have statistics about the number of persons. However, the number of persons must be slightly less than the number of cases (approximately 5 percent less).
- 2.2.8: Treatment (810 persons) refers to probation programmes aimed at correction of behaviour.
- 2.2.9: Unfortunately, no data on flow of entries for conditional release are available (recorded together with persons granted with a fully suspended sentence with probation).

#### **Liechtenstein:**

- 2.0: The total includes items 2.2.1, 2.2.2, 2.2.3 and 2.2.11, the other numbers being related to alternative sanctions outside probation.
- 2.1.1.3: "Other" are:  
Provisional probation: 1.
- 2.2.10: "Mixed orders" are:  
Treatment and probation: 16.
- 2.2.11: "Other" are:  
(Partly) conditional fine or trial period with associated obligations and probation: 20.

**Lithuania:**

- 2.2.5: Persons upon whom a measure of penal impact– works free of charge – is imposed are not included in the number. This measure is not listed separately as it is usually imposed as additional one in case of a suspended sentence.
- 2.2.10: "Mixed orders" are:  
Persons upon whom a measure of criminal impact is imposed: 1 379 (Persons upon whom a measure of penal impact – withdrawal of a special right – is imposed are not included in the number. This measure is not listed separately as it is usually imposed as additional one in case of a suspended sentence).

**Luxembourg:**

- 2.1.1.3: "Other" are:  
Judicial control (*Contrôles judiciaires*): 12.
- 2.2.5, 2.2.6: Home arrests are exclusively applied with electronic monitoring.
- 2.2.11: "Other" are:  
Suspension of the punishment (*Suspensions de peine*): 79.

**Malta:**

- 2.2.11: "Other" are:  
Unspecified: 355.

**Moldova:**

- 2.2.11: "Other" are:  
Deprivation of the right to hold certain functions or to perform certain activities: 1 637.  
Replacing the unenforced punishment with a milder penalty: 13.  
Postponement of the enforcement of punishment for pregnant women or women who have children of up to 8 years of age: 39.  
Release from punishment of minors: 1.

**Netherlands:**

- 2.0: Persons with mixed orders are counted double. See comments item 1 and item 3.
- 2.1.1.1: Electronic monitoring in the Netherlands is not a sanction in its own right, but a condition attached to:
  - pre-trial supervision by probation agencies (2.1.1.1, without electronic monitoring is 2.1.1.3)
  - fully or partially suspended custodial sentence with probation (2.2.5, without electronic monitoring are 2.2.1 and 2.2.2 (these can not be separated in the statistics))
  - conditional release with probation (2.2.9).
- 2.1.1.2, 2.2.6: Home arrest is also called Electronic Detention (frontdoor EM). Home arrest in the Netherlands was only used after the sentence. Until 2010, there was no legal foundation (ED was not laid down as a law) and the legal foundation was never established. The regulations were withdrawn on the 1st of July of 2010. So to date, ED is no longer an alternative for short prison sentences (NAP for 2011 and 2012). The Netherlands at this time don't have a shortage of capacity.
- 2.1.1.3: "Other" are:  
Pre-trial supervision by probation agencies without electronic monitoring: 3 773.
- 2.2.5: This item includes fully or partially suspended custodial sentences with probation with the attached condition 'electronic monitoring'. It's not the number of persons who experienced electronic monitoring after the sentence. The total number of persons with fully or partially suspended custodial sentence with probation = 2.2.1 + 2.2.2 + 2.2.5.

**Norway:**

- 2.2.11: This category "Other" is unspecified.

**Poland:**

- 2.0: The total is inferior to the sum of the items because Mediation (2.1.4) and Electronic Monitoring (2.2.5) are not included in it, due to the fact that they are not conducted as a form of outright probation.
- 2.2.4: Poland first gave the answer "NAP" to this category, which would mean that community service does not exist in the Polish system. However, Poland always gave numbers for community service in SPACE II, which is why we marked the category as "...", meaning that the CSM does exist but that the numbers are unavailable. Moreover, Poland responded to the annual module on community service in this same report.
- 2.1.11: "Other" are:  
Conditional sentence: 6 279.

**Portugal:**

- General comment: The sum of distinct persons under supervision, during year 2012, of a particular measure is different from the total of distinct persons under supervision of all measures due to the fact that some persons can have more than one measure simultaneously.
- 2.1.1.1: Before the sentence, Electronic Monitoring is used: 1) As a way of executing home arrest as alternative to pre-trial detention (547 -> 2.1.1.2); 2) As a way of monitoring the court restrain orders in cases of domestic violence (121).
- 2.1.1.2: Home arrest is used exclusively with Electronic Monitoring
- 2.1.1.3: "Other" are:  
Supervision of imposition of conditions: 140.  
Supervision of treatment: drug dependents: 35.
- 2.2.5, 2.2.6: After the sentence, Electronic Monitoring is used: 1) As a way of executing home arrest as alternative for prison (131); 2) As a condition release adaptation period (44); 3) As a way of monitoring the court restrain orders in cases of domestic violence (31); 4) As modification of imprisonment, especially aimed at disease cases (10).
- 2.1.5: "Other" are:  
Other measures (not specified): 2.
- 2.2.11: "Other" are not specified.

**Romania:**

- 2.2.1: The figure only reflects the number of adults.
- 2.2.4: According to the legislation in force, in the criminal field, the community service can be imposed to an adult as an obligation in case of the suspension of the enforcement of the sentence under supervision.
- 2.2.3, 2.2.9: The conditional suspension of the enforcement of the sentence, the conditional pardon or conditional discharge and conditional release without probation also exists in the romanian legislation, but the probabtion system does not have any competence in this respect.

**San Marino:**

- 2.0: See comment under 2.2.1 and 2.2.4.
- 2.2.1, 2.2.4: These numbers represent the same persons. Every fully suspended custodial sentence is combined with community service.

**Serbia :**

- 2.1.1.1, 2.2.5: These figures pertain to home arrest/detention with electronic monitoring, because in the Serbian jurisdiction, an electronic monitoring measure is used only as an option to home arrest/detention (two options: home arrest/detention with or without electronic monitoring).

- 2.1.1.2, 2.2.6: This item refers to persons submitted to home arrest without electronic monitoring.
- 2.2.11: "Other" are:  
Persons with conditional sentence with protective monitoring: 23 (certain obligations are being determined by the court, the implementation of which is being controlled by commissioners (probation officers) who report to the court on successful implementation).

**Slovak Republic:**

- General comment: Slovak Republic does not have exact figures of persons under supervision of probation and mediation officers on 31st of December 2012, because the statistics only reflect flow of probationers during the year. The figures also consists of sanctions and measures imposed to juveniles.
- 2.1.1.3: These 231 "Other" are unspecified.

**Slovenia:**

- 2.2.11: "Other" are not specified.

**Spain (State Admin.) :**

- General comment: In this item, Spain only includes data related to penalties and measures imposed in a sentence as alternatives to imprisonment, as well as conditional release. Data related with the execution of the prison sentence in the different modalities of semi-freedom are not included.

**Spain (Catalonia) :**

- 2.2.10: "Mixed orders" are:  
Community service and fully suspended custodial sentence with probation (*Travail d'intérêt général et sursis total avec mise à l'épreuve*): 290.

**Sweden:**

- 2.2.6: Curfew order combined with electronic monitoring.
- 2.2.11: "Other" are:  
Probation without community service and special treatment plan: 4 384.  
Half-way house: 75.  
Extended activity release: 647 (Extended activity release means that a prisoner serves the prison sentence under controlled forms in his or her home).

**Switzerland:**

- 2.1.1.3: "Other" are:  
Social assistance: 2 531.

**Turkey :**

- 2.1.1.3: "Other" are:  
Judicial control: 39 221.
- 2.2.11: "Other" are:  
Deferral: 1 173.  
Effective repentance: 289.  
Security measures: 7 689.  
Supervision of children: 609.  
After release probation: 995.

**UK: England and Wales**

- General comment: Figures given in sub-categories 2.2.4, 2.2.5, 2.2.8, 2.2.10 and 2.2.11 are breakdowns of total Community Orders.
- 2.0: The total number of persons in 2.0 is lower than the sum of the component parts because it counts persons only once, and they may appear in more than one sub-

category (ie 2.2.1 and 2.2.4). Persons are however only counted once in sub-category 2.2.1, 2.2.9 and once only in all other sub-categories combined.

- 2.2.4: Community Orders with standalone unpaid work only.
- 2.2.5: Community Orders with standalone curfews only. Most standalone curfews are not supervised by the probation service.
- 2.2.6: Home arrest is used exclusively with electronic monitoring.
- 2.2.8: Includes orders containing drug, alcohol, mental health treatments, accredited programs and supervision.
- 2.2.10: "Mixed orders" are any combination of 12 possible requirements: unpaid work, supervision, accredited programs, drug treatment, alcohol treatment, mental health treatment, specified activities, prohibited activities, curfew, exclusion, attendance centre, residential.
- 2.2.11: "Other" are:  
Standalone supervision: 10 788.  
Standalone specified activities: 1 962.  
Other standalone requirements: 715.

### UK : Northern Ireland

- 2.0: The sum of the items is slightly higher than the overall total because some people are subject to more than one order. 2.0 is the total number of people under supervision by PBNI at 31 December 2011. This figure includes people who commence their sentence in custody. This figure excludes people that PBNI supervise serving a Juvenile Justice Centre Order.
- 2.2.10: "Mixed orders" are:  
Combination Order: 304 (Combination Orders require probation supervision and completion of a specified number of hours of unpaid work).  
Custody Probation Order: 30 (Custody Probation Orders and Determinate Custodial Sentences require a specified period in custody followed by supervision in the community).
- Determinate Custodial Sentence: 593.  
2.2.11: "Other" are:  
Probation Order: 1 233.  
Other: 27.

### UK : Scotland

- General comment: Figures are for financial year 2011-12.
- General comment: All flow figures are for cases not individuals as the data are not collected in a way which allows this level of analysis for all categories.
- 2.1.1.3: "Other" are:  
Supervised bail: 450.
- 2.2.4: Includes an estimate of the proportion of community payback orders which had an unpaid work or other activity requirement only.
- 2.2.5: This number includes restriction of liberty orders and probation orders with electronic monitoring (ankle tag).
- 2.2.8: This number includes drug treatment and testing orders and probation orders with treatment.
- 2.2.10: "Mixed orders" are:  
Probation order with requirement for unpaid work: 1 276.  
Probation order with other conditions (excluding treatment and electronic monitoring): 548.  
Community payback orders with unpaid work and supervision: 5 028.
- 2.2.11: "Other" are:  
Probation orders with standard conditions: 1 270.  
Supervised attendance orders (for fine default): 2 877.  
Community payback orders with with supervision only: 858 (estimate).



## Annual Module - 2012 survey: Community Service

Every year, the SPACE II survey focuses on a sanction or measure in order to gather more detailed information about it. This year, the annual module is about **community service** and the ways of using it.

The module includes two general questions about the existence of community service (1) and whether it can be applied without the consent of the offender (2). Another question focuses on a similar concept: correctional work. **Correctional work** is a form of financial sentence that consists in a deduction of part of the earnings of the accused. This sanction can be used as a substitute for a custodial sentence, for instance. The amount of the deduction is decided by the court in relation to the substituted sentence. The questions regard whether it exists in the responding country (3.a) and whether it is included to the statistics related to community service (3.b). The respondent was also asked in what year community service was introduced in his or her country (5). The answers to these questions are presented in Table AM.1.

The module also asks for information on the STOCK of persons serving community service on 31<sup>st</sup> December 2012 and the FLOW (i.e. number of persons sentenced to community service) during 2012 (4). These numbers are presented by categories of use in Table AM.2.

The “comments” section was mostly used by the respondents to describe and detail how community service was implemented in their countries.

**Table AM.1: Generic questions on community service**

Reference: Council of Europe, SPACE II 2012.AM.1

Country	Community service		Correctional work		Year of introduction of community service
	Does it exist in your country?	Can it be pronounced without the offender's consent?	Does it exist in your country?	Do you include the persons serving this kind of sanction in the statistics related to community service?	
	<b>1</b>	<b>2</b>	<b>3.a</b>	<b>3.b</b>	
Albania	Yes	No	No	***	1995
Andorra	Yes	No	No	***	2005
Armenia	Yes	Yes	No	***	2005
Austria	Yes	No	No	***	2000
Azerbaijan	Yes	Yes	Yes	No	2000
Belgium	Yes	Yes	No	***	1994
Bulgaria	Yes	Yes	Yes	No	2005
Croatia	Yes	No	No	***	2004
Cyprus	Yes	No	No	***	---
Czech Republic	Yes	No	No	***	1996
Denmark	Yes	No	No	***	1982
Estonia	Yes	No	No	***	2002
Finland	Yes	No	No	***	1991
France	Yes	No	No	***	1983
Georgia	Yes	No	Yes	No	1997
Germany	Yes	Yes	No	***	1921
Iceland	Yes	No	No	***	1995
Ireland	Yes	No	No	***	1983
Italy	Yes	No	No	***	1981
Latvia	Yes	Yes	No	***	1999
Liechtenstein	Yes	No	No	***	2007
Lithuania	Yes	No	No	***	2003
Luxembourg	Yes	No	No	***	1994
Malta	Yes	No	No	***	2002
Moldova	Yes	Yes	Yes	Yes	2003
Monaco	No	***	***	***	***
Netherlands	Yes	Yes	No	***	1980
Norway	Yes	No	No	***	1989
Poland	Yes	Yes	Yes	Yes	1970
Portugal	Yes	No	No	***	1982
Romania	Yes	Yes	No	***	1992
San Marino	Yes	---	---	---	---
Serbia	Yes	No	No	***	2006
Slovak Republic	Yes	No	No	***	2006
Slovenia	Yes	No	No	***	2005

Country	Community service		Correctional work		Year of introduction of community service
	Does it exist in your country?	Can it be pronounced without the offender's consent?	Does it exist in your country?	Do you include the persons serving this kind of sanction in the statistics related to community service?	
	<b>1</b>	<b>2</b>	<b>3.a</b>	<b>3.b</b>	
Spain (State Admin.)	Yes	No	No	***	1995
Spain (Catalonia)	Yes	No	No	***	1996
Sweden	Yes	No	No	***	1993
Switzerland	Yes	No	No	***	1991
Turkey	Yes	---	---	---	2005
UK: England and Wales	Yes	Yes	No	***	1972
UK: Northern Ireland	Yes	No	No	***	1979
UK: Scotland	Yes	No	Yes	Yes	1907

**Table AM.2: Stock (31<sup>st</sup> December 2012) and Flow (2012) of the different ways of using community service**

Reference: Council of Europe, SPACE II 2012.AM.2

Country	Total		Of which :															
			As a sanction in its own right		As a part of a mixed sentence		Instead of an unconditional prison sentence		As an alternative to another sanction		As a condition attached to a conditional release		As a condition attached to a conditional waiver		Correctional work		Other (please specify)	
	Stock	Flow	Stock	Flow	Stock	Flow	Stock	Flow	Stock	Flow	Stock	Flow	Stock	Flow	Stock	Flow	Stock	Flow
Albania	654	213	654	213	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Andorra	...	1	...	1	***	***	...	0	***	***	...	0	***	***	***	***	***	...
Armenia	468	248	***	***	...	...	20	20	435	215	***	***	***	***	***	***	13	13
Austria	2 148	7 044	***	***	***	***	***	***	783	4 010	***	***	1 365	3 034	***	***	***	***
Azerbaijan	3 685	5 891	30	325	***	***	***	***	***	***	***	***	***	***	3 655	5 566	***	***
Belgium	9 553	10 445	9 090	9 562	***	***	***	***	***	***	***	***	463	883	***	***	***	***
Bulgaria	287	7 241	***	***	287	7 241	***	**	***	***	***	***	***	***	...	...	***	***
Croatia	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	***	***
Cyprus	...	...	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
Czech Republic	11 136	8 024	11 136	8 024	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Denmark	2 269	3 719	2 269	3 719	***	***	***	***	***	***	...	...	***	***	***	***	***	***
Estonia	1 368	2 123	***	***	***	***	***	***	1 136	1 275	***	***	***	***	***	***	232	848
Finland	1 302	2 554	***	***	87	191	1 215	2 363	***	***	***	***	***	***	***	***	***	***
France	34 096	29 789	34 096	29 789	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Georgia	73	976	32	236	40	739	***	***	***	***	***	***	***	***	1	1	***	***
Germany	...	...	***	***	***	***	...	...	...	...	...	...	...	...	***	***	***	***
Iceland	96	202	***	***	***	***	51	86	45	116	***	***	***	***	***	***	***	***
Ireland	2 673	2 661	***	***	5	3	2 563	2 440	***	***	105	218	***	***	***	***	***	***
Italy	2 525	5 208	***	***	***	***	***	***	2 525	5 208	***	***	***	***	***	***	***	***
Latvia	...	5 320	...	5 320	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Liechtenstein	---	16	---	16	---	***	---	***	---	***	---	***	---	***	---	***	---	***
Lithuania	644	1 617	644	1 617	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Luxembourg	136	234	102	180	***	***	34	54	***	***	***	***	***	***	***	***	***	***
Malta	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Moldova	1 102	2 672	...	...	...	...	977	2 093	...	...	...	...	***	***	125	579	***	***
Monaco	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Netherlands	19 073	33 203	19 073	33 203	19 073	33 203	***	***	***	***	***	***	***	***	***	***	***	***
Norway	1 284	2 422	1 279	2 414	***	***	***	***	***	***	...	1	***	***	***	***	5	7

Country	Total		Of which :															
			As a sanction in its own right		As a part of a mixed sentence		Instead of an unconditional prison sentence		As an alternative to another sanction		As a condition attached to a conditional release		As a condition attached to a conditional waiver		Correctional work		Other (please specify)	
	Stock	Flow	Stock	Flow	Stock	Flow	Stock	Flow	Stock	Flow	Stock	Flow	Stock	Flow	Stock	Flow	Stock	Flow
Poland	74 302	190 594	53 482	140 275	***	***	***	***	20 820	50 319	***	***	***	***	...	...	***	***
Portugal	8 882	20 440	1 250	1 764	***	***	***	***	5 432	11 282	***	***	***	***	***	***	2 200	7 394
Romania	...	...	***	***	...	...	***	***	***	***	***	***	***	***	***	***	***	***
San Marino	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
Serbia	32	458	28	431	***	***	***	***	4	27	***	***	...	...	***	***	...	...
Slovak Republic	...	3 179	...	3 179	...	...	...	...	...	...	...	...	...	...	***	***	***	***
Slovenia	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Spain (State Admin.)	40 972	121 614	...	...	...	...	40 972	121 614	...	...	***	***	***	***	***	***	***	***
Spain (Catalonia)	4 431	7 589	...	...	191	290	...	...	...	...	...	...	...	...	***	***	...	...
Sweden	2 792	5 982	2 792	5 982	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Switzerland	1 754	1 986	1 531	1 737	***	***	***	***	223	249	***	***	***	***	***	***	***	***
Turkey	13 562	3 187	***	***	***	***	13 562	3 187	***	***	***	***	***	***	***	***	***	***
UK: England and Wales	35 241	54 130	16 712	33 880	18 529	20 250	***	***	***	***	***	***	***	***	***	***	***	***
UK: Northern Ireland	1 199	1 777	866	1 494	345	304	***	***	***	***	***	***	***	***	***	***	***	***
UK: Scotland	...	12 842	...	...	***	***	***	***	***	***	***	***	***	***	...	...	***	***

## **Comments on the Annual Module**

### **Andorra:**

- 5: Community work or "Suspension of detention and obligation to perform work in public interest" Article 63 of the Albanian Criminal Code, was introduced in the Albanian Criminal Code in 1995, as one of the alternative sentences to imprisonment, but was largely applied after legal changes in 2008 which led to the establishment of the Probation Service in 2009. The Probation Service holds no available statistics for its use prior to 2009. Since 2009 and onwards, it has been mainly applied for juvenile offenders who are legally allowed to work. Community work is given to offenders as a substitute sentence to a suspended imprisonment sentence.

### **Andorra:**

- 4.8: "Other" are:  
Fully suspended sentence with probation: ...  
Partially suspended sentence with probation: ...

### **Armenia:**

- 4.8: The unserved part of the imprisonment was replaced with a softer punishment.
- 5 :Community work is one of the punishment's form according to the Criminal Code of the Republic of Armenia adopted on 18.04.2003. It can be set as a result of not paid fine, or instead of up to 2 years imprisonment according to the offenders request. In 2005 the Alternative Sanctions Division of the Criminal-Executive Department of the Ministry of Justice of the Republic of Armenia started its activity, and the courts began using the community work as a punishment.

### **Austria:**

- 5: Community service was broadly introduced through the diversion act in 2000; before 2000 there were only few juveniles with a community service as a condition. Community service was introduced 2000 as one form of conditional suspension of criminal proceedings ("diversion", see 1.1.2 and 2.1.2 above). It was extended 2007 to unpaid work instead of imprisonment (Community service for fine defaulters after the sentence, see 1.2.4 and 2.2.4 above).

### **Belgium:**

- 4.6: Proposition made during a victim-offender mediation, accepted and executed by the offender.
- 5: Community service was introduced in 1994 as a condition attached to a suspension of the proceedings or a conditional sentence. During the same year, victim-offender mediation was introduced and the public ministry can, when the offender is known, offer a community service sentence or a formation. This possibility was removed in 2002 and reintroduced in 2005.

### **Cyprus:**

- General comment: The Law has not been implemented yet.

### **Czech Republic:**

- 4.1: Community service as a sanction in its own right was included into the Czech legal system in 1996. Significant changes of this sanction happened in 2010. These changes resulted in a decrease of the flow of persons sentenced to community service.

**Denmark:**

- 5: community service was introduced as an experiment in 1982 and it was made permanent in 1992. In 2000 it was extended to road traffic act comprising drunk driving. As a consequence, the number of persons serving community service increased dramatically the following year.

**Finland:**

- 4.1: Community service was introduced as an experiment in 1991. It became a permanent part of the system of sanctions in 1997. Since 2003, it has been possible to use community service as a supplementary sanction to a conditional imprisonment exceeding 12 months.

**France:**

- 5: Community service was created in France in 1983. On 1. January 1986, 1 654 community service sentences were supervised by the probation agencies. This number reaches 25 411 in 2001 and then decreases (17 990 in 2004). Since then, the number keeps on increasing (34 096 on 1. January 2013).

**Georgia:**

- 5: Community Service was introduced as an alternative sanction in "Crime Code of Georgia" and became a way of enforcing a sentence in 1997 (before 1997, USSR "crime code" was in force and this sanction already existed).  
Due to liberal changes in the criminal law in 2010, it became possible to implement more flexible practices of execution of the community service sanction. The type and daily length of the service is determined by the probation bureau.  
The electronic database for jobs, existing in the National Probation Agency, allows the Judge to have the information about the available jobs and the probationers sentenced to community service. He can take his skills and physical abilities into account and the convicted person shall choose a desirable work together with the officer.  
The probation bureau and employer conclude a contract that defines the type, the term, the daily length and the workplace of the community service and the employer's name and address.  
Taking into consideration the social status and the working conditions, the offender is provided with food during the community service. Food expenses for persons sentenced to community service will be covered under these conditions: if the offender is a juvenile and the daily length of the community service set for him exceeds 3 hours for 14-16 year-old juveniles, or 5 hours a day for 16-18 year-old juveniles; if the offender is over 18 and is registered in the unified database of socially unprotected families and the indicator of his/her social-economic status is lower than the limit set by the government for receiving the subsistence wage and the length of the community service set for him/her exceeds 6 hours a day.  
At the beginning of each working week the National Probation Agency transfers the food expenses on the probationer's bank account specially opened for these purpose. Persons sentenced to community service were insured by the National Probation Agency during their community service at the workplace in 2012.

**Germany:**

- There is no separate sanction or measure called "community service" in German Criminal Law. However, on 21st december 1921, the "act for the expansion of fines and the reduction of short term sentences" incorporated it in the German Criminal Code (StGB) as sect. 28b in 1924.  
The 1969 "community service" was an imposed condition for persons under probation due to a conviction to a suspended execution of imprisonment (sect. 56b no. 3 and sect. 57 para 3 StGB).  
In 1974, there was a transfer from sect. 28b StGB to sect. 293 Introductory Law to the German Criminal Code (EGStGB).

The 1975 "community service" was an imposed condition upon provisional dispensing with court action/provisional termination of proceedings by the public prosecution or the court (sect. 153a para 1 no. 3 German Code of Criminal Procedure (StPO)). Furthermore "community service" can be ordered under the rule of Youth Courts Law (JGG) with dispensing with prosecutions (sect. 45 JGG) by the public prosecutor and with discontinuation of proceedings by the judge (sect 47 JGG) and as a sanction as well (sect. 10 and sect. 15 JGG).

**Iceland:**

- 4.1: the Prison and Probation Administration (PPA) decides whether a prison sentence is to be executed in the form of unpaid community service, instead of non-conditional imprisonment from:
  1. July 1995 Up to three months.
  1. January 1998 Up to six months.
  1. October 2011 Up to nine months.And the PPA can also decide whether a surrogate punishment is to be executed in the form of unpaid community service from 1. January 2000.

**Ireland:**

- 5: The legislation was passed in 1983 and the first orders were made in 1985. Community Service is provided as a direct alternative to a custodial sentence. The minimum order is 40 hours and the maximum order is 240 hours.

**Italy:**

- 4.1: Article 105 of the Law of 24 November 1981, nr. 689 introduced substitutive work as an exclusively subsidiary sanction, which could be inflicted upon sentencing. Article 1 of the law nr 205 of 25 June 1993 introduced the additional sanction of non-remunerated activity in favour of the community for social or public aims; that sanction was provided for in case of crimes related to racial, ethnic and religious discrimination. The Legislative Decree of 28 August 2000 nr. 274, in its articles nr 52, 54 and 55 provides for that the Justices of the Peace, for the crimes falling under their competence, can inflict, upon request of the accused person, either the punishment of the "Weekend curfew" [Permanenza domiciliare] or the Community service [Lavoro di Pubblica Utilità]. Paragraph 5-b of article 4-b of the law nr 49 of 21 February 2006 (so-called Giovanardi-Fini law) provides for that the Court Judge may impose to drug-addicted persons, upon the sentence of conviction, the punishment of community service instead of a sanction to imprisonment. The local Office for the Execution of Sentences in the Community (Probation office) is in charge of monitoring the work of the offender. The law of 29 July 2012 nr. 120 provides for the possibility that the Court Judge impose the sanction of Community Service also to those who perpetrate the offence of drunk driving. The local Office for the Execution of Sentences in the Community (Probation office) is in charge of the offender surveillance, along with law enforcement agencies.

**Latvia:**

- 5: Community service was introduced in 1999 but was performed solely by local municipalities until 2004. 2004-2005: function gradually transferred to probation service; since 2005 performed fully by the probation service.

**Liechtenstein:**

- 4.1: Community work is an offer for an alternative sanction instead of a judicial sentencing.



**Lithuania:**

- 5: Community service was introduced in Lithuania on 1 May 2003. No statistical data is available for the period from 1990 till 2001.

**Moldova:**

- 5: Community service in Moldova was introduced in 2003. On 31.12.2003, it was approved by the Government in the form of unpaid community work.

**Netherlands:**

- 4.2: See also comments on items 1/2.2.10. Mixed orders are Fully or partially suspended custodial sentence with probation (1/2.2.1/2 and with electronic monitoring 1/2.1.1.1) and community service (1/2.2.4). In the Swedish data, it is not certain if they are ordered at the same time or if they supplement each other during the execution of the sentence. Persons with mixed orders are therefore counted double (Fully or partially suspended custodial sentence with probation and community service).
- 5: See: [http://www.cepprobation.org/uploaded\\_files/Netherlands\\_The.pdf](http://www.cepprobation.org/uploaded_files/Netherlands_The.pdf)  
The Probation Service has been implementing labour penalties since the early 1980's. Labour penalties were initially considered to be a good way to get offenders back to work. This rehabilitative element has diminished increasingly. Currently, only so-called "bare" labour penalties are implemented. In the opinion of the Ministry of Justice, the labour penalty must be regarded as a real punishment, as an alternative to the prison sentence. Along this line of thinking, it is not suitable for the Probation Service to be working with persons subject to a labour penalty order in a different way to work on their criminogenic problems. Insofar as the Probation Service offers guidance, it is aimed exclusively at stimulating, motivating and steering the offender such that he completes the labour penalty and subsequently does not have to undergo his prison sentence after all. In the meantime, the discussion is being raised again – and in a wider circle – whether the labour penalty, alongside the element of punishment, should also be made use of for tackling problems that a convicted person has caused. Insofar as necessary, it should also be possible to offer supervision and guidance, and possibly behavioural interventions. Research has proven that labour penalties of offenders with a high risk of recidivism (as a consequence of problems in criminogenic areas) fail, and conversely, it is particularly labour penalties of offenders with no problems that are completed successfully (Lünneman, Beijers and Wentink, 2005). It is precisely the combination of punishment and guidance that seems to be effective. The labour penalty can be performed "externally" as an individual placement, and "internally" as a group placement with the Probation Service. The individual placements are handled by organizations other than the Probation Service, for example in hospitals and care homes where the offender works in the kitchen or does jobs in the garden. Daily management is the responsibility of the staff of those organizations. The Probation Service has resorted increasingly to creating and managing workshops itself where offenders can be placed who would not be able to work for individual work providers. It has emerged that the persons subject to a labour penalty have an increasingly serious profile: more serious offences, greater problems, mental and physical deficiencies. It should be avoided that the staff of the "individual projects" guide these people. Labour penalties can be imposed as a punishment order from the Public Prosecutor (see paragraph 4.2.2.) or as a penalty by the court (see 4.3.4.). The number of community service orders is increasing continuously. In 1989, for example, the number of community service orders made amounted to fewer than 600, but by 2008, it has risen to 40,000. Community service has apparently become more popular among the judiciary, partly because of the satisfactory way it has been carried out by the Probation Service, and partly because of its favourable influence on the reduction of recidivism. In addition to these factors, the shortage of cell capacity in the 1990's has also been relevant, as has the relatively low cost of community service orders. In 2007, the Public Prosecution Service and the judiciary gave an order to the Probation Service in 40,216 cases for implementation of the labour penalty. In 17%, the labour penalty did

not start for various reasons, for example because the person subject to a labour penalty did not react to the notice from the Probation Service. These cases are sent back to the Public Prosecution Service. Of the labour penalties started, 92% were completed successfully. (In 2005, this percentage was 86% and in 2006, 87%.) In 2007, the Probation Service implemented 35,617 labour penalties: 63% were individual placements, while 37% were group placements. Approximately 17% of all labour penalties were carried out under a punishment order from the Public Prosecutor; approximately 83% were court-imposed penalties. The labour penalties task represented 36% of the total budget of the probation institutions in 2007. The staff who supervise the labour penalties have an important stimulating role to get the person subject to the labour penalty to complete his penalty. In addition, the person subject to the labour penalty knows that if he does not follow the instructions, he will first be warned by the supervisors, and on a second occurrence, reported to the Public Prosecutor. The Public Prosecutor can still change the labour penalty into a non-suspended prison sentence.

**Norway:**

- 5: Community Service (Samfunnstjeneste) was introduced in Norway in about 1989 as a condition appended to a conditional prison sentence; Therefore not requiring any changes in statutes. In 1991 a change in the statute inaugurated CS as a reaction in its own right. CS involved executing unpaid work for the betterment of the community. In 2002 new legislation extended the scope of the reaction to include almost limitless conditions, e.g. treatment, participating in courses, school attendance etc. The conditions may be decided by the Court or the probation service.

**Poland:**

- 1-4: See comment on item 1.2.4/2.2.4.

**Portugal:**

- 4.1: As a sanction in its own right and substitute of imprisonment.
- 4.4: As an alternative to a sanction of a fine.
- 4.8: As a condition attached to conditional suspension of criminal proceedings, before the sentence and a duty imposed under the Suspension of imprisonment, after the sentence.
- 5: Community service was regulated in 1997 with the definition of the rights and duties of all parties involved, probation agencies and beneficiaries work. In Portugal, it can be said that is the extent of implementation in the community more popular because of its punitive value and is associated, before sentence, as a condition attached to conditional suspension of criminal proceedings to alcohol driving offenses.

**Romania:**

- In 1992, the Criminal Code was amended and the possibility for judges to impose to an adult the obligation to perform an activity was introduced. In some cases, the courts interpreted this legal provision as an obligation for adults to perform community service and even in nowadays the courts are imposing community service on this bases. Four years later, in 1996, the Criminal Code was amended again and the possibility to impose to a juvenile the obligation to perform community service was explicitly introduced.

**Serbia:**

- 5: In 2006, the Serbian Prison Administration became responsible for the enforcement of community service measures, while the enforcement as such, under the authority of Prison Administration, started in 2009. Prior to that, the same sanction was enforced by the Ministry of Social Affairs for decades.

**Sweden:**

- 1-4: Data are dated 1st October 2012 instead of 31st December.

**UK: England & Wales:**

- 5: Community Service was introduced in England and Wales by the Criminal Justice Act 1972 and it started to become available in pilot areas the following year. The Criminal Justice and Court Services Act 2000 changed the name of the sentence from Community Service Order to Community Punishment Order. It was renamed as 'unpaid work' with the implementation of the 2003 Criminal Justice Act, unpaid work being one potential requirement of a community or suspended sentence order.

**UK: Northern Ireland:**

- 4.1, 4.2: These items do not sum to the figure in 4.0 as some people are subject to more than one order.
- 5: Community Service Order, was made available to the courts in 1979 under the auspices of the probation service. The Probation Board Order (1982) transformed the probation service into the Probation Board for Northern Ireland and established it as a Non-Departmental Public Body with a Chair.

**UK : Scotland:**

- 2: This question has been answered "no" although there is one exception to this: when the person has defaulted on a fine, he or she can be given a community payback order.
- 4: Flow figures are for financial year 2011-12.

### Item 3 (in Tables 3.1 and 3.2): Socio-demographic characteristics of the population under the supervision or care of probation agencies

Table 3.1 indicates whether juveniles, females and foreigners are included in the total number of persons serving CSM of being under probation. Whenever these categories are included, and the relevant information is available, the Table also provides their number on the stock and the flow. Table 3.2 is a breakdown of these numbers relatively to items 1 and 2. Only countries that provided data are included in these two tables.

**Table 3.1: Categories included in Tables 1 and 2**

Reference: Council of Europe, SPACE II 2012.3.1

Country	Does your data include the following categories?									
	Juveniles	Stock	Flow	age range used to define minor	Females	Stock	Flow	Foreigners	Stock	Flow
		How many?	How many?			How many?	How many?		How many?	How many?
		3.1 (s)	3.1 (f)			3.1.1	3.2 (s)		3.2 (f)	3.3 (s)
Albania	Yes	1'080	445	14-17	Yes	580	363	Yes	142	47
Andorra	No	***	***	12-17	Yes	***	155	Yes	***	609
Armenia	Yes	92	59	14-17	Yes	259	147	Yes	18	10
Austria	Yes	3'576	3'381	14-17	Yes	2'216	3'170	Yes	3'135	3'596
Azerbaijan	Yes	...	...	14-17	Yes	...	...	Yes	...	...
Belgium	Yes	73	308	0-17	Yes	4'349	3'365	Yes	4'488	4'126
Bulgaria	Yes	372	2'709	16-17	Yes	591	4'687	Yes	47	268
Croatia	No	***	***	---	Yes	330	...	No	18	...
Cyprus	Yes	417	4	14-16	Yes	55	172	Yes	227	714
Czech Republic	Yes	5'365	2'849	0-14, 15-17	Yes	4'673	2'549	No	...	...
Denmark	Yes	178	205	15-17	Yes	1'256	1'102	Yes	346	424
Estonia	Yes	347	399	14-16	Yes	629	558	Yes	1'662	1'354
Finland	Yes	8	13	15-16	Yes	274	348	Yes	112	137
France	No	***	***	0-17	Yes	11'194	8'385	Yes	9'433	7'225
Georgia	Yes	485	354	14-17	Yes	2'257	912	Yes	170	...
Germany	Yes	...	...	14-17, 18-20	Yes	...	...	Yes	...	...
Iceland	Yes	4	2	15-17	Yes	27	54	Yes	9	19
Ireland	Yes	274	449	12-17	Yes	749	787	No	***	***
Italy	No	***	***	14-17	Yes	1'920	3'593	Yes	3'908	10'627
Latvia	Yes	...	...	14-16	***	...	...	***	...	...
Liechtenstein	Yes	...	23	14-17	Yes	...	24	Yes	...	56
Lithuania	Yes	576	1'287	14-16	Yes	791	1'149	Yes	...	...
Luxembourg	No	***	***	16-17	Yes	102	40	Yes	498	193
Malta	Yes	***	56	12-17	Yes	***	6	***	...	...
Moldova	Yes	145	200	14-16	No	***	***	No	***	***
Monaco	Yes	1	0	13-16	Yes	6	2	Yes	34	14
Netherlands	No	***	***	12-17	Yes	4'268	5'936	No	***	***
Norway	Yes	...	144	15-17	Yes	...	778	Yes	...	423
Poland	Yes	...	...	15-17	Yes	...	...	Yes	...	...
Portugal	No	***	***	12-15	Yes	2'479	7'265	Yes	2'576	8'134
Romania	Yes	1'543	...	14-17	Yes	127	...	No	...	...
San Marino	***	***	***	***	***	***	***	***	***	***
Serbia	No	***	***	14-17	Yes	37	84	Yes	1	3
Slovak Republic	Yes	...	199	14-17	***	...	...	***	...	...
Slovenia	Yes	***	...	14-21	No	***	***	No	***	***
Spain (State Admin.)	***	***	***	14-18	Yes	...	...	Yes	...	...
Spain (Catalonia)	No	***	***	14-16	Yes	955	1'653	Yes	2'555	4'005
Sweden	Yes	14	...	16-16	Yes	1'746	...	Yes	1'952	...
Switzerland	No	***	***	10-17	No	***	***	No	***	***
Turkey	***	***	***	---	***	***	***	***	***	***
UK: England and Wales	No	***	***	---	Yes	19'733	25'138	No	***	***
UK: Northern Ireland	Yes	64	95	13-16	Yes	422	479	No	***	***
UK: Scotland	---	---	---	---	---	---	---	---	---	---

**Table 3.2: Breakdown (percentages) of categories included in Tables 1 and 2**

Reference: Council of Europe, SPACE II 2012.3.2

Country	Does your data include the following categories?					
	Juveniles		Females		Foreigners	
	Stock (1.0)	Flow (2.0)	Stock (1.0)	Flow (2.0)	Stock (1.0)	Flow (2.0)
	%	%	%	%	%	%
Albania	14.9	17.1	8.0	14.0	2.0	1.8
Andorra	...	...	...	13.5	...	52.9
Armenia	3.4	3.8	9.5	9.4	0.7	0.6
Austria	23.8	18.2	14.8	17.1	20.9	19.4
Azerbaijan	...	...	...	...	...	...
Belgium	0.2	1.0	11.1	10.8	11.5	13.2
Bulgaria	3.1	9.4	5.0	16.2	0.4	0.9
Croatia	...	...	11.0	...	0.6	...
Cyprus	33.6	0.4	4.4	17.0	18.3	70.5
Czech Republic	15.9	18.7	13.9	16.8	...	...
Denmark	1.8	1.8	13.0	9.4	3.6	3.6
Estonia	5.0	6.9	9.0	9.7	23.7	23.5
Finland	0.3	0.4	11.6	9.9	4.8	3.9
France	...	...	6.0	6.0	5.0	5.2
Georgia	1.5	2.7	6.8	7.0	0.5	...
Iceland	1.6	0.5	11.1	12.9	3.7	4.5
Ireland	4.2	7.3	11.5	12.8	...	...
Italy	...	...	6.7	7.7	13.6	22.8
Liechtenstein	...	43.4	...	45.3	...	105.7
Lithuania	7.2	11.5	9.9	10.3	...	...
Luxembourg	...	...	9.8	6.1	47.7	29.3
Malta	...	12.8	...	1.4	...	...
Moldova	1.6	2.7	...	...	...	...
Monaco	2.0	0.0	11.8	8.0	66.7	56.0
Netherlands	...	...	12.1	13.7	...	...
Norway	...	2.7	...	14.6	...	7.9
Portugal	...	...	10.4	23.5	10.8	26.4
Romania	10.3	...	0.8	...	...	...
Serbia (Republic of)	...	...	10.8	6.0	0.3	0.2
Slovak Republic	...	2.7	...	...	...	...
Spain (Catalonia)	...	...	9.9	11.5	26.4	27.8
Sweden	0.1	...	12.0	...	13.4	...
UK: England and Wales	...	...	12.7	14.2	...	...
UK: Northern Ireland	1.5	2.6	9.8	13.3	...	...
<b>Mean</b>	<b>6.9</b>	<b>7.9</b>	<b>9.8</b>	<b>12.8</b>	<b>13.7</b>	<b>23.8</b>
<b>Median</b>	<b>3.1</b>	<b>2.7</b>	<b>10.4</b>	<b>12.1</b>	<b>7.9</b>	<b>16.3</b>
<b>Minimum</b>	<b>0.1</b>	<b>0.0</b>	<b>0.8</b>	<b>1.4</b>	<b>0.3</b>	<b>0.2</b>
<b>Maximum</b>	<b>33.6</b>	<b>43.4</b>	<b>14.8</b>	<b>45.3</b>	<b>66.7</b>	<b>105.7</b>

## **Notes – Tables 3.1 and 3.2**

### **Belgium:**

- 3.1: As for the stock, the minority is considered on 31.12.12. For the flow, on the other hand, the minority is considered at the moment of the conviction. This explains higher flow numbers than stock numbers.
- 3.1.1: In Belgium, a judge of juveniles has the option of removing him or herself from a case and deciding that a young person aged over 16 (age range 16-17) has to be judged in the adult criminal system. The houses of justice (Belgian probation agencies) are given mandates about juveniles for traffic offenses.
- 3.3: The numbers are very relative. For this category, 12 to 13% of the general figure is missing (not coded).

### **Cyprus:**

- 3.1: 417 cases of stock refer to the Social Welfare Services and 4 cases of flow refer to the Social Welfare Services.

### **Czech Republic:**

- 3.1.1: Czech Republic distinguishes between "minors" (aged 0 to 14), who are not liable under criminal law, and "youth" (aged 15 to 17), who are partially liable under the said law.
- 3.1, 3.2: Numbers refer to cases, not persons.
- 3.3: PMS also works with foreigners, but our registration system does not allow to distinguish these characteristics.

### **Denmark:**

- 3.1, 3.2, 3.3: These figures do NOT include persons serving electronic monitoring because of the lack of data. Information about 3.1 (Stock): 0 minors; and 3.2 (Stock): 12 females.

### **France:**

- Items 3.2 and 3.3: These items do not include persons under electronic monitoring-home arrest, semi-liberty and "placement à l'extérieur" for whom we do not have data related to gender or nationality.

### **Germany:**

- 3.1.1: German criminal law differentiates between "Youth" and "Young Adults": "Youth" means 14-17 (at the time of the act); "Young adult" means 18-20 (at the time of the act). "Young Adults" can be sentenced on the basis of Youth Court Law as well as on the basis of general law (German Criminal Code).

### **Ireland:**

- 3.1: Age in Stock is calculated as age at end of year. Age flow is calculated as age at time order is made.

### **Latvia:**

- General comment: Minors and female proportions cannot be defined as data correspond to the number of cases, not persons.

### **Liechtenstein:**

- General comment: The database includes probation service, community service and victim offender mediation.

**Lithuania:**

- 3.1: The data in Items 1 and 2 do not include juveniles which were sentenced based on articles of the Criminal Code applied exclusively in respect of juveniles (Article 82 “Reforming sanctions and measures in respect of juveniles” and Article 92 “Suspended sentence in respect of juveniles”).

**Moldova:**

- General comment: The probation services do not keep statistics regarding the number of females and foreigners. The division is only made between adults and juveniles.

**Netherlands:**

- 3.2: Stock = 30 857 males, 4 268 females and 8 unknown ; Flow = 43 843 males, 5 984 females and 8 unknown.

**Poland:**

- 3.1.1: Polish law distinguishes the "juveniles", who, after attaining the age of 15, shall commit the prohibited act but have not attained 17; and the "minors", who, after attaining the age of 17, shall commit the prohibited act but have not attained 18.

**Romania:**

- 3.1: There are no available data about flow for minors.
- 3.2, 3.3: There are no available separate data regarding the women and the foreigners.

**Spain (State Administration):**

- 3.1.1: The minimum criminal age in Spain is 18. Underaged offenders are competence of the Autonomous Communities through non-penitentiary community services.

**Sweden:**

- General comment: Data are dated 1st October 2012 instead of 31st December.

## Item 4 (in Tables 4.1 to 4.3): Number of persons that ceased to be under the supervision or care of probation agencies during the year 2012 (FLOW OF EXITS)

*This item focuses on the number of persons leaving the supervision or care of probation agencies throughout the year and on the different reasons of these exits.*

*Table 4.3 shows the estimated turnover ratio (per 100 probation clients likely to « exit » probation) for each country. This ratio corresponds to the estimated exit rate per 100 potential exits. The calculations are based on raw data: the probation populations on 31st December 2011 (stock) were retrieved from the previous report (SPACE II 2011) and the numbers of entries (flow of entries) and releases (flow of releases) in 2012 were taken from Tables 2.1 and 4.1 of the present report. The sum of stock and flow of entries provides an estimation of the total number of probation clients likely to be released during the year (i.e. potential exits). This number is then put in relation with the effective number of releases during 2012. The countries for which one (or more) of these three indicators (stock 2011, flow 2012 and exits 2012) was not available do not appear in the table because their turnover ratio could not be calculated.*

### Definitions and Explanations

#### 4.1 Completion

The probation has been completed and is considered as duly accomplished. As a consequence, the person is no longer under the supervision or care of probation agencies.

#### 4.2 Revocation

The sanction or measure is revoked because of a violation of the conditions imposed. Usually the person is discharged to custody, even if the probation agencies cannot always verify that the person has actually been incarcerated.

#### 4.3 Imprisonment

The person supervised is incarcerated following the commission of a new offence. If the incarceration is the consequence of the revocation of the sanction or measure for which the person is under probation, it should be counted under heading 4.2 (revocation).

#### 4.4 Absconder

The person supervised has escaped and is no longer under the supervision of probation agencies.

#### 4.5 Death

The person supervised died.



**Table 4.1: Number of persons that ceased to be under the supervision or care of probation agencies during the year 2012 (FLOW OF EXITS)**

Reference: Council of Europe, SPACE II 2012.4.1

Country	Total number of exits	Of which:					
		Completion	Revocation	Imprisonment	Absconder	Deaths	Other
		4.0	4.1	4.2	4.3	4.4	4.5
Albania	1 558	1 113	...	39	...	7	399
Andorra	...	...	...	...	...	...	***
Armenia	1 030	984	15	37	...	16	20
Austria	18 545	12 743	3 110	115	...	74	2 503
Azerbaijan	8 060	6 389	113	19	144	57	1 338
Belgium	32 264	23 562		7 880	...	189	633
BH: Bosnia and Herzegovina (state level)	...	...	...	...	...	...	***
BiH: Fed. BiH	...	...	...	...	...	...	***
BiH: Republika Srpska	...	...	...	...	...	...	***
Bulgaria	12 832	12 392	372	...	...	68	***
Croatia	...	...	...	...	...	...	...
Cyprus	...	...	...	...	...	...	1
Czech Republic	22 673	...	...	...	...	...	...
Denmark	...	...	...	...	...	...	...
Estonia	6 246	4 533	775	697	...	97	144
Finland	4 485	3 920	438	84	0	43	***
France	107 733	...	...	...	...	...	***
Georgia	18 282	10 561	5 080	132	366	212	1 931
Germany	61 132	41 036	15 758	...	...	...	4 338
Iceland	408	338	12	58	0	0	***
Ireland	11 768	6 207	536	1 553	882	88	2 502
Italy	24 282	20 550	3 140	...	416	176	***
Latvia	...	...	...	...	...	...	...
Liechtenstein	9	5	3	0	1	0	0
Lithuania	9 805	7 417	887	846	...	89	566
Luxembourg	357	276	54	25	...	2	***
Malta	...	...	...	...	...	...	...
Moldova	...	...	...	...	...	...	***
Monaco	13	13	0	0	0	0	0
Netherlands	41 472	34 869	...	...	...	...	6 603
Norway	5 442	4 854	492	67	...	29	0
Poland	146 865	68 033	33 110	...	...	...	45 722
Portugal	24 749	22 825	605	...	...	118	1 201
Romania	2 596	1 448	596	...	...	60	492
San Marino	12	11	1	0	0	0	***
Serbia	899	882	14	0	1	2	***

Country	Total number of exits	Of which:					
		Completion	Revocation	Imprisonment	Absconder	Deaths	Other
	4.0	4.1	4.2	4.3	4.4	4.5	4.6
Slovak Republic	8 799	...	...	...	...	...	***
Slovenia	...	...	...	...	...	...	***
Spain (State Admin.)	...	...	...	...	...	...	...
Spain (Catalonia)	11 892	10 994	709	86	17	71	15
Sweden	18 017	...	...	...	...	...	...
Switzerland	5 898	...	...	...	...	...	...
Turkey	219 633	68 455	39 172	1 214	...	...	110 792
UK: Engl. & Wales	207 956	142 689	20 663	20 675	1 347	875	21 707
UK: Northern Ireland	...	...	...	...	...	...	***
UK: Scotland	18 157	12 691	1 112	1 066	...	139	...

**Table 4.2: Breakdown (percentages) of persons that ceased to be under the supervision or care of probation agencies during the year 2012 (FLOW OF EXITS)**

Reference: Council of Europe, SPACE II 2012.4.2

Country	Total number of exits per 100 000 pop. 4.0	Of which: Percentage of						Total %
		Completion 4.1	Revocation 4.2	Imprisonment 4.3	Absconder 4.4	Deaths 4.5	Other 4.6	
Albania	55.3	71.4	...	2.5	...	0.4	25.6	100
Andorra	...	...	...	...	...	...	...	...
Armenia	(31.5)	95.5	1.5	3.6	...	1.6	1.9	104
Austria	220.6	68.7	16.8	0.6	...	0.4	13.5	100
Azerbaijan	87.3	79.3	1.4	0.2	1.8	0.7	16.6	100
Belgium	290.8	73.0	24.4	...	...	0.6	2.0	100
BiH: state level	---	---	---	---	---	---	---	---
BH: Fed. BH	---	---	---	---	---	---	---	---
BH: Rep. Srpska	---	---	---	---	---	---	---	---
Bulgaria	175.1	96.6	2.9	...	...	0.5	...	100
Croatia	...	...	...	...	...	...	...	...
Cyprus	...	...	...	...	...	...	...	...
Czech Republic	215.8	...	...	...	...	...	...	...
Denmark	...	...	...	...	...	...	...	...
Estonia	471.3	72.6	12.4	11.2	...	1.6	2.3	100
Finland	83.0	87.4	9.8	1.9	0.0	1.0	...	100
France	165.0	...	...	...	...	...	...	...
Georgia	406.5	57.8	27.8	0.7	2.0	1.2	10.6	100
Germany	74.7	67.1	25.8	...	...	...	7.1	100
Iceland	127.7	82.8	2.9	14.2	0.0	0.0	...	100
Ireland	256.8	52.7	4.6	13.2	7.5	0.7	21.3	100
Italy	40.9	84.6	12.9	...	1.7	0.7	...	100
Latvia	...	...	...	...	...	...	...	...
Liechtenstein	24.7	55.6	33.3	0.0	11.1	0.0	0.0	100
Lithuania	326.4	75.6	9.0	8.6	...	0.9	5.8	100
Luxembourg	68.0	77.3	15.1	7.0	...	0.6	...	100
Malta	...	...	...	...	...	...	...	...
Moldova	...	...	...	...	...	...	...	...
Monaco	34.6	100.0	0.0	0.0	0.0	0.0	0.0	100
Netherlands	247.9	84.1	...	...	...	...	15.9	100
Norway	109.1	89.2	9.0	1.2	...	0.5	0.0	100
Poland	381.1	46.3	22.5	...	...	...	31.1	100
Portugal	234.8	92.2	2.4	...	...	0.5	4.9	100
Romania	12.9	55.8	23.0	...	...	2.3	19.0	100
San Marino	35.9	91.7	8.3	0.0	0.0	0.0	...	100
Serbia	12.5	98.1	1.6	0.0	0.1	0.2	...	100
Slovak Republic	162.8	...	...	...	...	...	...	...

Country	Total number of exits per 100 000 pop. 4.0	Of which: Percentage of						Total %
		Completion 4.1	Revocation 4.2	Imprisonment 4.3	Absconder 4.4	Deaths 4.5	Other 4.6	
Slovenia	...	...	...	...	...	...	...	...
Spain	...	...	...	...	...	...	...	...
Spain (Catalonia)	157.1	92.4	6.0	0.7	0.1	0.6	0.1	100
Sweden	190.0	...	...	...	...	...	...	...
Switzerland	74.1	...	...	...	...	...	...	...
Turkey	293.9	31.2	17.8	0.6	...	...	50.4	100
UK: Engl. & Wales	367.6	68.6	9.9	9.9	0.6	0.4	10.4	100
UK: Northern Ireland	...	...	...	...	...	...	...	...
UK: Scotland	(341.7)	69.9	6.1	5.9	...	0.8	...	83
<b>Mean</b>	<b>175.1</b>	<b>75.6</b>	<b>11.8</b>	<b>3.9</b>	<b>2.1</b>	<b>0.7</b>	<b>11.9</b>	
<b>Median</b>	<b>162.8</b>	<b>76.5</b>	<b>9.4</b>	<b>1.2</b>	<b>0.4</b>	<b>0.6</b>	<b>8.8</b>	
<b>Minimum</b>	<b>12.5</b>	<b>31.2</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	
<b>Maximum</b>	<b>471.3</b>	<b>100.0</b>	<b>33.3</b>	<b>14.2</b>	<b>11.1</b>	<b>2.3</b>	<b>50.4</b>	

**Table 4.3: Estimated turnover ratio per 100 probation clients in 2012.**

Reference: Council of Europe, SPACE II 2012.4.3

Country	Stock <sup>a</sup>	Flow of entries <sup>b</sup>	Potential exits (Stock + Flow of entries) <sup>c</sup>	Flow of exits <sup>d</sup>	Estimated exit rate per 100 potential exits <sup>e</sup> (turnover ratio)
Armenia	3 345	1 562	4 907	1 030	21
Austria	14 749	18 567	33 316	18 545	56
Azerbaijan	8 197	17 560	25 757	8 060	31
Belgium	40 606	31 275	71 881	32 264	45
Bulgaria	12 055	28 921	40 976	12 832	31
Estonia	7 235	5 763	12 998	6 246	48
Finland	2 452	3 507	5 959	4 485	75
France	184 284	140 209	324 493	107 733	33
Georgia	38 692	13 075	51 767	18 282	35
Iceland	224	418	642	408	64
Ireland	6 210	6 142	12 352	11 768	95
Italy	43 018	46 659	89 677	24 282	27
Lithuania	7 136	11 196	18 332	9 805	53
Luxembourg	1 463	659	2 122	357	17
Monaco	58	25	83	13	16
Netherlands	36 576	43 483	80 059	41 472	52
Norway	2 379	5 331	7 710	5 442	71
Poland	244 091	349 999	594 090	146 865	25
Portugal	19 793	30 867	50 660	24 749	49
Romania	12 856	2 837	15 693	2 596	17
San Marino	28	29	57	12	21
Serbia	232	1 390	1 622	899	55
Spain (Catalonia)	9 767	14 397	24 164	11 892	49
Sweden	13 724	19 258	32 982	18 017	55
Switzerland	7 912	6 267	14 179	5 898	42
Turkey	400 494	219 633	620 127	219 633	35
UK: England and Wales	162 674	177 500	340 174	207 956	61
<b>Mean</b>	<b>47 417</b>	<b>44 316</b>	<b>91 733</b>	<b>34 872</b>	<b>44</b>
<b>Median</b>	<b>9 767</b>	<b>13 075</b>	<b>24 164</b>	<b>11 768</b>	<b>45</b>
<b>Minimum</b>	<b>28</b>	<b>25</b>	<b>57</b>	<b>12</b>	<b>16</b>
<b>Maximum</b>	<b>400 494</b>	<b>349 999</b>	<b>620 127</b>	<b>219 633</b>	<b>95</b>

<sup>a</sup> STOCK on 31<sup>st</sup> December 2011 - source: SPACE II 2011.<sup>b</sup> FLOW 2012 - see Table 2.1 of the present report.<sup>c</sup> Number of offenders under the supervision or care of probation agencies at the end of the previous year (STOCK on 31<sup>st</sup> December 2011) plus the number of entries under supervision during the year (FLOW 2012).<sup>d</sup> FLOW of exits 2012 - see Table 4.1 of the present report.<sup>e</sup> Calculated by dividing the number of exits by the potential exits and multiplying by 100.

## **Notes – Tables 4.1, 4.2 and 4.3**

### **Albania:**

- 4.1: 1 113 is the number of persons that have successfully completed the probation period. However, there is an amount of 438 offenders for which the probation service has no follow up information, but are considered as exits. It includes the number of people whose alternative sentences have been either revoked, extended or changed.
- 4.6: "Other" are:
  - Extension of probation period: ...
  - Addition of other obligations: ...
  - Change of obligations: ...

### **Armenia:**

- 4.0: 42 exited persons had more than one punishment.
- 4.6: "Other" are:
  - By the act of amnesty: 12.
  - President pardon: 2.
  - By court decisions: 5.

### **Austria:**

- 4.6: Austria did not give any specifications for this category "Other".

### **Azerbaijan:**

- 4.6: "Other" are:
  - Persons whose sentence has been changed: 1 278.
  - Beforehand released persons: 31.
  - Amnestied and pardoned persons: 29.

### **Belgium:**

- 4.3: Revocation can lead to imprisonment. However, these closed files are coded as "revocations", which prevents Belgium from providing figures for imprisonment. Therefore, the two items are merged.
- 4.6: "Other" are:
  - Non-executable or non-prosecuted missions (*Mission non exécutable ou non poursuivie*): 633, this kind of suspension is related to files for which a coding problem exists. The electronic monitoring files, against which the convicted person has objected, are also included in this category (the objection can lead to the cancellation of the mandate and the mission becomes "non executable" and is coded so).

### **Cyprus:**

- 4.0: The total figure for the number of cases handled by the Social Welfare Services is not available. The single case presented in 4.6 does not represent the total of exits for 2012.
- 4.6: This one case is handled by the Prison Department.

### **Czech Republic:**

- 4.0: Number of administrative cases/files that exited during the year 2012.
- 4.1–4.6: The Czech statistical and registration system does not distinguish the characters of the exits.

### **France:**

- General comment: France does not have details about the exits.
- 4.0: This total does not include persons under electronic monitoring-home arrest, semi-liberty and "placement à l'extérieur".

**Georgia:**

- 4.2: Revocation is assimilated to an abolition of a conditional sentence.
- 4.3: Imprisonment is assimilated to re-offence.
- 4.6: This category "Other" is not specified.

**Germany:**

- General comment: Bewährungshilfe. These numbers cover data for December 31st 2010 and for the former territory of the Federal Republic of Germany including Berlin, Brandenburg and Mecklenburg-Vorpommern but without Hamburg. The data covers supervisions conducted by person working primarily as parole officers only. Statistisches Bundesamt (Ed.), Bewährungshilfe, Table 4. The statistic counts the total number of supervisory care. As one person can be under supervisory care more than once (average in 2011: 1.2) this number does not equal person).
- 4.6: "Other" are:  
Inclusion into a new sentence (youth court law only); not necessary imprisonment: 4 338.

**Ireland:**

- 4.6: "Other" are:  
Case dismissed: 508.  
Fine imposed: 390.  
No further probation involvement: 490.  
Suspended sentence: 744.  
Also entered peace bond: 111.  
Other: 259.

**Latvia:**

- General comment: No data on requested information is available.

**Lithuania:**

- 4.6: "Other" are:  
Persons released on parole (pardon procedure, act of amnesty, due to illness): 16.  
Sentence or measure of criminal impact replaced with a contribution to a Crime.  
Victim Fund: 45.  
Other cases: 505.

**Netherlands:**

- General comment: In this item, the numbers provided do not include semi-liberty.
- 4.6: "Other" are:  
Started, no completion: 6 603 (the CSM ordered during year 2012 are categorised in 'completed' and 'started, but not completed'. The last category is not possible to specify.

**Norway:**

- 4.4: Absconding will result in revocation and is therefore included under 4.2.

**Poland :**

- 4.1: Final termination of probation in case of conditional release and suspension of the deprivation of liberty.
- 4.2: Imposition and revocation of conditional release and suspension of the deprivation of liberty.
- 4.6: "Other" are:  
Release of probation: 18 254.  
Unspecified: 27 468.

**Portugal:**

- 4.6: "Other" are:  
Court Decision: 471.  
Measure Modification: 312.  
Other (not specified): 506.

**Romania:**

- 4.6: "Other" are:  
Particular cases happening after the supervision has started, when the final decision of conviction is cancelled due to an extraordinary legal action (e.g. contestation in cancellation) or due to a special case of supervision cessation: 391.

**Slovak Republic:**

- General comment: Slovakian statistics have only figures that show completed probations in every year. Completed probations in our statistics means every type of completion of probation (4.1 - 4.6), no matter if it was successful or not. We do not have specific figures related to items 4.1 - 4.6.

**Spain (Catalonia):**

- 4.6: "Other" is:  
Expulsió territori: 15.

**UK : England and Wales**

- 4.3: The number reflects those orders terminated because further offences were committed. It is not known how many of these offenders were actually imprisoned.

**UK : Scotland**

- 4.0: The total provided is not equal to the sum of the subcategories because final outcomes may not be known at point of reporting for a proportion of cases which are subject to breach procedures or out of area transfers.



## Section B: Probation agencies in 2012

### Item 5 (in Tables 5.1 and 5.2): Staff employed by probation agencies or working for probation agencies on 31<sup>st</sup> December 2012

*The aim of this item is to count all the staff employed by probation agencies. Please calculate the total number of full-time and part-time staff. Part-time staff must be counted on the basis of « full-time equivalents ». For example, if two staff members are each employed for 50% of the normal working hours they will be counted as one « full-time equivalent ». One part-time staff member working for 50% of the normal working hours will be counted as 0.5 “full-time equivalent”.*

#### Definitions and Explanations

##### **5.1 and 5.2 TOP LEVEL EXECUTIVES AT THE NATIONAL PROBATION ADMINISTRATION AND TOP LEVEL EXECUTIVES AT THE REGIONAL PROBATION ADMINISTRATIONS**

Please include only heads of offices (manager positions) and exclude any administrative and technical staff, which should be included under item 5.8.

##### **5.3 SENIOR PROBATION OFFICERS (CHIEFS OF UNITS)**

Senior probation officers are local chiefs of units and are qualified officers employed to manage and account for the work of teams of probation officers and staff.

##### **5.4 PROBATION OFFICERS (QUALIFIED PROBATION STAFF)**

Staff that possess specific qualifications (e.g. diplomas in probation or social work) employed for specific tasks related to supervision of persons under various CSM or probation sanctions and measures.

##### **5.5 PROBATION AGENCIES OFFICERS (UNQUALIFIED PROBATION STAFF)**

Staff employed to assist qualified probation officers. Generally, they have no specific qualifications in the probation field, but may have done some short training (e.g. management of the probation files, etc.)

##### **5.6 PAID EXTERNAL STAFF**

Staff employed through specific mandates concluded with partners external to probation agencies (e.g. NGO mandated to settle a mediation, etc.)

##### **5.7 VOLUNTEERS**

Persons, who are not paid for their work, carrying out probation activities. This does not exclude the payment of a small amount of money to volunteers to cover the expenses of their work.

**Table 5.1: Staff employed by probation agencies or working for probation agencies on 31<sup>st</sup> December 2012**

Reference: Council of Europe, SPACE II 2012.5.1

Country	Total number of staff	Top level executives at the national probation administrations	Top level executives at the regional probation administrations	Senior Probation officers (chiefs of units)	Probation officers (qualified Probation staff)	Probation agencies officers (unqualified Probation staff)	Paid external staff	Volunteers	Other staff
	5.0	5.1	5.2	5.3	5.4	5.5	5.6	5.7	5.8
Albania	68.0	1.0	12.0	3.0	33.0	0.0	0.0	0.0	19.0
Andorra	...	...	...	...	...	...	...	...	***
Armenia	83.0	3.0	17.0	***	63.0	***	***	***	***
Austria	505.8	11.8	9.0	18.0	314.3	60.8	0.0	60.7	31.2
Azerbaijan	666.0	3.0	***	51.0	534.0	78.0	***	***	***
Belgium	1 187.1	7.0	28.8	22.3	836.7	250.1	***	***	42.2
BiH: state level	---	---	---	---	---	---	---	---	---
BH: Fed. BH	---	---	---	---	---	---	---	---	---
BH: Rep. Srpska	---	---	---	---	---	---	---	---	---
Bulgaria	694.0	5.0	29.0	29.0	452.0	151.0	***	***	28.0
Croatia	83.0	6.0	12.0	0.0	39.0	13.0	***	***	13.0
Cyprus	438.0	...	...	***	...	***	...	...	***
Czech Republic	423.0	3.0	8.0	74.0	306.0	***	0.0	0.0	32.0
Denmark	469.0	---	12.0	13.0	287.0	40.0	---	---	117.0
Estonia	228.0	2.0	8.0	15.0	194.0	***	***	1.0	8.0
Finland	289.0	7.0	3.0	15.0	241.0	***	***	23.0	***
France	3 132.6	5.8	38.8	374.5	2 682.7	***	***	***	30.8
Georgia	275.0	4.0	12.0	4.0	173.0	40.0	***	***	42.0
Germany	2 148.7	...	...	...	...	...	...	...	...
Iceland	8.0	1.0	***	***	4.0	***	1.0	0.0	3.0
Ireland	398.8	4.0	9.0	48.0	217.8	---	---	---	120.0
Italy	1 721.0	3.0	13.0	70.0	825.0	460.0	243.0	107.0	***
Latvia	300.1	12.0	***	30.2	222.0	***	0.0	...	36.1
Liechtenstein	8.0	1.0	0.0	0.0	4.0	0.0	0.0	4.0	0.0
Lithuania	246.0	7.0	20.0	12.0	207.0	0.0	...	...	***
Luxembourg	20.0	1.0	***	1.0	12.0	***	***	3.0	3.0
Malta	32.0	1.0	1.0	4.0	20.0	0.0	0.0	0.0	6.0
Moldova	224.0	22.0	***	42.0	123.0	***	0.0	0.0	37.0
Monaco	0.3	0.0	0.0	0.0	0.3	0.0	0.0	0.0	***
Netherlands	1 934.2	...	...	...	1 934.2	...	...	...	...
Norway	423.2	33.5	0.0	36.2	212.5	77.8	0.0	0.0	63.1
Poland	20 562.0	...	49.0	298.0	2 790.0	28.0	248.0	***	17 149.0
Portugal	1 113.0	10.0	9.0	57.0	384.0	284.0	...	...	369.0
Romania	298.0	1.0	***	42.0	240.0	***	***	167.0	15.0
San Marino	3.0	1.0	***	1.0	1.0	0.0	***	***	***
Serbia	46.0	1.0	0.0	2.0	27.0	3.0	***	***	13.0
Slovak Republic	65.0	2.0	***	***	63.0	0.0	0.0	***	***
Slovenia	...	***	***	***	***	***	***	***	***
Spain	517.0	4.0	***	56.0	***	154.0	***	***	303.0
Spain (Catalonia)	407.0	6.0	5.0	26.0	***	261.0	45.0	...	64.0
Sweden	1 201.0	***	***	58.0	941.0	13.0	...	...	189.0
Switzerland	405.0	...	...	19.0	156.0	46.0	...	184.0	***
Turkey	1 985.0	3.0	121.0	6.0	652.0	1 172.0	2.0	...	29.0
UK: Engl. & Wales	16 524.9	***	***	1 014.3	4 659.9	4 530.6	...	...	6 320.1
UK: Northern Ireland	402.8	3.0	4.0	31.6	187.0	56.4	3.0	0.1	117.9
UK: Scotland	...	...	...	...	...	...	...	...	...

**Table 5.2: Breakdown (percentages) of staff employed by probation agencies or working for probation agencies on 31<sup>st</sup> December 2012**

Reference: Council of Europe, SPACE II 2012.5.2

Country	Total number of staff per 100 000 pop.	Of which: Percentage of								Total %
		Top level executives at the national probation administrations	Top level executives at the regional probation administrations	Senior Probation officers (chiefs of units)	Probation officers (qualified Probation staff)	Probation agencies officers (unqualified Probation staff)	Paid external staff	Volunteers	Other staff	
		5.0	5.1	5.2	5.3	5.4	5.5	5.6	5.7	
Albania	2.4	1.5	17.6	4.4	48.5	0.0	0.0	0.0	27.9	100
Andorra	...	...	...	...	...	...	...	...	...	0
Armenia	2.5	3.6	20.5	...	75.9	...	...	...	...	100
Austria	6.0	2.3	1.8	3.5	62.1	12.0	0.0	12.0	6.2	100
Azerbaijan	7.2	0.5	...	7.7	80.2	11.7	...	...	...	100
Belgium	10.7	0.6	2.4	1.9	70.5	21.1	...	...	3.6	100
BiH: state level	...	...	...	...	...	...	...	...	...	0
BH: Fed. BH	...	...	...	...	...	...	...	...	...	0
BH: Rep. Srpska	...	...	...	...	...	...	...	...	...	0
Bulgaria	9.5	0.7	4.2	4.2	65.1	21.8	...	...	4.0	100
Croatia	1.9	7.2	14.5	0.0	47.0	15.7	...	...	15.7	100
Cyprus	(50.8)	...	...	...	...	...	...	...	...	0
Czech Republic	4.0	0.7	1.9	17.5	72.3	...	0.0	0.0	7.6	100
Denmark	8.4	...	2.6	2.8	61.2	8.5	...	...	24.9	100
Estonia	17.2	0.9	3.5	6.6	85.1	...	...	0.4	3.5	100
Finland	5.4	2.4	1.0	5.2	83.4	...	...	8.0	...	100
France	4.8	0.2	1.2	12.0	85.6	...	...	...	1.0	100
Georgia	6.1	1.5	4.4	1.5	62.9	14.5	...	...	15.3	100
Germany	(2.6)	...	...	...	...	...	...	...	...	0
Iceland	(2.5)	12.5	...	...	50.0	...	12.5	0.0	37.5	113
Ireland	8.7	1.0	2.3	12.0	54.6	...	...	...	30.1	100
Italy	2.9	0.2	0.8	4.1	47.9	26.7	14.1	6.2	...	100
Latvia	14.7	4.0	...	10.1	74.0	...	0.0	...	12.0	100
Liechtenstein	21.9	12.5	0.0	0.0	50.0	0.0	0.0	50.0	0.0	113
Lithuania	8.2	2.8	8.1	4.9	84.1	0.0	...	...	...	100
Luxembourg	3.8	5.0	...	5.0	60.0	...	...	15.0	15.0	100
Malta	7.7	3.1	3.1	12.5	62.5	0.0	0.0	0.0	18.8	100
Moldova	6.3	9.8	...	18.8	54.9	...	0.0	0.0	16.5	100
Monaco	0.7	0.0	0.0	0.0	100.0	0.0	0.0	0.0	...	100
Netherlands	11.6	...	...	...	100.0	...	...	...	...	100
Norway	8.5	7.9	0.0	8.6	50.2	18.4	0.0	0.0	14.9	100
Poland	53.4	...	0.2	1.4	13.6	0.1	1.2	...	83.4	100
Portugal	10.6	0.9	0.8	5.1	34.5	25.5	...	...	33.2	100

Country	Total number of staff per 100 000 pop.	Of which: Percentage of								Total %
		Top level executives at the national probation administrations	Top level executives at the regional probation administrations	Senior Probation officers (chiefs of units)	Probation officers (qualified Probation staff)	Probation agencies officers (unqualified Probation staff)	Paid external staff	Volunteers	Other staff	
		5.0	5.1	5.2	5.3	5.4	5.5	5.6	5.7	
Romania	(1.5)	0.3	...	14.1	80.5	...	...	56.0	5.0	156
San Marino	9.0	33.3	...	33.3	33.3	0.0	...	...	...	100
Serbia	0.6	2.2	0.0	4.3	58.7	6.5	...	...	28.3	100
Slovak Republic	1.2	3.1	...	...	96.9	0.0	0.0	...	...	100
Slovenia	...	...	...	...	...	...	...	...	...	0
Spain	1.3	0.8	...	10.8	...	29.8	...	...	58.6	100
Spain (Catalonia)	5.4	1.5	1.2	6.4	...	64.1	11.1	...	15.7	100
Sweden	12.7	...	...	4.8	78.4	1.1	...	...	15.7	100
Switzerland	5.1	...	...	4.7	38.5	11.4	...	45.4	...	100
FYRO Macedonia	...	...	...	...	...	...	...	...	...	0
Turkey	2.7	0.2	6.1	0.3	32.8	59.0	0.1	...	1.5	100
UK: Engl. & Wales	29.2	...	...	6.1	28.2	27.4	...	...	38.2	100
UK: Northern Ireland	22.1	0.7	1.0	7.8	46.4	14.0	0.7	0.0	29.3	100
UK: Scotland	...	...	...	...	...	...	...	...	...	0
<b>Mean</b>	<b>9.8</b>	<b>3.9</b>	<b>4.0</b>	<b>7.1</b>	<b>61.9</b>	<b>15.0</b>	<b>2.5</b>	<b>12.1</b>	<b>20.1</b>	
<b>Median</b>	<b>6.2</b>	<b>1.5</b>	<b>1.9</b>	<b>5.1</b>	<b>61.7</b>	<b>11.9</b>	<b>0.0</b>	<b>0.2</b>	<b>15.7</b>	
<b>Minimum</b>	<b>0.6</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>13.6</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	
<b>Maximum</b>	<b>53.4</b>	<b>33.3</b>	<b>20.5</b>	<b>33.3</b>	<b>100.0</b>	<b>64.1</b>	<b>14.1</b>	<b>56.0</b>	<b>83.4</b>	

## **Notes – Tables 5.1 and 5.2**

### **Albania:**

- 5.9: "Other staff" have not been detailed.

### **Austria:**

- 5.4: shows the figure of social workers as 5.6. In last year's survey asked - all qualified probation staff are employes as "social workers".
- 5.8: "Other" are:  
Qualified central supporting personnel and cleaning personnel: 31 193.

### **Belgium:**

- General comment: the staff is categorized according to the budgets they depend on: 5.1 and 5.8 depend on the budget allocated to the central directorship; 5.2, 5.3, 5.4 and 5.5 depend on the one allocated to the regional directorships.
- 5.8: "Other" are:  
Administrative staff of the houses of Justice (Belgian probation agencies).

### **Bulgaria:**

- 5.8: Bulgaria did not give any specification for the category "Other staff".

### **Czech Republic:**

- 5.4: The category "probation officers" is divided into two groups: staff probation officers and probation assistants.
- 5.9: "Other staff" are:  
Staff of the headquarters of Probation and Mediation Service: 32.

### **Denmark:**

- 5.8: "Other staff" includes administrative staff.

### **France:**

- 5.9: The category "Other" has not been specified by France.

### **Georgia:**

- 5.9: "Other" include central office staff, specialists and probation social workers.

### **Germany:**

- General comment: The data does not include the German Laender Mecklenburg-Vorpommern and Sachsen-Anhalt, as it covers staff employed by the courts of the Laender only. Staff members employed by another body (e.g. the Ministry of Justice), as is the case in Mecklenburg-Vorpommern and Sachsen-Anhalt, are not collected in the statistics. For the German Laender Baden-Wuerttemberg, Berlin and Hamburg the data refers to 31st December 2009 due to an enquiry made for SPACE II - 2009. Unfortunately, more recent data are not available.
- 4.0: At least 43.34 of the total number of staff are doing administrative work only.

### **Iceland:**

- 5.0: The total does not include the director general at the prison and probation administration (item 5.1).
- 5.4: staff at the prison and probation administration (probation staff).
- 5.8: The 3 "other" were not specified in the questionnaire of Iceland.

**Ireland:**

- General comment:  
State industrials - community service supervisors = 40 posts.  
Administrative grades = 82.  
Probation Officers working in prisons = 31.7.
- 5.8: This category "Other" is unspecified.

**Italy:**

- 5.5: Administrative staff: 280 + Penitentiary police staff: 180.
- 5.6: Self-employed social workers and self-employed criminologists.

**Latvia:**

- 5.7: Unfortunately, Latvia has no precise information available on volunteers (exactly to date of 31.12.2012) involved in organizing mediation.

**Liechtenstein:**

- 5.0: The person presented in 5.1 also is a probation officer. Therefore, this unit is not included in the total.

**Luxembourg:**

- 5.9: "Other" are:  
Secrétariat: 3.

**Malta:**

- 5.8: "Other staff" are:  
Junior legal officer: 1.  
Clerks: 2.  
Senior clerk: 1.  
Principal executive officer: 1.  
Correctional officer: 1.

**Moldova:**

- 5.8: "Other staff" are 37 administrative employees (persons registering the documents, keeping the files, etc.).

**Netherlands:**

- General comment: the lack of data in this item is explainable by the fact that the Netherlands have three probation services with separate registrations of personnel.
- 5.4: This figure presents the number of full time equivalents, not the number of persons.

**Norway:**

- 5.1: The Norwegian correctional service does not diverse on national probation administrations and national prison administration offices. The number quoted in 5.1. refers to item 16.1 in SPACE I.
- 5.9: The category "Other staff" is unspecified.

**Poland:**

- 5.8: "Other staff" is 17 149 social probation officers for adult offenders.

**Portugal:**

- 5.8: "Other staff" are:  
Administrative staff: 189.  
Operating assistants: 87.  
Early childhood educators and teachers: 74.  
School and social guidance counsellors: 6.  
Bailiffs: 3.

Auxiliary technical education: 6.  
Computer technicians: 4.

**Romania:**

- 5.0: 298 is the total number of staff from local and central level.
- 5.4: 240 is the number of the probation staff without the 42 chiefs of probation agencies who are included under the item 5.3.
- 5.9: 15 is the number of staff from the probation department (central level) without the director of the department who is included under the item 5.1.

**San Marino:**

- 5.1: The national directorate is linked to the judge of criminal execution.
- 5.4: Task of the "gendarmerie".
- 5.3-5.6: Task attributed to the probation service (1 person).

**Serbia:**

- 5.4: This figure includes full-time commissioners (probation officers) and part-time commissioners.
- 5.8: This category "Other" includes full-time and part-time security officers who participate in technical aspect of enforcement electronic monitoring measure.

**Slovak Republic:**

- General comment: Criminal probation in Slovakia is performed by probation and mediation officers, who are in state employment and work in competent courts. They are supervised and led by the ministry of justice of the Slovak Republic (Criminal Law Department).

**Spain (State Administration):**

- General comment: In this item, Spain only includes staff that depend on the general deputy directorship of alternative penalties and measures, that manages conditional release as well.
- 5.9: "Other" are 41 psychologists and 262 social workers.

**Spain (Catalonia):**

- 5.8: "Other staff" are:  
Surveillance staff: 64.

**Sweden:**

- 5.8: "Other" are mostly program tutors and chancellery staff.

**UK: England and Wales**

- General comment: Probation service figures provided in previous surveys included all staff in post, irrespective of whether they were funded or not by the probation trusts. The new system for collecting probation workforce information that was introduced in July 2012 enables improved reporting due to clarification on funding arrangements. The figures provided within this and future returns will only relate to staff that are employed and funded by the probation trusts and for that reason will not be comparable with figures provided in previous returns.
- General comment: The figures provided are a snap shot of staff in post (fte) in the probation service at 31st December 2012. They were collected from the probation trusts via the now decommissioned hr data warehouse, which was subject to the expected level of inaccuracy inherent in any large-scale administrative system. The probation trusts have the ability to resubmit historical data which may result in occasional variations in subsequent reports.
- 5.4: The figure provided under this item includes practice development assessors, senior practitioners and probation officers.

- 5.5: The figure provided under this item includes probation service officers and treatment managers.
- 5.6, 5.7: Information requested under these items is not collected by the national offender management service (noms).
- 5.8: This category "Other" is unspecified.

**UK: Northern Ireland:**

- 5.8: "Other staff" are:
  - Deputy director - corporate services: 1.
  - Principal - board secretary: 1.
  - Assistant director - head of psychology: 1.
  - Assistant director - head of organisational excellence: 0.6.
  - Assistant director - head of information technology: 1.
  - Assistant director - head of communications: 0.8.
  - Assistant director - head of bus planning & dev: 1.
  - Assistant director - finance manager: 1 .
  - Assistant director - head of hr: 1.
  - Area manager - communications: 0.8.
  - Psychology staff: 7.
  - Corporate administrative staff: 46.53.
  - Operational support administrative staff: 55.13.

**UK: Scotland:**

- General comment: Staff who contribute to probation services are employed through a number of organisations working in partnership, and therefore there is currently no central source for this information.



## Item 6 (in Tables 6.1 and 6.2): Reports produced by probation agencies in 2012

*The aim of item 6 is to count the number of reports produced by probation agencies during the year 2012.*

### **Definitions and Explanations**

#### **6.1 Pre-sentence reports**

Number of reports prepared by probation agencies on the request of the courts, prosecution services or police, prior to sentencing.

#### **6.2 Advisory reports with respect to conditional release**

Number of reports prepared by probation agencies on the request of the courts, prosecution services or any other authority responsible for the conditional release of a prisoner.

**Table 6.1: Reports produced by probation agencies in 2012**

Reference: Council of Europe, SPACE II 2012.6.1

Country	Number of pre-sentence reports	Number of advisory reports with respect to conditional release	Other reports
	6.1	6.2	6.3
Albania	263	476	...
Andorra	...	...	...
Armenia	***	***	***
Austria	13'596	...	11'147
Azerbaijan	...	...	...
Belgium	3'273	77	7'973
Bulgaria	76	***	***
Croatia	0	2	***
Cyprus	...	...	...
Czech Republic	6'362	766	0
Denmark	10'881	...	...
Estonia	433	1'952	***
Finland	5'481	***	***
France	13'819	...	60'143
Georgia	***	***	***
Germany	...	...	...
Iceland	0	0	0
Ireland	9'817	121	2'112
Italy	10'173	***	1'565
Latvia	102	1'179	***
Liechtenstein	...	...	...
Lithuania	***	***	***
Luxembourg	17	120	***
Malta	85	***	***
Moldova	809	***	72
Monaco	***	39	0
Netherlands	36'985	5'304	3'109
Norway	1'775	...	***
Poland	17'724	311'007	33'481
Portugal	25'856	5'138	30'256
Romania	2'511	***	52
San Marino	13	10	***
Serbia	***	242	1'674
Slovak Republic	...	...	...
Slovenia	***	1'343	***
Spain	***	16'681	395'391
Spain (Catalonia)	520	...	745
Sweden	---	---	---
Switzerland	...	...	...
Turkey	4'811	***	194'796
UK: Engl. & Wales	192'728	...	***
UK: Northern Ireland	6'697	50	3'471
UK: Scotland	36'367	4'669	***

**Table 6.2: Breakdown (per staff member) of reports produced by probation agencies in 2012**

Reference: Council of Europe, SPACE II 2012.6.2

Country	Number of pre-sentence reports <i>per staff member</i>	Number of advisory reports with respect to conditional release <i>per staff member</i>	Other reports <i>per staff member</i>
Albania	3.9	7.0	...
Andorra	...	...	...
Armenia	...	...	...
Austria	26.9	...	22.0
Azerbaijan	...	...	...
Belgium	2.8	0.1	6.7
BiH: state level	...	...	...
BH: Fed. BH	...	...	...
BH: Rep. Srpska	...	...	...
Bulgaria	0.1	...	...
Croatia	0.0	0.0	...
Cyprus	...	...	...
Czech Republic	15.0	1.8	0.0
Denmark	23.2	...	...
Estonia	1.9	8.6	...
Finland	19.0	...	...
France	4.4	...	19.2
Georgia	...	...	...
Germany	...	...	...
Iceland	0.0	0.0	0.0
Ireland	24.6	0.3	5.3
Italy	5.9	...	0.9
Latvia	0.3	3.9	...
Liechtenstein	...	...	...
Lithuania	...	...	...
Luxembourg	0.9	6.0	...
Malta	2.7	...	...
Moldova	3.6	...	0.3
Monaco	...	156.0	0.0
Netherlands	19.1	2.7	1.6
Norway	4.2	...	...
Poland	0.9	15.1	1.6
Portugal	23.2	4.6	27.2
Romania	8.4	...	0.2
San Marino	4.3	3.3	...
Serbia	...	5.3	36.4
Slovak Republic	...	...	...
Slovenia	...	...	...
Spain	...	32.3	764.8
Spain (Catalonia)	1.3	...	1.8
Sweden	...	...	...
Switzerland	...	...	...
Turkey	2.4	...	98.1
UK: Engl. & Wales	11.7	...	...
UK: Northern Ireland	16.6	0.1	8.6
UK: Scotland	...	...	...
<b>Mean</b>	<b>8.9</b>	<b>4.8</b>	<b>66.2</b>
<b>Median</b>	<b>5.0</b>	<b>1.8</b>	<b>7.6</b>
<b>Minimum</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>Maximum</b>	<b>27.7</b>	<b>31.2</b>	<b>614.8</b>

## **Notes – Tables 6.1 and 6.2**

### **Austria:**

- 6.1: 9 336 reports concerning victim offender mediator, 3 310 reports related to unpaid work as diversional measure (community service after the sentence), 244 reports on probation as diversional measure, 554 reports are related to trials during the client was under probation and 152 reports were written on the demand of the court that wants to know whether probation would be a suitable reaction in case of conviction.
- 6.3: 4 367 reports related to unpaid work instead of imprisonment (community service after the sentence) and 6 780 reports on the probation progress after a conviction or conditional release.

### **Belgium:**

- 6.1: Probation and closed investigations.
- 6.3: "Other reports" are:  
Any other penitential investigation (including for possible electronic monitoring): 7 973.

### **Czech Republic:**

- 6.1 Number of pre-sentence reports for home arrest, community service and documents related to the substitution of pre-trial detention with probation.

### **Ireland:**

- 6.1, 6.3: pre-sentence reports and community service reports also include update reports completed for the same referral. New referrals for pre-sentence reports was 4 921 and 2 377 for community service reports.
- 6.3: "Other reports" are:  
Community service reports: 2 043.  
Victim impact reports: 55.  
Repatriation reports: 14.

### **Italy:**

- 6.3: "Other reports" are:  
Inquiries related to security measures: 1 565.

### **Moldova:**

- 6.3: "Other reports" are informativen notes (If the person on which the presentence report is drawn up does not collaborate or is not found, the probation counselor shall submit a note accompanied by the evidence of the facts found and the impossibility of drawing the report).

### **Netherlands:**

- 6.3: "Other reports" are:  
Cases of treatments, other kinds of releases, dutch persons in foreign prisons etc. : 3 109.

### **Poland:**

- 6.2: This number pertains all execution proceedings including conditional release.
- 6.3: No details have been given by Poland for this category "Other".

### **Portugal:**

- 6.3: "Other reports" are all documents produced after sentence in support of the implementation of measures.

**Romania:**

- 6.1: Reflects the figures for the pre-sentence reports prepared regarding the adults.
- 6.3: The probation services are competent to draw reports upon the request of a judge in the civil cases regarding the minors who committed offences, but who are not criminally liable. The reports are helping the judge to take a decision regarding the most appropriate protection measures to be imposed to the child.

**Serbia:**

- 6.3: This category "Other" includes regular reports prepared in the middle of the sentence enforcement period and final reports following the finalisation of the sentence enforcement, as well as extraordinary reports prepared for courts to inform them on extraordinary situations (justified or unjustified), which have an effect on regular enforcement of the sanction and programme.

**Slovenia:**

- 6.2:  
Report and review prepared by the centre of social work about the accused during the process: 1 254.  
Report and review prepared by the centre of social work on the request of the court on the help to the family during the process: 89.

**Spain (State Administration):**

- 6.3: "Other" are reports made by the Probation Services at the request of the courts:  
Reports on persons serving community service: 304 215.  
Reports on fully suspended sentences with probation or treatment: 90 754.

**Spain (Catalonia):**

- 6.1: Reports related to the accused.
- 6.3: Reports related to victims.

**Turkey:**

- 6.3: "Other reports" are:  
Survey reports: 192 876.  
Before release reports: 1 920.

**UK: Scotland:**

- General comment: Figures are for financial year 2011-12. All flow figures are for cases (and not individuals) as the data are not collected in a way that allows this level of analysis for all categories.