

# Probation and Prisons in Europe, 2020: Key Findings of the SPACE reports

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## 1. Introduction

This document summarises the main findings of the *2020 Council of Europe Annual Penal Statistics on Persons under the Supervision of Probation Agencies*<sup>1</sup>, better known under the acronym SPACE II, and compares them to those of the *2020 Council of Europe Annual Penal Statistics on Prison Populations, SPACE I*, which was published in April 2021<sup>2</sup>.

The rates and percentages presented here correspond to the *European median values* and *averages* computed on the basis of figures weighted by the population and the number of probationers —or, respectively, of inmates— in each jurisdiction (see *Methodology* for further details). Forty-six (46) out of the 52 probation agencies (or equivalent institutions) in the 47 Council of Europe member states answered the 2020 SPACE II questionnaire, which corresponds to a participation rate of 88%. Their answers are compared to those of the 48 prison services that replied to the 2020 SPACE I questionnaire. The countries that did not answer the questionnaire are the following: Albania, Bosnia & Herzegovina, Germany, Hungary, Liechtenstein, Russian Federation, and San Marino<sup>3</sup>.

It must also be mentioned that the 46 probation agencies and the 48 prison services that filled in the SPACE questionnaires did not necessarily provide data for all the items included in them. Thus, in the title of each Figure and Table included in this document we indicate the number (N) of probation agencies —or, respectively, of prison services— that provided the data required for the analysis<sup>4</sup>.

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<sup>1</sup> Aebi, M. F. & Hashimoto, Y. Z. (2020). *SPACE II – 2020 – Council of Europe Annual Penal Statistics: Persons under the Supervision of Probation Agencies*. Strasbourg: Council of Europe. Available at: [www.unil.ch/space](http://www.unil.ch/space).

<sup>2</sup> Aebi, M. F. & Tiago, M. M. (2020). *SPACE I – 2020 – Council of Europe Annual Penal Statistics: Prison Populations*. Strasbourg: Council of Europe. Available at: [www.unil.ch/space](http://www.unil.ch/space).

<sup>3</sup> According to the latest information provided, probation agencies do not exist in Bosnia & Herzegovina, and Germany does not produce probation statistics at the federal level.

<sup>4</sup> Many Figures include data from the two Spanish probation agencies (Catalonia and the State Administration) as well as the overall total for Spain. In these cases, only two probation agencies are counted in the N indicated in the title of the Figures. That N also excludes the European median values and averages. Readers counting the bars included in each Figure are kindly asked to keep these exceptions in mind.

## 2. Defining probation and community sanctions and measures (CSM)

According to Appendix I to the Council of Europe’s Recommendation CM/Rec (2010)1, **probation** “relates to the implementation in the community of sanctions and measures, defined by law and imposed on an offender. It includes a range of activities and interventions, which involve supervision, guidance and assistance aiming at the social inclusion of an offender, as well as at contributing to community safety”. At the same time, according to the Council of Europe’s Recommendation CM/Rec(2017)3, “the expression ‘**community sanctions and measures**’ means sanctions and measures which maintain suspects or 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”.

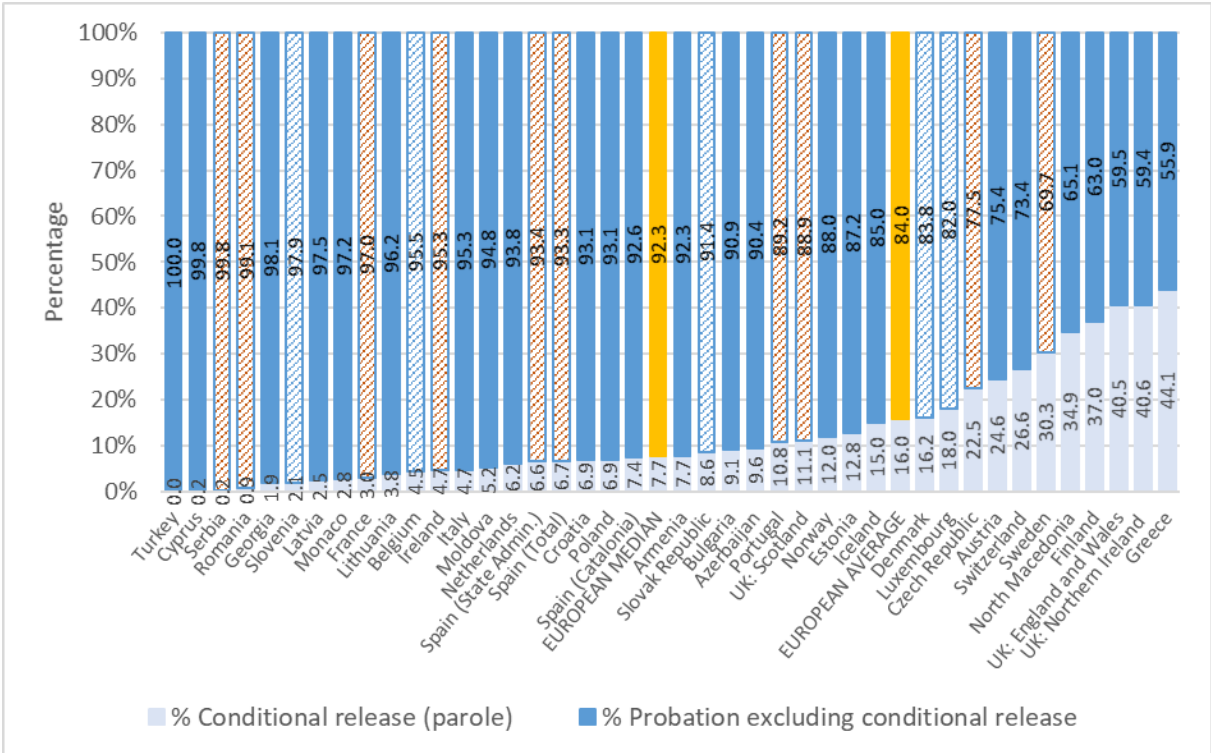
These conceptualizations show that the Council of Europe adopts broad definitions of probation and of community sanctions and measures. For example, according to the Council of Europe’s Recommendation Rec(2003)22 on **conditional release (parole)**, “[c]onditional release is a community measure” that “means the early release of sentenced prisoners under individualised post-release conditions”. This implies that persons conditionally released and placed under the supervision of probation agencies are considered as *probationers* and not as a separate category (usually called *parolees* in common law jurisdictions). As the distinction between these two large categories is useful when analyzing the use of probation, Figure 1 presents the percentage of persons conditionally released among the total number of probationers on 31<sup>st</sup> January 2020 in the 39 jurisdictions that provided the necessary data. That percentage varies widely across Europe, from 0.01% in Turkey to 44% in Greece. In broad terms, the highest percentages are found in Western and Nordic European countries. Nevertheless, five of the probation agencies included in Figure 1 do not use the *person* as the counting unit in their probation statistics (presented in *blue* stripes) and nine do so partially (presented in *orange* stripes).

Whenever a probation agency does not use the *person* as the counting unit in its statistics, there is a risk of double counting. This means that the same probationer can be counted more than once when, for example, he or she is serving two or more community sanctions or measures. As the reader will soon realize, that methodological issue—which affects all the indicators presented in SPACE II—is addressed in every analysis presented in this document. All in all, 24 probation agencies use the *person* as the counting unit for their stock, seven do not use it, and nine do so partially<sup>5</sup>; however, not all of them are included in every Figure. That explains why in Figure 1, for example, we mention five probation agencies not using the *person* as their counting unit, while in Figure 2 we mention six.

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<sup>5</sup> The seven probation agencies that do not use the *person* as the counting unit of their statistics are those of Belgium, Denmark, Luxembourg, Malta, the Slovak Republic, Slovenia, and Ukraine. The nine ones that only use *partially* the person as their counting unit are those of the Czech Republic, France, Ireland, Portugal, Romania, Serbia, Sweden, Scotland, and the State Administration of Spain. Consequently, the total figures for Spain are also based only *partially* on persons, even if the Catalan probation agency does use the *person* as the counting unit of its statistics.

**Figure 1.** Percentages of persons on conditional release among probationers on 31<sup>st</sup> January 2020 (N=39)<sup>6</sup>



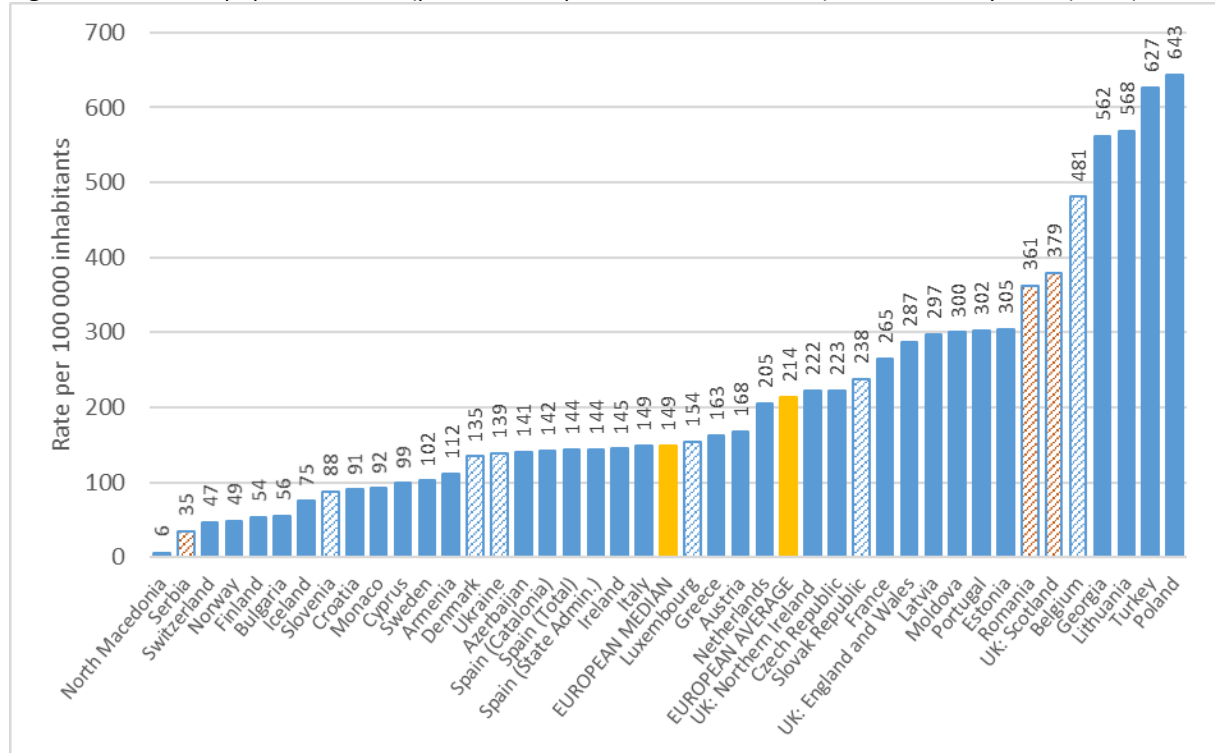
**Note to Figure 1:** Probation agencies not using the *person* as the counting unit of their statistics are presented in blue stripes, while those using it only *partially* are presented in orange stripes.

<sup>6</sup> The European median and average values shown in Figure 1 are calculated on the basis of data from the probation agencies that use the *person* as the counting unit of their statistics (in blue in the Figure). These include France, Ireland, Portugal, Spain, Sweden, which count the *person* for the *total stock* of probationers, but use other counting units (such as the *cases*) for the different forms of probation; consequently, these five countries mentioned that they only *partially* use the person as the counting unit of their statistics (and are presented in orange stripes in the Figure). Although the Czech Republic, Romania, Serbia and Scotland also *partially* use the person as their counting unit (and therefore are also presented in orange stripes), they do not use it when calculating their probation stock and are as a result excluded — together with the probation agencies using other counting units (in blue stripes in the Figure)— from the computation of the European median and average values (see note 5 for details).

### 3. Probation and prison populations on 31<sup>st</sup> January 2020

Among the 46 probation agencies that completed the SPACE II questionnaire, 40 answered the item on the total number of persons under their supervision (*stock*). However, nine among these specified that they do not use the *person* as the counting unit for the total probation stock (see note 6), which leaves 31 agencies to be included in any analyses based on the total number of *probationers*. On 31<sup>st</sup> January 2020, there were 1,512,765 probationers under the supervision of these 31 probation agencies, which corresponds to a median probation population rate of 149 probationers per 100,000 inhabitants. The probation population rates of each probation agency are presented in Figure 2. The European median and average rates are calculated on the basis of the data provided by the 31 probation agencies that use the *person* as the counting unit for their stock of probationers (see note 6).

**Figure 2.** Probation population rates (probationers per 100,000 inhabitants) on 31<sup>st</sup> January 2020 (N=40)



**Note to Figure 2:** Probation agencies not using the *person* as the counting unit of their statistics are presented in blue stripes, while those using it only *partially* are presented in orange stripes.

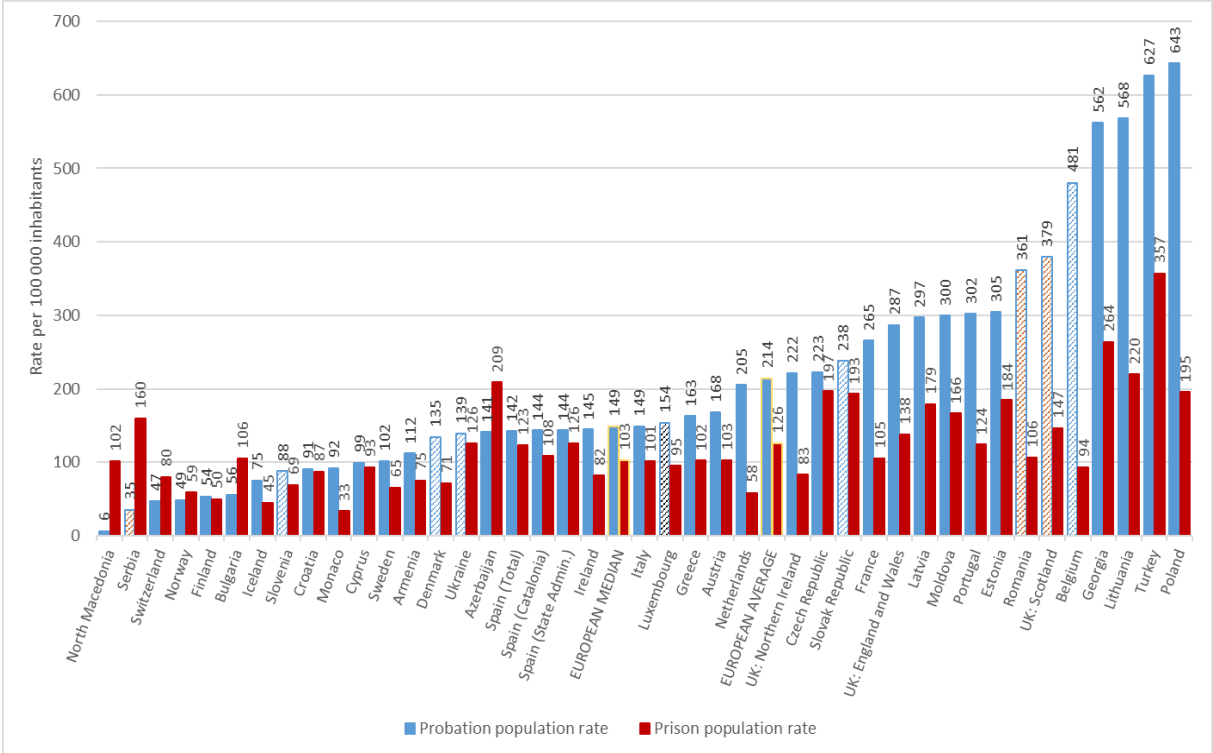
The highest probation population rates are found in Lithuania, Turkey, and Poland, while the lowest are in North Macedonia, Serbia, and Switzerland. However, as noted earlier, comparisons across jurisdictions must be conducted carefully because the way in which data are collected varies across them. As in the previous Figure, data provided by the probation agencies that do not use the *person* as the counting unit for the total number of probationers are presented in a striped pattern. More specifically, Belgium, Denmark, the Slovak Republic, Slovenia and Ukraine reported that their counting unit is the *case* or the *file*. Luxembourg does not count *persons*, but did not specify its counting unit. Romania, Serbia and Scotland indicated that they partially count the *person*; however, they specified that they count the *case*, the *verdict*, or the *order* for the probation stock. These different counting units could explain the high probation population rates observed in Belgium and Scotland. Romania specified that “[t]he vast majority of persons are registered only once, but a small part of them [...] are registered twice or several times [...]” (see page 24 of the 2020 SPACE II report). Unfortunately, we do not have information on the percentage of probationers counted more than once in the rest of the probation agencies that do not use the *person* as their counting unit.

Even if all probation agencies were applying the same statistical counting rules, the interpretation of the ranking of jurisdictions that stems from Figure 2 would not be straightforward. For example, the probation agency of Serbia was created only in 2011, which suggests that its low probation population rate could be due to the fact that probation is still developing in the country. The same interpretation can be made for North Macedonia,

where the first probation office was opened in November 2017 and the rest of the offices started operating only in November 2019.

Finally, there is no “magic formula” to estimate a rate of probationers that would be appropriate for a jurisdiction. The reason is that probationers are serving community sanctions and measures, which are frequently referred to as *alternatives to imprisonment* because they aim at the social inclusion of the offender by keeping him/her in the community. Consequently, the probation rate cannot be interpreted without comparing it to the prison population rate. For that reason, Figure 3 shows the probation and prison population rates for the 40 prison services and probation agencies that answered both SPACE questionnaires in 2020.

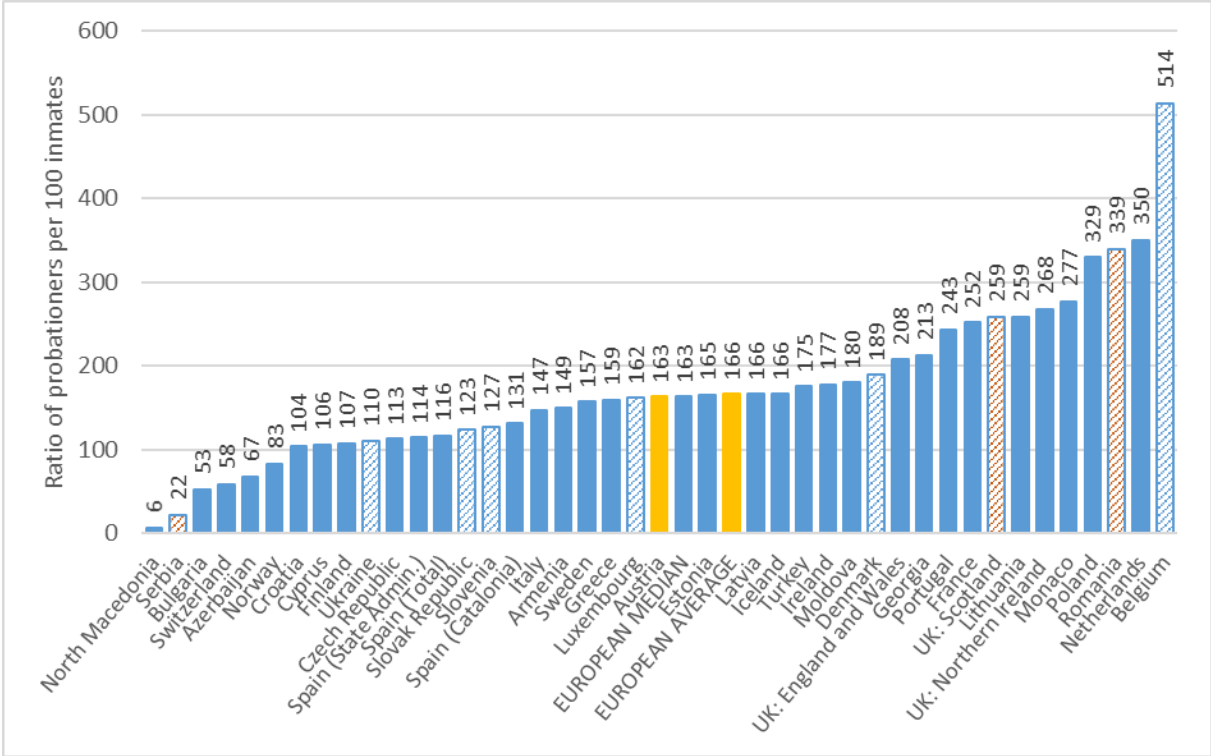
**Figure 3.** Probation and Prison population rates (per 100,000 inhabitants) on 31<sup>st</sup> January 2020 (N=40)



**Note to Figure 3:** Probation agencies not using the *person* as the counting unit of their statistics are presented in blue stripes, while those using it only *partially* are presented in orange stripes.

In Figure 3, jurisdictions are sorted by their probation population ranked in ascending order. It can easily be seen that this distribution is completely different from the one that would be obtained if they were ranked by their prison population rate. One striking result of this comparison is that, in 34 out of the 40 prison services and probation agencies included in Figure 3, the probation population rate is higher than the prison population rate. The exceptions are (in order of magnitude) North Macedonia, Serbia, Switzerland, Norway, Bulgaria, and Azerbaijan, where the rates of inmates are higher than the rates of probationers per 100,000 inhabitants. Again, it is important to emphasize the fact that not all probation agencies use the same counting unit. Accordingly, the European median and the European average rates for both the probation population rate and the prison population rate were computed excluding the probation agencies that do not count *persons* (see note 6). Nevertheless, there are still major divergences across jurisdictions. In order to better illustrate these divergences, Figure 4 shows the ratio of probationers per 100 inmates.

**Figure 4.** Ratio of probationers per 100 inmates on 31<sup>st</sup> January 2020 (N=40)



**Note to Figure 4:** Probation agencies not using the *person* as the counting unit of their statistics are presented in blue stripes, while those using it only *partially* are presented in orange stripes.

Figure 4 shows that, in jurisdictions using the *person* as the counting unit, the highest ratio of probationers per inmates can be found in the Netherlands —where there are 350 probationers per 100 inmates— and the lowest in North Macedonia, where the ratio is 6 probationers per 100 inmates. As explained above (see the comments to Figure 2), the low ratio observed in North Macedonia seems due to the short history of its probation service, while the elevated ratio observed in Belgium is partially explained by the fact that the country counts *cases* instead of *persons* in its probation statistics.

In order to categorize the jurisdictions according to the relationship between their probation and prison population rates, Table 1 presents the different ways in which both rates are combined in practice. Given that the median prison population shown in Figure 3 is 103 per 100,000 inhabitants, the jurisdictions in Table 1 are categorized as follows: a probation or prison population rate up to 100 per 100,000 inhabitants is considered as low, a rate higher than 100 but lower than 200 per 100,000 inhabitants is considered as relatively high, and a rate equal or superior to 200 is considered as high. Entries in *italics* mean that the probation agency (or equivalent institution) specified that it does not use the *person* as the counting unit for the stock of probationers (see note 6).

**Table 1.** Relationship between probation and prison population rates on 31<sup>st</sup> January 2020 (N=41, 8 categories)

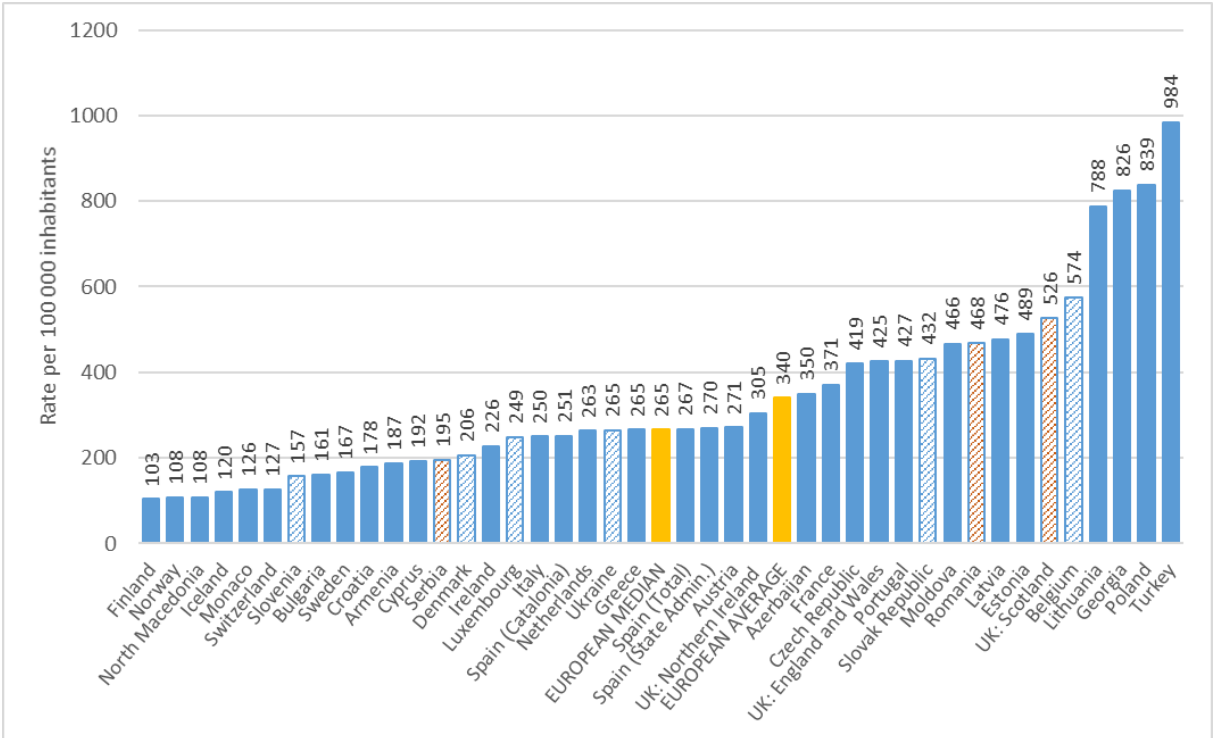
Jurisdiction	Probation population rate	Prison population rate
<b>1. Jurisdictions with a low probation population rate (<math>\leq 100</math> per 100,000 inhabitants) and a low prison population rate (<math>\leq 100</math> per 100,000 inhabitants)</b>		
Switzerland	46.8	80.2
Norway	48.8	58.8
Finland	53.5	49.9
Iceland	75.0	45.0
<i>Slovenia</i>	87.8	69.1
Croatia	90.6	87.1
Monaco	92.3	33.3
Cyprus	98.9	93.4
<b>2. Jurisdictions with a low probation population rate (<math>\leq 100</math> per 100,000 inhabitants) and a relatively high prison population rate (<math>&gt;100</math> to <math>&lt;200</math> per 100,000 inhabitants)</b>		
North Macedonia	6.1	101.8
<i>Serbia</i>	34.9	159.9
Bulgaria	55.6	105.6
<b>3. Jurisdictions with a relatively high probation population rate (<math>&gt;100</math> to <math>&lt;200</math> per 100,000 inhabitants) and a low prison population rate (<math>\leq 100</math> per 100,000 inhabitants)</b>		
Sweden	102.0	65.0
Armenia	112.2	75.0
<i>Denmark</i>	134.6	71.1
Ireland	144.9	81.6
<i>Luxembourg</i>	153.6	94.9
<b>4. Jurisdictions with a relatively high probation population rate (<math>&gt;100</math> to <math>&lt;200</math> per 100,000 inhabitants) and a relatively high prison population rate (<math>&gt;100</math> to <math>&lt;200</math> per 100,000 inhabitants)</b>		
<i>Ukraine</i>	139.1	126.1
Spain (Total)	142.3	123.3
Spain (Catalonia)	143.6	108.4
Spain (State Admin.)	143.8	126.2
Italy	149.0	101.2
Greece	163.0	102.4
Austria	168.1	103.2
<b>5. Jurisdictions with a relatively high probation population rate (<math>&gt;100</math> to <math>&lt;200</math> per 100,000 inhabitants) and a high prison population rate (<math>&gt; 200</math> per 100,000 inhabitants)</b>		
Azerbaijan	140.8	208.7
<b>6. Jurisdictions with a high probation population rate (<math>\geq 200</math> per 100,000 inhabitants) and a low prison population rate (<math>\leq 100</math> per 100,000 inhabitants)</b>		
Netherlands	204.9	58.5
UK: Northern Ireland	221.8	82.8
<i>Belgium</i>	480.6	93.6
<b>7. Jurisdictions with a high probation population rate (<math>\geq 200</math> per 100,000 inhabitants) and a relatively high prison population rate (<math>&gt;100</math> to <math>&lt;200</math> per 100,000 inhabitants)</b>		
Czech Republic	222.6	196.8
<i>Slovak Republic</i>	238.2	193.4
France	265.5	105.3
UK: England and Wales	286.7	138.0
Latvia	297.4	179.0
Moldova	299.8	166.5
Portugal	302.3	124.3
Estonia	304.5	184.4
<i>Romania</i>	361.4	106.5
<i>UK: Scotland</i>	379.1	146.6
Poland	643.3	195.3
<b>8. Jurisdictions with a high probation population rate (<math>\geq 200</math> per 100,000 inhabitants) and a high prison population rate (<math>\geq 200</math> per 100,000 inhabitants)</b>		
Georgia	561.8	263.8
Lithuania	568.1	219.7
Turkey	626.7	357.2

The countries in the first category of Table 1 (Switzerland, Norway, Finland, Iceland, Slovenia, Croatia, Monaco, and Cyprus) are those that seem to be using prison and probation most parsimoniously, because they show low rates in both indicators. Countries in the eighth category (Georgia, Lithuania, and Turkey) are exactly in the opposite situation. These countries appear to be using community sanctions not as alternatives to imprisonment, but rather as supplementary sanctions. The reason is that their probation population rate is remarkably high, but their prison population rate remains above the European median value. This observation also applies to the probation services included in the seventh and most populated category. In between these categories, the situation of the jurisdictions differs considerably.

Adding the total number of probationers (1,512,765) and the total number of inmates (1,528,343) reported by the jurisdictions that participated in at least one of the two 2020 SPACE surveys and use the *person* as the counting unit for both indicators of stock, one reaches the impressive number of 3,041,108 persons which are, in one way or another, under the supervision of state institutions of formal criminal justice control in Europe. Moreover, that number can be considered as a low estimate of the so-called *correctional population*, because it is based only on the 31 probation agencies that provided data on their total number of probationers (Andorra, Malta, and Montenegro answered some items of the SPACE II questionnaire, but they could not assess their total number of probationers) and which use the *person* as the counting unit (see note 6), and the 50 prison services that reported their total number of inmates when answering the 2020 SPACE I questionnaire.

Forty out of all these jurisdictions provided data on both their total number of probationers (or number of cases/files/orders) and their total number of inmates. Adding both numbers one obtains the correctional population of each jurisdiction, which can then be put in relationship with the jurisdiction’s population in order to estimate the correctional population rate (number of probationers and inmates per 100,000 inhabitants). Figure 5 presents the estimated correctional population rates for these 40 prison services and probation agencies. Once more, it must be stressed that these rates are *estimates*, instead of fully reliable figures allowing direct comparisons. The reason, once more, is that the *person* is not systematically used as the counting unit in probation statistics across the continent; in particular, there is a risk of double counting in the jurisdictions presented in a striped pattern (blue or orange) in Figure 5 (see note 6).

**Figure 5.** Estimated correctional population rate (inmates + probationers) per 100,000 inhabitants on 31<sup>st</sup> January 2020 (N=40)



**Note to Figure 5:** Probation agencies not using the *person* as the counting unit of their statistics are presented in blue stripes, while those using it only *partially* are presented in orange stripes.

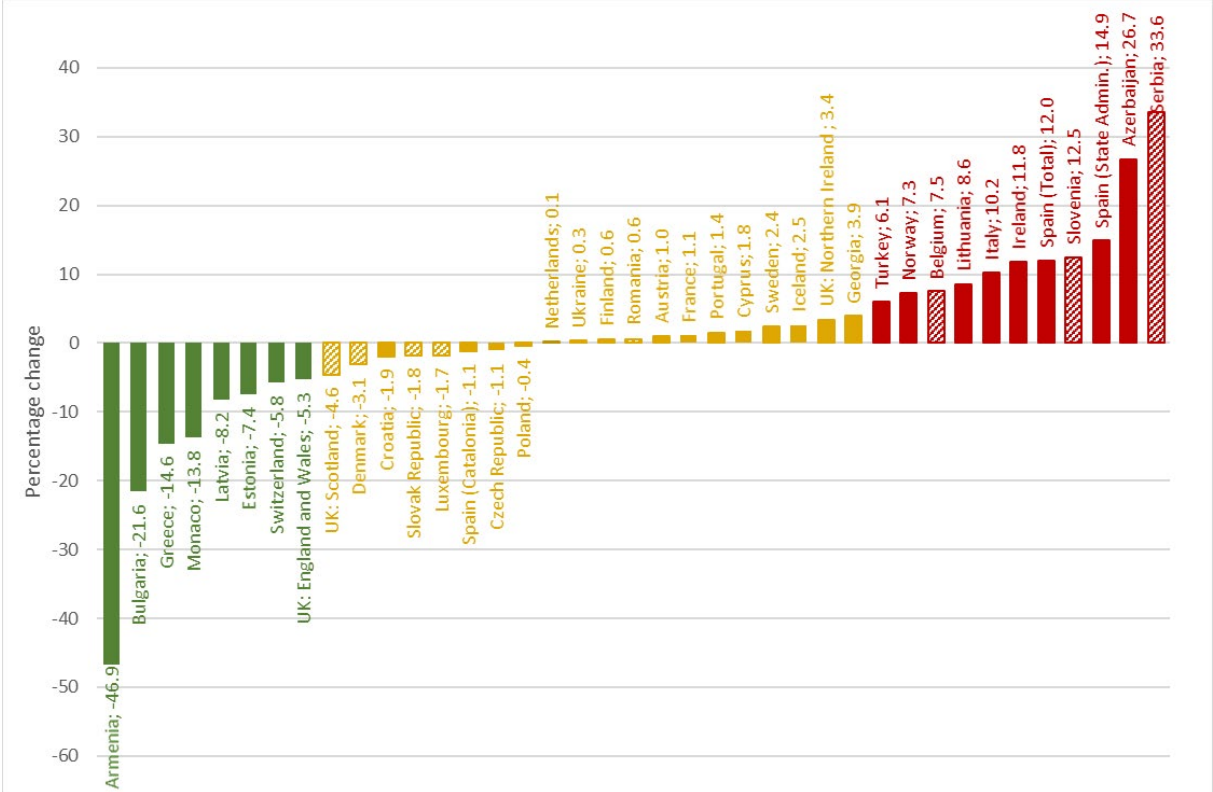


### 4. Year-on-year trend of the probation population rates

The high rates of probationers observed in several jurisdictions corroborates the expansion of community sanctions and measures across the continent since the 1990s. However, this increase has not necessarily been accompanied everywhere by a parallel decrease of imprisonment, which community sanctions and measures are supposed to substitute (see the SPACE I series). In order to continue monitoring that trend—which can be seen as a signal of the development of mass probation in some jurisdictions— Figure 6 shows the annual variation of the probation population rate in the 38 probations agencies that provided data for 2019 and 2020.

As the aim of this analysis is to measure the trend in the use of probation in each jurisdiction, the use of different counting units in different jurisdictions does not affect the comparison, as long as they do not change their counting unit from one year to the other. Hence, Figure 6 includes data on 29 probation agencies that count the number of probationers and on nine that count the number of cases, files, or orders (presented in a striped pattern). North Macedonia is excluded because there were no probationers in 2019. Figure 6 shows that, comparing 2020 to 2019, more than half of these jurisdictions (22) registered an increase of their overall rate of probationers, cases or orders. However, if one considers increases and decreases between -5% and 5% as indicating stability, there were 10 probation agencies that registered significant increases (5% or more), eight that experienced significant decreases (-5% or more), and 20 where the situation remained stable.

**Figure 6:** Annual percentage change in probation population rates from 2019 to 2020 (N=38)



**Note to Figure 6:** Probation agencies not using the *person* —or using it only *partially*— as the counting unit of their statistics are presented in stripes.

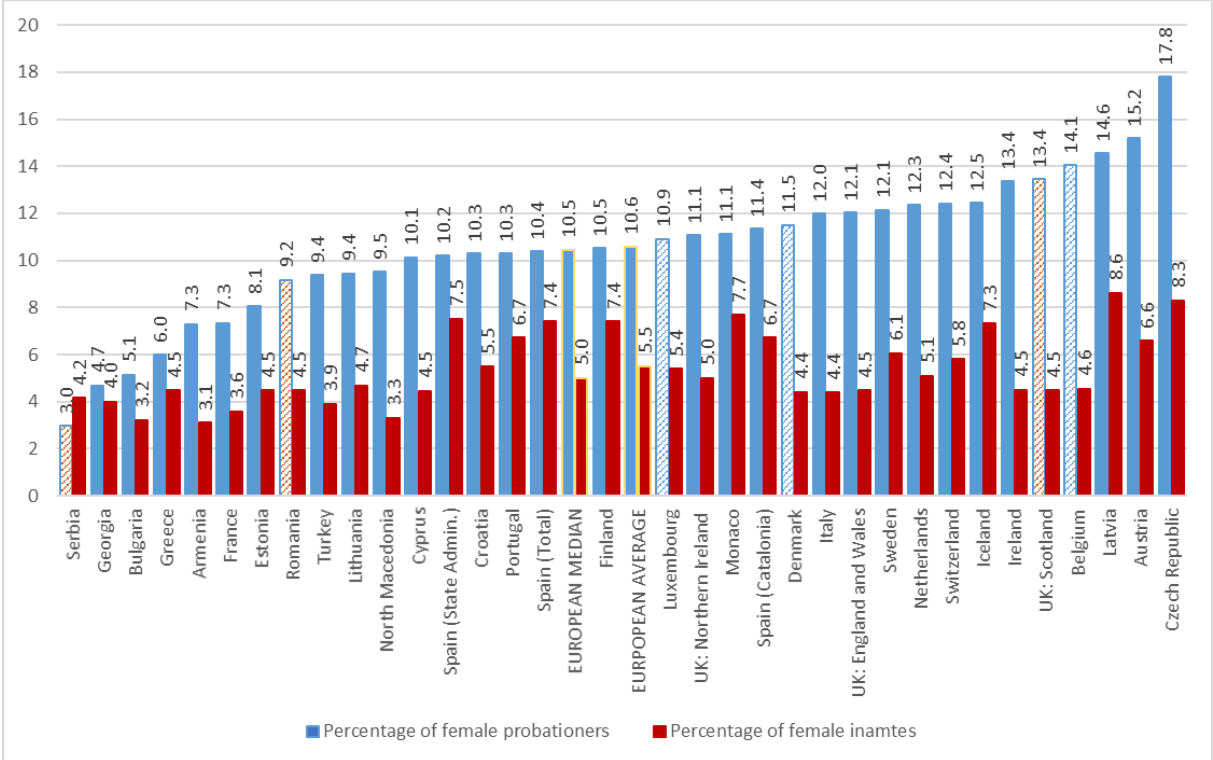
Finally, if we restrict the comparison to the 29 probation agencies that count *persons* and provided data both for 2019 and 2020, the total number of probationers grew from 1,456,192 in 2019 to 1,500,547 in 2020, which represents a 3% increase (see Table 2 towards the end of this document). In particular, the probation population rate grew in 17 probation agencies, but only in seven was that increase equal to or higher than 5%. At the same time, the probation population rate fell in 12 probation agencies, but only in eight by 5% or more. This means that, considering changes between -5% and 5% as reflecting stability, from 2019 to 2020 there was a significant growth in the rate of probationers in seven probation agencies, a decrease in eight, and a stable rate in 14 of them. If the comparison is based on the actual number of probationers (instead of on the rates per 100,000 population), there has been increases in 17 probation agencies –including seven where the number increased by 5% or more– and decreases in 12, but only in seven by 5% or more.

## 5. Characteristics of the probationers under the responsibility of European probation agencies, and comparison with the inmates held in penal institutions

### 5.1. Gender

In the 34 probation agencies that provided data on both the gender of probationers and the total probation stock, the median percentage of males was 89% and the median percentage of females was 11%. The same percentage of 11% women among probationers is reached when the estimations are restricted to the 33 jurisdictions that provided data both for their probation (SPACE II) and their prison (SPACE I) population characteristics by gender, as well as when we consider only the 27 probation agencies counting *persons*. The low proportion of women corroborates the gender distribution of offending, an activity disproportionately concentrated on the male population. At the same time, the comparison of the percentage of women on probation to that of women in prison, presented in Figure 7, reveals major differences. In fact, with the exception of Serbia, the percentage of women is systematically higher on probation than in prison. Roughly speaking, the former is the double of the latter, as 11% of the probationers are women, while in prison women represent only around 5% of the total prison population. This discrepancy could be explained by the fact that probation is being used for the less serious offences and, while women are in general underrepresented among offenders, this underrepresentation is particularly important for serious offences (namely violent offences), which are the ones that usually lead to a prison sentence. For the same reason, women could be seen as less likely to recidivate and therefore they would be more easily placed on probation or granted conditional release. Another reason for that differential treatment could be that women remain the primary caregivers of minor children (*i.e.*, men are seldom placed on probation or granted conditional release because they are fathers of young children).

**Figure 7.** Percentage of female probationers in the probation population and percentage of female inmates in the prison population on 31<sup>st</sup> January 2020 (N=33)



**Note to Figure 7:** Probation agencies not using the *person* —or using it only *partially*— as the counting unit of their statistics are presented in stripes.

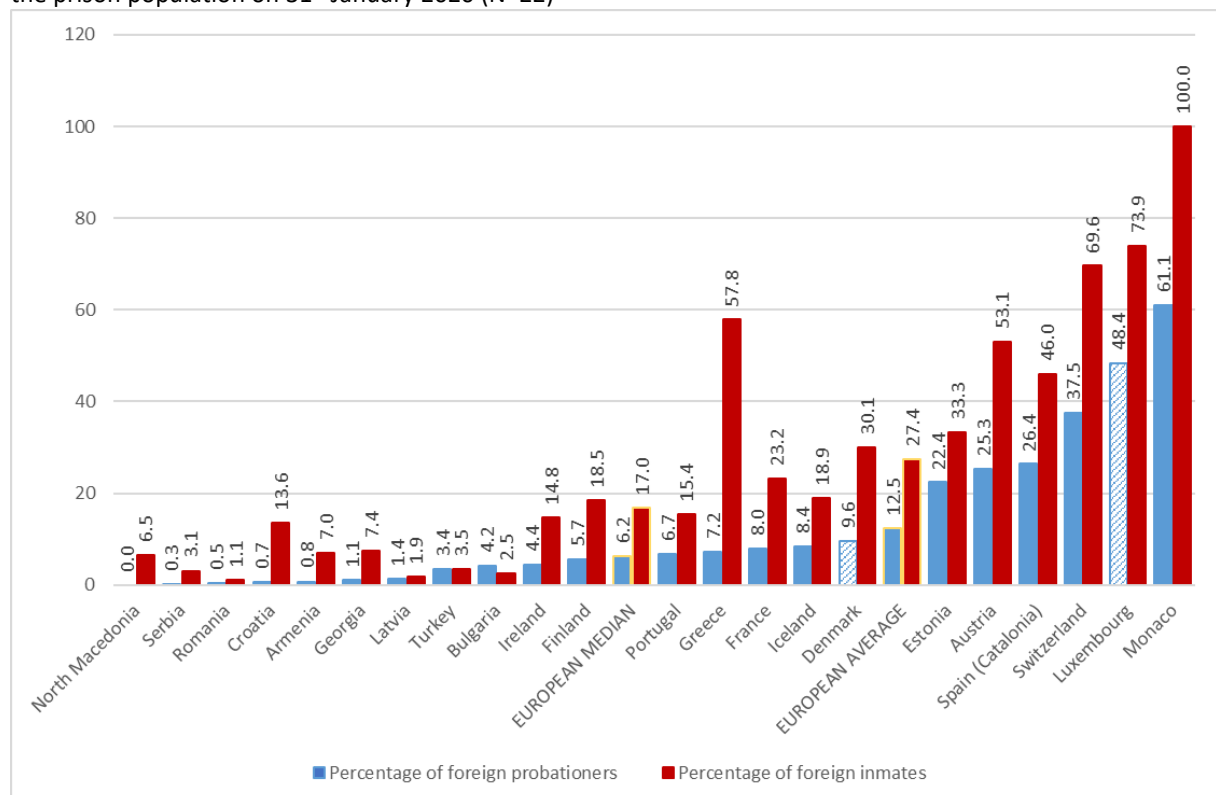
## 5.2. Nationality

In the 26 probation agencies that provided data on both the number of foreign probationers and the total probation stock, 92% of the probationers were nationals and 8% were foreign citizens (7% if we restrict the analysis to counts of *persons*; see note 6). Although there is a great diversity in these percentages, most of the foreign probationers are placed under supervision in Western and Central Europe. Indeed, information on nationality is not collected in several Eastern European countries, which suggests that the issue has no relevance for policy makers in that region. This overall distribution of foreign probationers across the continent is similar to the one observed for foreign inmates in the 2020 SPACE I report, although the percentages of the latter are much higher. In particular, on 31<sup>st</sup> January 2020, 15% of the inmates placed in European penal institutions were foreigners, but that percentage was usually lower than 5% in Eastern Europe, while in Central and Western Europe it varied from 2% to 70% in countries with at least one million inhabitants.

When the estimations are restricted to the 22 jurisdictions that provided demographic data for both their probation (SPACE II) and their prison (SPACE I) populations, the median percentage of foreign probationers is 6% (the same is true when we restrain the analysis to counts of *persons*; see note 6) while the median percentage of foreign inmates reaches 17%. The reason is that these jurisdictions are in EU and Western European countries, where the percentages of foreign inmates are the highest.

As can be seen in Figure 8, in all jurisdictions the percentage of foreign inmates is higher —usually it is at least the double— than that of foreign probationers. This difference is at least partially due to the fact that it is more difficult for a foreign citizen than for a national to meet the conditions required to be placed on probation. The main obstacle in that context is the requirement of having a stable address in the country where probation is being served. In some cases, it is furthermore plausible to assume that some of the foreign inmates have also been the object of a deportation order to be applied after release, which means that they will be expelled from the country after serving their prison term and have no possibility of being placed on probation.

**Figure 8.** Percentage of foreign probationers in the probation population and percentage of foreign inmates in the prison population on 31<sup>st</sup> January 2020 (N=22)



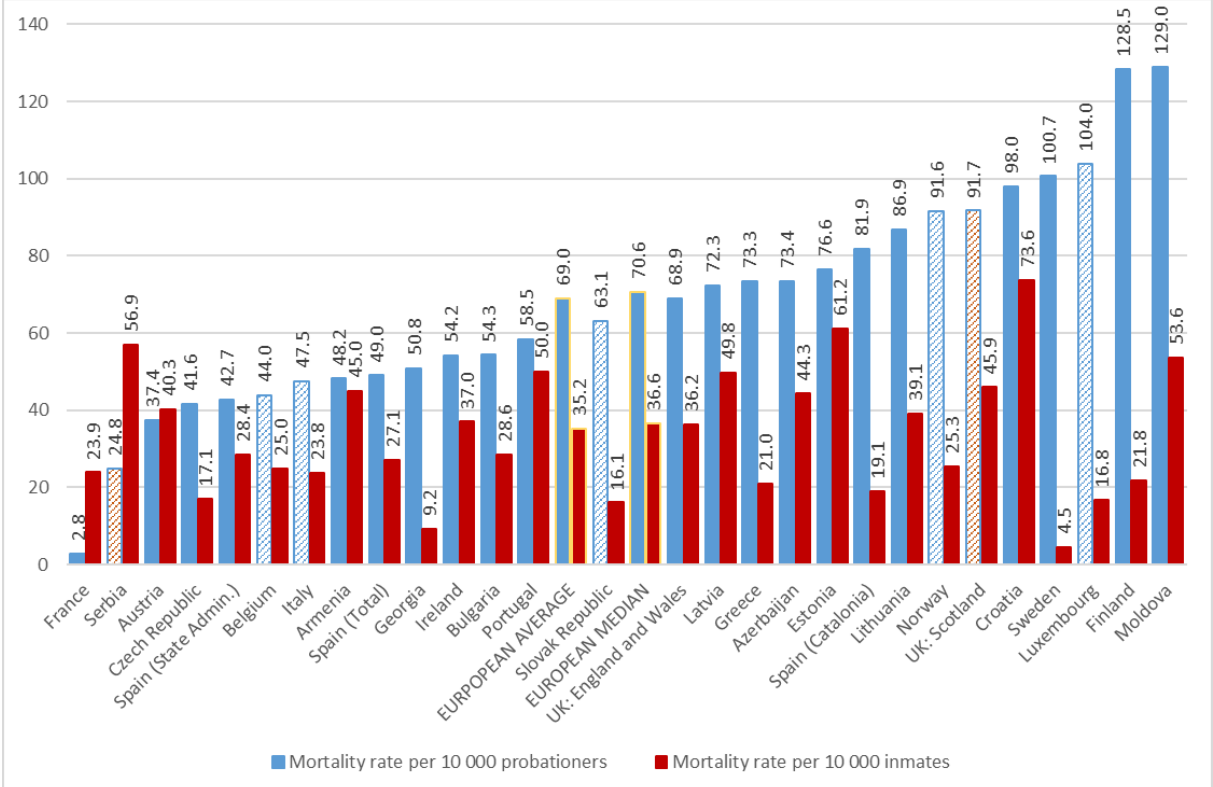
**Note to Figure 8:** Probation agencies not using the *person* —or using it only *partially*— as the counting unit of their statistics are presented in stripes.

### 6. Mortality rates

In the 29 probation agencies that provided data on both the deaths of probationers and the total probation stock<sup>7</sup>, the median mortality rate was 63 deaths per 10,000 probationers (64 per 10,000 if we restrict the analysis to counts of *persons*<sup>8</sup>). Figure 9 presents the probation mortality rates for the year 2019 as well as the prison mortality rates (deaths per 10,000 inmates) for the same year. For comparison purposes, Iceland and Monaco are not represented in the Figure and are not included in the computation of the median and average European rates. Both countries have very high mortality rates per 10 000 inmates in 2019, which are the result of having had 1 and 2 deaths among small prison populations (see Table 3 for the relevant data).

Figure 9 shows that the probation mortality rates are usually higher than the prison mortality rates. In fact, in a number of jurisdictions, the probation mortality rates are several times higher than the prison mortality rates. There are at least three plausible explanatory hypotheses for that difference: (a) the constraints of the prison environment reduce the risk of engaging in risky behaviour or suffering a fatal accident; (b) inmates suffering terminal or serious illnesses are frequently released from prison and placed on probation; and (c) suicide is more common while on probation than while in prison. In order to test the latter hypothesis, the 2020 SPACE II questionnaire asked for data on suicides among probationers. However, none of the Council of Europe member states was able to provide data on that issue.

**Figure 9.** Deaths of inmates per 10,000 inmates and deaths of probationers per 10,000 probationers during 2019 (N = 27)



**Note to Figure 9:** Probation agencies not using the *person* —or using it only *partially*— as the counting unit of their statistics are presented in stripes.

<sup>7</sup> These 29 nations also provided data on deaths of inmates in 2009 (SPACE I).

<sup>8</sup> As deaths are a subcategory of the *flow of exits*, the European median and average mortality rates exclude nations that do not use the *person* as the counting unit to compute their flow. See note 5 for the general approach.

## 7. Methodology

Throughout this document, the term *jurisdiction* is often preferred to *country* because some countries (namely Spain and the United Kingdom) have more than one probation agency.

Unless stated otherwise, the remarks made in the body of this document refer, for each indicator, to the *European median value*. The *median* is the value that divides the data in two equal groups so that 50% of the countries are above the median and 50% are below it. The median is preferred to the *arithmetic mean* (commonly referred to as the *average*) because the latter is extremely sensitive to very high or very low values (technically known as *outliers*). Outliers are quite common in the sample of countries included in the SPACE reports because some member states, like Liechtenstein, Monaco or San Marino, have a very small number of inhabitants and, as a consequence, a change in only one person can have a big impact on their percentages and rates. The *average* value is, however, regularly included in the Figures presented throughout the document.

The European median values are weighted according to the population and the number of probationers in each country. This means that they are estimated on the basis of the percentages and rates per 100,000 inhabitants of each country (or jurisdiction of the country) and not on the absolute numbers for the whole continent. Using the latter would produce different values, which could hide the diversity observed across countries. For example, on 31<sup>st</sup> January 2020, there were 1,512,765 probationers under the supervision of the 31 probation agencies of the Council of Europe member states which use the *person* as the counting unit for their stock of probationers. At the same time, the total population of the territories in which these probation agencies are located was 487 million inhabitants, which would lead to a probation population rate of 311 probationers per 100,000 inhabitants. However, when the European median value is estimated on the basis of the population and the number of probationers of each country, it corresponds to 149 probationers per 100,000 inhabitants, as stated at the beginning of this document (see Figure 2).

The questionnaire used for the SPACE II series of Council of Europe Annual Penal Statistics asks countries to provide data on stock indicators using the person as the counting unit. For example, the number of probationers on 31<sup>st</sup> January (*stock*) should correspond to the number of *persons* placed under the supervision of probation agencies on that day. However, some probation agencies do not use the *person* as the counting unit of their statistics. The risk when an agency uses *files*, *cases* or *orders* as their counting unit is that the same person may be counted more than once (e.g., a person placed in home arrest with electronic monitoring could be counted as two persons: one for the home arrest order and another for the electronic monitoring order). This issue is addressed systematically throughout this document, which indicates for each indicator, Figure and Table the jurisdictions that do not use the person as the counting unit of their probation statistics. These jurisdictions are presented in stripes in the Figures, unless they have specified that they use the person as the counting unit for the *specific* indicator presented in the Figure. For example, nine jurisdictions mentioned that they only use *partially* the counting unit in their probation statistics (for details, see note 5), but five of them specified that they do use it when computing the stock of probationers on 31<sup>st</sup> January (for details, see note 6). Consequently, the latter are not presented in stripes in the relevant Figures (see, for example, Figure 2). In order to allow comparisons, the same logic was applied when computing the European median and average values as well as other measures based on the number of probationers: jurisdictions not using the person as the counting unit in their probation statistics are excluded from the computation, unless they have stated that they use the person for that specific indicator.

The Tables presented include one decimal but, in the comments, all numbers equal or superior to 10 are in principle presented in round numbers (*i.e.*, without decimals), while those inferior to 10 are presented with one decimal. In order to facilitate the reading, numbers have also been rounded in the Figures except when the majority of them were lower than 10.

The sample size (N) indicated on top of each Figure and Table is computed excluding the bars and lines that present the European average and the European median, as well as the total figures for Spain whenever data for the two probation agencies of the country (Catalonia and the State Administration) are also included. This

explains why the N is smaller than the number of columns or lines found in the Figures and Tables. To avoid double counting, the overall total for Spain is also excluded from the computation of the European averages and median whenever data for the two probation agencies of the country are available.

## 8. Tables

**Table 2.** Stock indicators on 31<sup>st</sup> January 2020

Country	Total number of probationers	Probation population rate	Total number of inmates	Prison population rate	Ratio of probationers per 100 inmates	Total correctional population (probationers + inmates)	Correctional population rate
Figure		2 & 3		3	4		5
Albania			5 063	177.9			
Andorra			50	64.5			
Armenia	3 320	112.2	2 221	75.0	149.5	5 541	187.2
Austria	14 964	168.1	9 189	103.2	162.8	24 153	271.3
Azerbaijan	14 178	140.8	21 012	208.7	67.5	35 190	349.6
Belgium	55 512	480.6	10 808	93.6	513.6	66 320	574.2
BH: state level							
BiH: Fed. BiH			1 813	82.9			
BiH: Republika Srpska			743	65.0			
Bulgaria	3 866	55.6	7 340	105.6	52.7	11 206	161.2
Croatia	3 675	90.6	3 533	87.1	104.0	7 208	177.6
Cyprus	878	98.9	829	93.4	105.9	1 707	192.2
Czech Republic	23 805	222.6	21 048	196.8	113.1	44 853	419.4
Denmark	7 837	134.6	4 140	71.1	189.3	11 977	205.7
Estonia	4 047	304.5	2 450	184.4	165.2	6 497	488.9
Finland	2 957	53.5	2 756	49.9	107.3	5 713	103.4
France	178 116	265.5	70 651	105.3	252.1	248 767	370.7
Georgia	20 883	561.8	9 806	263.8	213.0	30 689	825.7
Germany			63 399	76.2			
Greece	17 453	163.0	10 972	102.4	159.1	28 425	265.4
Hungary			16 783	171.8			
Iceland	273	75.0	164	45.0	166.5	437	120.0
Ireland	7 191	144.9	4 052	81.6	177.5	11 243	226.5
Italy	89 756	149.0	60 971	101.2	147.2	150 727	250.2
Latvia	5 673	297.4	3 414	179.0	166.2	9 087	476.3
Liechtenstein			14	36.1			
Lithuania	15 874	568.1	6 138	219.7	258.6	22 012	787.8
Luxembourg	962	153.6	594	94.9	162.0	1 556	248.5
Malta			793	154.1			
Moldova	12 092	299.8	6 716	166.5	180.0	18 808	466.2
Monaco	36	92.3	13	33.3	276.9	49	125.6
Montenegro			1 108	178.2			
Netherlands	35 667	204.9	10 179	58.5	350.4	45 846	263.4
North Macedonia	126	6.1	2 114	101.8	6.0	2 240	107.9
Norway	2 619	48.8	3 158	58.8	82.9	5 777	107.6
Poland	244 199	643.3	74 130	195.3	329.4	318 329	838.6
Portugal	31 125	302.3	12 793	124.3	243.3	43 918	426.6
Romania	69 812	361.4	20 570	106.5	339.4	90 382	467.9
Russian Federation			519 618	356.1			
San Marino			0	0.0			
Serbia	2 420	34.9	11 077	159.9	21.8	13 497	194.9
Slovak Republic	12 998	238.2	10 555	193.4	123.1	23 553	431.5
Slovenia	1 840	87.8	1 449	69.1	127.0	3 289	156.9
Spain (Total)	67 950	143.6	58 372	123.3	116.4	126 322	266.9
Spain (State Admin.)	56 959	143.8	49 998	126.2	113.9	106 957	270.0
Spain (Catalonia)	10 991	142.3	8 374	108.4	131.3	19 365	250.8
Sweden	10 530	102.0	6 709	65.0	157.0	17 239	166.9
Switzerland	4 025	46.8	6 906	80.2	58.3	10 931	127.0
Turkey	521 151	626.7	297 019	357.2	175.5	818 170	983.9
Ukraine	58 058	139.1	52 609	126.1	110.4	110 667	265.2
UK: England and Wales	172 110	286.7	82 868	138.0	207.7	254 978	424.7
UK: Northern Ireland	4 226	221.8	1 578	82.8	267.8	5 804	304.6
UK: Scotland	20 830	379.1	8 056	146.6	258.6	28 886	525.8

Notes: (1) Data refers to 31<sup>st</sup> January 2020 (for exceptions, see the SPACE reports); (2) Average and median values were calculated from the original database, which contains all the decimals not shown in this Table.

**Table 3.** Composition of the probation and prison populations on 31<sup>st</sup> January 2020 and mortality during 2019

Country	Percentage of female probationers in the probation population	Percentage of female inmates in the prison population	Percentage of foreign probationers in the probation population	Percentage of foreign inmates in the prison population	Deaths of probationers per 10,000 probationers (2019)	Deaths of inmates per 10,000 inmates (2019)
Figure	6	6	7	7	8	8
Albania		2.0		2.3		53.3
Andorra		8.9		68.0		0.0
Armenia	7.3	3.2	0.8	7.0	48.2	45.0
Austria	15.2	6.2	25.3	53.1	37.4	40.3
Azerbaijan		2.9		2.4	73.4	44.3
Belgium	14.1		13.3		44.0	25.0
BH: state level						
BiH: Fed. BiH						
BiH: Republika Srpska						
Bulgaria	5.1	3.0	4.2	2.5	54.3	28.6
Croatia	10.3	5.3	0.7	13.6	98.0	73.6
Cyprus	10.1	5.1	42.0			24.1
Czech Republic	17.8	7.6		8.5	41.6	17.1
Denmark	11.5	4.3	9.6	30.1		29.0
Estonia	8.1	4.8	22.4	33.3	76.6	61.2
Finland	10.5	7.0	5.7	18.5	128.5	21.8
France	7.3	3.6	8.0	23.2	2.8	23.9
Georgia	4.7		1.1	7.4	50.8	9.2
Germany		6.9				22.1
Greece	6.0	5.3	7.2	57.8	73.3	21.0
Hungary		7.3		5.0		29.8
Iceland	12.5	7.6	8.4	18.9	0.0	122.0
Ireland	13.4	4.5	4.4	14.8	54.2	37.0
Italy	12.0	4.3	16.5		47.5	23.8
Latvia	14.6	7.8	1.4	1.9	72.3	49.8
Liechtenstein		0.0		64.3		0.0
Lithuania	9.4	4.7		2.1	86.9	39.1
Luxembourg	10.9	5.1	48.4	73.9	104.0	16.8
Malta				51.5		75.7
Moldova		6.5		1.3	129.0	53.6
Monaco	11.1	14.3	61.1	100.0	0.0	769.2
Montenegro		2.6		20.0		36.1
Netherlands	12.3	5.7		21.6		16.7
North Macedonia	9.5	3.3	0.0	6.5		47.3
Norway		6.0		29.2	91.6	25.3
Poland		4.1		1.8		15.4
Portugal	10.3	6.4	6.7	15.4	58.5	50.0
Romania	9.2	4.6	0.5	1.1		19.9
Russian Federation		7.9				46.6
San Marino		0.0		0.0		0.0
Serbia	3.0	4.1	0.3	3.1	24.8	56.9
Slovak Republic		7.5		2.4	63.1	16.1
Slovenia		5.3		28.7		13.8
Spain (Total)	10.4	7.5	4.3	28.1	49.0	27.1
Spain (State Admin.)	10.2	7.6		25.1	42.7	28.4
Spain (Catalonia)	11.4	7.1	26.4	46.0	81.9	19.1
Sweden	12.1	5.6	16.1		100.7	4.5
Switzerland	12.4	5.7	37.5	69.6		26.1
Turkey	9.4	3.9	3.4	3.5		3.2
Ukraine	9.7					
UK: England and Wales	12.1	4.6		11.1	68.9	36.2
UK: Northern Ireland	11.1	4.3		11.0		25.3
UK: Scotland	13.4	4.5			91.7	45.9

Notes: (1) Data on females and foreigners refer to 31<sup>st</sup> January 2020 (for exceptions, see the SPACE reports); (2) Data on deaths refer to the entire year 2019; (3) Average and median values were calculated from the original database, which contains all the decimals not shown in this Table.



## 9. Definitions

**Conditional release:** According to the Council of Europe’s Recommendation Rec(2003)22 on conditional release (parole), “Conditional release is a community measure” that “means the early release of sentenced prisoners under individualised post-release conditions”. As a consequence, persons conditionally released and placed under the supervision of probation agencies are considered as probationers.

**Community sanctions and measures:** According to the Council of Europe’s Recommendation CM/Rec(2017)3, “the expression ‘community sanctions and measures’ means sanctions and measures which maintain suspects or 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.” Community sanctions and measures are frequently referred to as *alternatives to imprisonment* and some of them are also referred to as *diversionary measures*.

**Correctional population rate:** Corresponds to the addition of the number of inmates (including pre-trial detainees) and probationers per 100,000 inhabitants of a given country, as of 31<sup>st</sup> January of each year.

**Probation agency:** Council of Europe’s Recommendation CM/Rec(2014)4 defines a probation agency as “a body responsible for the execution in the community of sanctions and measures defined by law and imposed on an offender. Its tasks include a range of activities and interventions, which involve supervision, guidance and assistance aiming at the social inclusion of offenders, as well as at contributing to community safety. It may also, depending on the national legal system, implement one or more of the following functions: 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. A probation agency may also be, depending on the national legal system, the ‘agency responsible for supervising persons under electronic monitoring’.”

**Probation:** According to Appendix I to the Council of Europe’s Recommendation CM/Rec (2010)1, probation “relates to the implementation in the community of sanctions and measures, defined by law and imposed on an offender. It includes a range of activities and interventions, which involve supervision, guidance and assistance aiming at the social inclusion of an offender, as well as at contributing to community safety”.

**Probationers:** Persons placed under the supervision of probation agencies.

**Probation population rate:** Corresponds to the number of persons placed under the supervision of probation agencies per 100,000 inhabitants of a given country, as of 31<sup>st</sup> January of each year. This indicator is also known as the *probation stock* or the *stock of probationers*.

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