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Եվրոպական միության կողմից



REPORT

On the monitoring of the services provided by the
Armenian State Probation Service

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1. Executive summary

This report concerns monitoring of the services provided by the Armenian State Probation Service (SPS) to convicted offenders. The study covers offenders with a suspended sentence as well as offenders with unconditional sentences who have been released on parole or ordered to community work. The Armenian Ministry of Justice has the overall responsibility for ensuring that sentences are served, and the SPS executes the sentences.

In executing the sentences, it is not only the duty of the SPS to ensure that the offenders serve their sentence; they should also in each particular situation develop and implement an action plan to prevent reoffending. Outside prisons, the SPS supervises offenders with suspended convictions, offenders on parole, those ordered community service or restriction to hold certain positions. According to the Law on Probation supervision activities include assessment of criminogenic risks, developing a plan of supervision and its subsequent implementation, as well as providing support for the offenders to prevent them from reoffending. Inside prisons it is also the SPS's task to provide the court with reports on the possibility of the release on parole.

Examining how the SPS executes sentences is important. On the one hand, it is important for the public's sense of justice that offenders be punished in accordance with the sentence issued by the court and relevant legislation. On the other hand, it is important that offenders be supported in changing their behavior to reduce their risk of reoffending. In addition to the human costs of criminal activity, the costs to society are also considerable and include costs for detection, conviction and possible serving of sentence.

The purpose of the study is to assess whether the Ministry of Justice has ensured that the Probation Service performs its supervision of offenders with a suspended sentence, those ordered community service and those on parole in a satisfactory manner, and provides beneficiaries with necessary support to prevent them from reoffending. The report answers the following questions:

- Are offenders with a suspended sentence supervised appropriately by the Probation Service?
- Are offenders on parole supervised appropriately by the Probation Service?
- Is the effort made by the Probation Service to prevent beneficiaries from reoffending satisfactory?

There are positive developments, registered during the monitoring mission. In particular,

- The relationship between the probation officers and offenders as a rule is based on mutual respect and willingness of the probation officer to support the beneficiary to pass the probation period successfully. The probation officers make effort to create the atmosphere of partnership rather than subordination and inferiority.
- The first extensive and formalized interview with offenders, in particular on the offenders' family situation, education and work plans for future has become a well-established practice. The risk and needs assessment tool developed by the CSI is used

with the aim of gathering disaggregated data on static and dynamic factors of reoffending.

- Better attention to the personal circumstances of those eligible for parole, the process of going deeper into various aspects of the lives of the prisoners has commenced. Those released on parole have sense of gratitude towards the Probation service, which supported their parole case.
- The probationers in general are better informed about the aim and essence of probation.

Despite some positive developments, it is the Network's assessment that the Ministry of Justice has failed to ensure that the services provided to offenders outside prison are satisfactory.

First, offenders receive only very limited support and guidance from the SPS. Most of the beneficiaries perceive the visits to the SPS as a burden and the SPS itself as an organization which function is to periodically check on them with no particular reason.

Second, suggested rehabilitation measures that are available for the beneficiaries are not based on the individual assessment, the whole package of available programmes is offered to every offender and there is no evidence of their effectiveness and appropriateness in a particular case.

Consequently, the available educational courses and psychological support are often rejected by the beneficiaries with the reasoning that there is no need in them and they would only make the everyday life more difficult (i.e. distract from work or university course).

Third, the educational courses and possibility to see a psychologist were available only in Yerevan, no monitored regional SPS offices offers any option of pro-social activity.

Fourth, the SPS does not check the majority of the offenders who serve a community sentence to the extent required except for their mandatory regular visits. Home visits are rare, except for some instances when there is a need to collect information for the parole reports. Regional SPS offices organize home visits more often than officers in Yerevan. Phone calls are rare and mostly about changes in visit schedule, interaction during the visits of the beneficiaries are brief and not informative.

Fifth, despite the direct requirement of the Law on Probation, the plan of supervision as modest as it gets is not discussed with the beneficiary and the process of its development is not participatory at all. Most of the beneficiaries were not aware about the existence of such plan and its content.

Sixth, the lack of properly organized workspace is not conducive to the building an atmosphere of trust and lead to the violation of the principle of confidentiality, when two officers have shared office and simultaneously receive their beneficiaries.

Seventh, there is shortage of basic resources reflected in inadequate and dilapidated offices, lack of computers, office supplies, no budget for the transportation costs of the officers.

As a result of the inadequate control activities and absence of the rehabilitation programs based on individual assessment, most of sentences are not executed as prescribed by the Law on

Probation. There is a clear lack of targeted action, promptness, meaningful control of behaviour and system of sanctions in response to violations of the conditions of the community sanctions.

Furthermore, the monitoring results shows that offenders are not placed under supervision or start to serve their community sentence in due time. This is especially serious issue for those on parole, as the post-release period is the most difficult for ex-prisoners and very often the re-offending occurs within the first six months after release¹.

Additionally, the study indicates that there are no specific manuals or guidance on how to organize supervision and control in respect to particular groups of cases. It is not clear how the SPS's response to offenders' good behaviour or violations of the conditions of their sentence is organized. There is no established system of sanctions that works in practice and clear inconsistency in incentives encouraging good behaviour. Thus the SPS should analyse whether existing variations of approaches in practice comply with the principle of equality in Armenian law.

The SPS largely ensures that probationers are aware about available rehabilitation programs, but has no knowledge of whether these programmes addresses offenders' criminogenic needs and helps them avoid reoffending. To this should be added that the SPS does not work out reports on all beneficiaries with assessments of their criminogenic needs, nor are the preventive efforts initiated by the SPS are assessed as regards their effectiveness. The consequence of this practice is that offenders are not adequately encouraged to break the cycle of crime and improve their lives while they are under supervision. If there is no re-offending in a particular case the full credit for that must be given to the offender himself/herself.

¹ Thus, according to the report of the Prosecutor General's Office, by the end of 2018 66 out of 628 convicts released from prisons under the law on amnesty reoffended. See: «Հաղորդում հայաստանի հանրապետության դատախազության 2018 թվականի գործունեության մասին» http://www.parliament.am/draft_docs7/081_haghordum.pdf p.14

2. Methodology

Both quantitative and qualitative approaches were used during the data gathering period and preparation of this report.

In 2019 the CSI, founder and member of the “Support for the Probation Service” National Network (Network) conducted a baseline research on the on the services provided by the SPS to convicted offenders inside and outside prison. The baseline research was also aimed at establishing the knowledge base for developing questionnaires and specific method and on that basis implementing the first external monitoring mission. This mission is expected to pave a path for establishing an external public monitoring over the activities of the SPS.

A parallel project being implemented by the CSI² in the field of probation also contributed to the Network’s capacity to organize a monitoring mission based on deep expertise and understanding of the pending issues.

Meanwhile the monitoring mission was aimed at gathering evidence on the conclusions of the baseline research and producing new information for further analysis and development of an evidence based policy document. Both activities are implemented within the framework of the Project “A Step Towards Just Armenia”, as a part of the EU funded “Commitment to Constructive Dialogue”.

The present report contains information on the monitoring mission implemented by the members of the Network which took place from February to May 2019 in 6 regions of Armenia, namely, Yerevan, Tavoush, Gegharkunik, Armavir, Syunik, Vayots-Dzor Kotayk. The selection of the regions is explained by the capacities of the Network, i.e. all regions with the presence of the members of the Support for the Probation Service National Network with respective capacity to conduct monitoring visits and produce monitoring reports were covered. The monitoring was implemented by the following organizations, members of the Network:

Civil Society Institute NGO

Astghatsolk NGO

New Generation NGO

Children of Armenia Fund

Social Justice NGO

Foundation Against the Violation of Law NGO

Family and Community NGO

The information was gathered through 1) the structured interviews with beneficiaries of the SPS, 2) semi-structured interviews with selected probation officers.

The method of structured interview with the offenders was chosen because the team needed to ensure that each interview is conducted using exactly the same questions in the same order. As a

² <https://www.nhc.nl/armenian-probation-project-opening/>

result the answers were aggregated and comparisons made with confidence between the sample subgroups from the regions covered by the mission.

The team had to ensure the randomness of the selection of offenders and thus minimize the chances of pre-selection of persons that somehow could be instructed on what they should say and, thus, influence the conclusions of the monitoring. For that it was decided to visit the offices of the SPS on a randomly selected day and to conduct interviews with all beneficiaries whose visits were scheduled for that day. The graphic of visits of the beneficiaries of the SPS is always fixed in advance, therefore, any changes of it would be visible for the monitoring team.

The method of semi-structured interviews with the probation officers was chosen because this tool provides for more open interaction, allowing new ideas to be brought up during the interview as a result of what the probation officer says. The interviewer has a framework of themes to be explored, this freedom helped the project team to tailor their questions to the interview context/situation, and to the officers they were interviewing which allowed to identify certain issues not envisaged at the preparatory stage.

In total 117 beneficiaries of probation were interviewed and 8 probation officers.

The questionnaire for the interview was prepared by the expert group, which included social workers, a lawyer, civil activists and national experts on probation.

The content of the questionnaire was commented and ultimately approved by the representatives of the SPS. A Memorandum of Understanding was signed between the Network and the SPS about the mandate of the Network, modalities of the monitoring missions, independence of the monitors. This preparatory work contributed to the uniformity of the format of the visits which is necessary for the subsequent analysis of the data.

The gathered information was then analysed by the working group and the findings were fixed in the present report.

3. General context

According to the national criminal legislation the main objectives of the criminal justice system are: restoration of the social justice, crime prevention and correction of the offender's behavior³. Prevention of re-offending by particular offenders is based on proper assessment of the situation of a person (risk and needs assessment) and development of a supervision/correction plan that would help a convict not to re-offend. In Armenia the main agency, responsible for the prevention of re-offending is the Ministry of Justice, which develops respective strategy and policies and supervises national Penitentiary Service and the State Probation Service.

Particularly for the SPS the legislator refined the general objectives as follows:

- to prevent possible criminal behaviour;
- to restore social justice;
- to reintegrate the convict into society;
- to ensure public safety by preventing and reducing reoffending⁴.

Around 6000 adults annually are supervised by probation services⁵. Probation services supervise individuals serving community based sentences and supervise all individuals released from prison on parole.

Establishment of the State Probation Service was long due and on 17 May 2016 the Law on Probation Service was passed in the National Assembly, whereas the Service officially started operating as of 1 September 2016 after adoption of its Statute. In 2018 the SPS has started to provide advice and information to courts in order to assist parole decisions.

“While probation is not easy to define simply or precisely, it is a familiar term understood widely and internationally to refer to arrangements for the supervision of offenders in the community and to the organisations (probation agencies, probation services) responsible for this work”⁶. The Council of Europe Probation Rules define probation as implementation of the community-based 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.⁷

To understand where we stand with the national probation institute there is a need to compare activities of the Armenian SPS with those areas that are traditionally delegated to a full-fledged probation service⁸.

There are four main domains where probation service is traditionally active. Those are:

³ Art. 48 of the Criminal Code of the Republic of Armenia.

⁴ Art. 4 of the Law on Probation.

⁵ See: «Հարդրղում հայաստանի հանրապետության դատախազության 2018 թվականի գործունեության մասին» http://www.parliament.am/draft_docs7/081_haghordum.pdf p.87.

⁶ Recommendation CM/Rec(2010)1 of the Committee of Ministers to member states on the Council of Europe Probation Rules <http://cep-probation.org/wp-content/uploads/2015/03/CMRec20101E.pdf> <accessed 10 July 2018>.

⁷ Recommendation CM/Rec(2010)1 of the Committee of Ministers to member states on the Council of Europe Probation Rules, <http://cep-probation.org/wp-content/uploads/2015/03/CMRec20101E.pdf> <accessed 10 July 2018>.

⁸ https://www.cep-probation.org/wp-content/uploads/2018/10/20081_Chapter_1_Comparative_overview.pdf , p 18 of the pdf file.

1. ***Pre-Trial and Pre-Sentence stage.*** At this stage probation collects information to assist courts in decisions to avoid pre-trial detention. An advisory report is prepared and on the basis of a comprehensive assessment of risks in each particular case the measure of restraint (bail, house arrest, community supervision) that suits best is recommended to the court.
2. The primary task of the probation service is the ***implementation of the community sanction*** ordered by the court.
 - Probation is the principal agency implementing sanctions alternative to a prison term, ordered by a court. This includes, for example, ordering of a community service, community supervision as a criminal sanction, electronic monitoring.
 - Sometimes a defendant's prison sentence is "suspended." A suspended sentence is jail or prison time that is put on hold if the defendant complies with certain other obligations, for example, the conditions of probation or the completion of a drug treatment program.
3. ***Parole reports*** and
4. Supervision of the ***parolees and development of re-entry and post release programs*** for ex-prisoners
 - When it comes to imprisonment probation in many countries has an important function of preparation of parole reports for the court. Often probation participates in support for preparation for release through development of vocational training and facilitating employment of offenders as well as further managing prisoner “Through the gate” and post release.

Why it is importance to ensure the presence of probation in each domain? According to international experts in probation with an extensive national and international experience⁹ when probation is active in all mentioned areas a balanced system is developed, the mandate of probation is wide and each area of application reinforces the other.

However, the activity of the SPS of Armenia does not include certain areas where the involvement of probation service is seen as intrinsic element of probation services. In particular,

- 1) There is no pre-trial reporting function, judges remain on their own in assessing the situation of the offender while choosing the type of criminal sanction.
- 2) The suspended sentences in Armenia do not differ from each other in respect of the conditions and modalities of subsequent supervision. In fact, there is no any supervision in practice, except for the obligation to regularly visit probation office and leave a signature thereof.
- 3) Confusing division of roles between the Penitentiary Service and the SPS in their advice to the court on possibility of the conditional release.

⁹ Here the report is citing international consultant Leo Tigges, Former Secretary General CEP and Former Operational Director Dutch Probation, who visited Armenia on several occasions and provided his expert support to the Government of Armenia within the framework of the CSI projects.

- 4) Insufficient opportunities for the SPS to make use of external resocialization sources (e.g. housing, employment, (mental) health, addiction). Even existing opportunities available for other state agencies are not accessible for the SPS neither directly nor through the reference system.

It is within this context that the monitoring mission took place. It must be said, that most of the assumptions made by the previous CSI's publications were proven right. The monitoring results prove that with two full years of the work of the SPS, there are still various challenges faced by the SPS, including in relation to the need to develop an evidence-based risk and needs assessment, effective case-management and rehabilitation programmes.

The introduction part of the report briefly presented the main findings, below there is a more detailed overview of the main shortcomings identified during the monitoring mission.

4. Main figures

The tables below represent the key figures registered during the monitoring mission:

Table 1. Total number of the interviews and types of sentence

Total number of the interviews	125
Number of interviews with beneficiaries	117
Suspended sentence	48
Parole	46
Other community-based sentences	23
Number of interviews with probation officers	8

Table 2. Number of home visits

Home visits	
Yerevan	5 (out of 36)
Regions	28 (out of 81)

Table 3. Goals and functions of the SPS as seen by the beneficiaries

Perception of the beneficiaries of the goals and functions of probation	
Supervision and control only	77
Supervision, referral, support	18
Advice and warning	11
No clear understanding	11

Table 4. Feedback of the beneficiaries on their supervision plans

Knowledge and understanding of supervision plans by the beneficiaries	
Supervision plan developed together with the beneficiary	0
Number of beneficiaries who are aware about the supervision plan	1
Beneficiaries who are not aware of the existence of the plan	116

5. Interaction between a beneficiary and the probation officer

There were no instances of psychological harassment reported and interviewees as a rule confirmed that their probation officer does not speak from the position of superiority and subordination. Most of the beneficiaries were satisfied with interpersonal relationship with their officers. In several cases it was mentioned, that the interaction is based on mutual respect and beneficiaries feel that their probation officer is genuinely interested to support the beneficiary to pass the probation period successfully.

The interviews conducted with those released on parole showed that they have sense of gratitude towards the Probation service, which supported their parole case.

Extracts from the interviews:

“I am grateful to the SPS as they prepared a report and the judge release me. This is a good service, they are taking people out of the prisons.”

“We talked about my situation and the officer said that he wanted to support me and we have no problem whatsoever.”

At the same time, the awareness of the beneficiaries of the aims and functions of probation is very low. Only 8 interviewees indicated that at the stage of sentencing the judge explained them that they would be supervised by the SPS. None of the interviewees had clear understanding of the consequences of their misbehaviour and general awareness of the functions of the SPS.

Extracts from the interviews:

“The officer explained me what the probation is, however, I don’t remember exactly what it is.”

“The probation is about supervision or something like this.”

The interviewed beneficiaries do not expect the SPS to solve their personal problems or provide any meaningful support in such key areas as employment, health care, education, psychological/social support that would help them to stay crime-free. Vice versa, a number of interviewees fix that beneficiaries see the SPS as an impediment to their personal plans for future reintegration into the community life.

6. Limited support and absence of targeted action

According to the “Law on Probation” crime-prevention and re-socialization of the sentenced person are among the main goals of probation (Article 4). Furthermore, “to accomplish the objectives stipulated by this Law, the Probation Service shall differentiate the person of each Probation beneficiary and develop an individual plan for each person’s rehabilitation, resocialization, and promotion of law-abiding behaviour taking into consideration the crime committed by him and the person’s social-psychological condition...” (Article 5).

The analysis of the gathered data shows that offenders receive only very limited support and guidance from the SPS. Most of the beneficiaries perceive the SPS as a burden and an organization which function is to periodically confirm their whereabouts.

One of the beneficiaries reported that he does not work because he has to visit probation office regularly and it hinders him to find a job.

Extracts from the interview reports:

“[...] Probation does nothing. I just come and go.”

“I don’t work because employers won’t agree to allow me to be absent from work and attend Probation as needed. It’s only two months left till the end of the probation term, and only then I can work.”

There are some educational and recreational activities aimed at increasing the integration of the offenders into society and the beneficiaries mentioned the following support programs and benefits that were offered to them¹⁰:

- Short term business courses
- Short term English courses
- Short term Computer courses
- Psychologist’s consultation
- Tickets to sport games

Extracts from the interview reports:

“I do not have enough nerves for a psychologist, I myself am a pedagogue-psychologist.”

“I want to go to Russia, Russian courses would be helpful.”

¹⁰ The list of the training courses is formed from the information provided by the beneficiaries of the SPS. The actual number and type of the rehabilitation tools may differ in the reality.

All programmes available at the moment are offered to the beneficiary and there is no evidence that the selection is based on the individual assessment and needs of the offender. There is also no evidence of their effectiveness and appropriateness in a particular case.

Consequently, the available educational courses and psychological support are often rejected by the beneficiaries with the reasoning that there is no need in them and they would only make the everyday life more difficult (i.e. distract from work or university course).

Moreover, the educational courses and possibility to see a psychologist were available only in Yerevan, no monitored regional SPS offices offers any option of pro-social activity.

Serious cases leave the SPS impotent and its helplessness is even more evident:

“The beneficiary has 6 year old daughter and 4 year old son, the father of the children left them several years ago. The beneficiary lives with her father, old grandmother and young brother in a two-storey house. The beneficiary looked messy, was wearing very dirty clothes. Her children also looked untidy, with grimy faces and dirty clothes. The beneficiary was not interested in getting any profession. The emotional connection with the children was very weak, they were out of control.”

The probation officer mentioned that the beneficiary needs to be learned basic hygiene rules, parenting skills, social behavior skills, responsibility for the family and children.

Even in such situation no referral mechanisms or support programme exist in the SPS it has no tool to prevent re-offending in this case and such passive position of an observer can only aggravate the deadlock.

7. Limited control

Article 15 of the Law on Probation stipulates that the SPS shall, in accordance with the procedure defined by law, execute non-custodial sentences and carry out “supervision activities.”

According to their internal procedures, the probation officers always fill out summons and attach them to the personal files of the offender. However, the practice of phone calls initiating the first visit is quite common.

Extracts from the interview reports:

“All the eleven beneficiaries who were interviewed told that they were informed about the necessity to appear in person to the probation office via phone. Meanwhile the probation officers showed summons form filled for every beneficiary and kept in the file.”

Thus the practice is more flexible and timely than the existing regulations and there is, probably, a need to bring those regulations closer to the demands of the modern times and reduce paperwork.

The initial visit is normally more informative than all the subsequent ones for both probation officer and beneficiary:

Extracts from the monitoring reports:

During the first visit I met my officer, we discussed my problems. I was referred to the State Employment Agency, where I was registered as an unemployed person who is seeking employment, however, till now I got no news from them.

However, subsequent visits bear formal character and do not contribute to any of the goals of probation. The only thing that is observed is whether the beneficiary is present in the country/region.

Extracts from the monitoring reports:

“The beneficiary equates being supervised by the SPS with being requested to come in person and to sign on it. The beneficiary wasn’t able to elaborate on the goals and functions of the SPS”.

“The beneficiary is not aware of the supervision plan. He comes twice per month and signs the note that indicates the date and time he affixed his signature.”

“The visits take 5-10 minutes.”

“The visits are short, I come before my classes, sign and go.”

Monitoring of the supervision activities attests that the SPS does not supervise the majority of the offenders who serve a community-based sentence to the extent required by law except for their mandatory regular visits, which are short and not informative enough.

In Yerevan home visits are rare, except for some instances when there is a need to collect information for the parole reports (all the home visits observed were related to the parole cases, i.e. to the need to draft a parole report, not supervise a beneficiary). One of the findings of the monitoring was the fact that home visits more often take place in regions than in Yerevan. Probably, it is explained by the lesser workload and closer relationship with the community and the offender in the regions.

Phone calls are rare and mostly are used to confirm changes in visit schedule, interaction during the visits of the beneficiaries are brief and not informative.

No beneficiary could explain the logic behind the selection of the frequency of visits and reasons to decrease or increase their numbers. There is no clear scheme and probation officers act on their own discretion, which raises concerns about uniform approach to this issue, predictability of the process and equal treatment of all beneficiaries.

Extracts from the interviews:

“I am satisfied by the attitude, no problems in this regard, I come twice per month and it takes 10-15 minutes. Before I came three times per month and the officer told me that he reduced the number of visits as a wedding gift [the beneficiary got married while on probation]”

Consequently, as there is no programme developed together with the beneficiary, there is no review of progress. Changes to the frequency of the visits are not made in response to changes of

risk of harm to others or at least the reasons are not fixed anywhere and not brought to the attention of the beneficiaries.

8. Supervision plan

According to the Law on Probation “Based on and within the framework of the judicial act on conditional non-execution of the sentence, relief from serving the sentence, early conditional release from serving the sentence, or deferral of sentence execution, as well as based on the Risks and Needs Assessment of the Probation Beneficiary, the Probation Officer shall set out in the Supervision Plan the Probation Beneficiary’s actions subject to supervision and the time period for their performance, the rights and obligations, the liability prescribed by law for violating them, as well as the individual plan aimed at resocialization of the Probation Beneficiary.”

Despite the direct requirement of the Law on Probation, the plan of supervision as modest as it gets is not discussed with the beneficiary and the process of its development is not participatory at all. All interviewed probation officers confirmed that supervision plan is developed in each case. On the other hand, almost all (with one exception) interviewed beneficiaries were not aware about the existence of such plan and its content.

Additionally, the monitors indicate that there are no specific established pattern of how the supervision is organised and if there are differences in control in respect to particular groups of cases (i.e. parole, suspended sentence, fine, collected according to an installment plan). It is not clear for both beneficiaries and monitors how the SPS’s response to offenders’ good behavior or violations of the conditions of their sentence is organized.

There is no established system of sanctions that works in practice and clear inconsistency in incentives encouraging good behavior. Thus, the SPS should analyse whether existing variations of approaches in practice comply with the principle of equality in Armenian law.

9. Limited resources

The interviews with the probation officers, as well as observations made by the monitors revealed additional problems.

Very often one room is a working pace for two and more probation officers, which means that during the visits of the persons on probation the officers that are not responsible for the particular case have to leave the room or become an involuntary spectator of the interaction between the officer and his/her beneficiary. The situation becomes even worse when both officers have visits scheduled for the same time. Therefore, the lack of properly organized workspace lead to the violation of the principle of confidentiality, when two (or even more) officers have shared office and simultaneously receive their beneficiaries.

Besides, officers mentioned and monitors observed that there is shortage of basic resources reflected in inadequate and dilapidated offices, lack of computers, office supplies, and transportation. The interviewed officers pointed out that home visit could are rare also because of the absence of proper organisation of transportation and also guarantees of personal safety, especially for female officers.

10. Conclusion

The general assessment of the monitoring reports prepared by the monitors after each interview and consolidated reports for each region revealed certain positive aspects of the interaction between the SPS and its beneficiaries. There were no instances of psychological harassment reported and probation officer does not speak from the position of superiority and subordination. Most of the beneficiaries were satisfied with interpersonal relationship with their officers, however, the probationers have no expectations, legal, psychological, practical or otherwise, of the SPS.

The first interactions with a beneficiary are formalized and probation officers inquire about the offenders' family situation, education and work plans for future. Moreover, better attention is paid to the personal circumstances of those eligible for parole, the whole process of going deeper into various aspects of the lives of the prisoners has commenced.

At the same time, if we go back to the questions that where put forward by the monitoring mission, regrettably, it must be concluded that the answer to all of them is "no". Offenders with a suspended sentence and those on parole are not supervised appropriately by the Probation Service. No actual and effective work is done by the Probation Service to prevent beneficiaries from reoffending.

As a result of the inadequate control activities and absence of the rehabilitation programs based on individual assessment, most of sentences are not executed as prescribed by the Law on Probation.

There is a clear lack of targeted action, promptness, meaningful control of behaviour and system of sanctions in response to violations of the conditions of the community sanctions.

The SPS largely ensures that probationers are aware about available rehabilitation programs, but has no knowledge of whether these programmes addresses offenders' criminogenic needs and helps them avoid reoffending.

The baseline information on the offender is collected; however, it is not used for the development of a supervision plan and the changes are not monitored in the course of serving the community based sentence.

The SPS does not work out reports on all beneficiaries with assessments of their criminogenic needs, nor are the preventive efforts initiated by the SPS are assessed as regards their effectiveness. As a result the offenders are not adequately encouraged to refrain from crime and improve their lives while they are under supervision.

The main conclusion to be made is: if there is no re-offending in a particular case the full credit for that must be given to the offender himself (herself).