



MINISTERUL JUSTITIEI  
DIRECȚIA NAȚIONALĂ DE PROBAȚIUNE

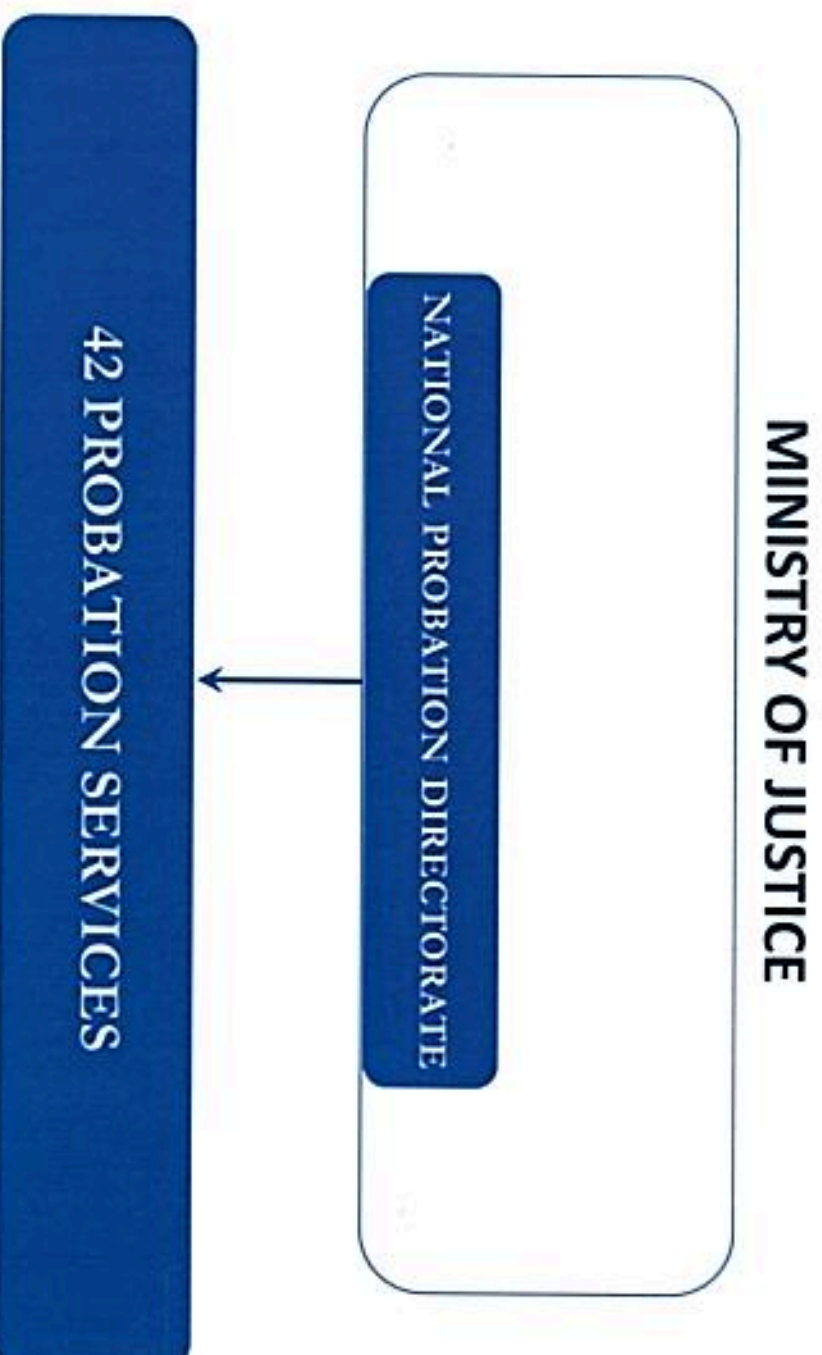
# Romanian Probation System

Iuliana CĂRBUNARU  
Probation Inspector  
[icarbunaru@just.ro](mailto:icarbunaru@just.ro)  
Twitter: @IulianaCarbunar

# The probation system

- established as a public service in 2001
- following an experimental period of 5 years (partnership between NGO's and Ministry of Justice)
- within the Ministry of Justice, distinct from the Prison Administration

# The probation system



# The Change

A decade of EU membership

Recent fundamental legislative reform (New Criminal Code, New Criminal procedure code) - since 1<sup>st</sup> of February 2014

- ✓ a new criminal policy – complying with the European standards
- ✓ a change in the sanctioning system
- ✓ new alternatives for executing an imprisonment sentence
- ✓ Completely different sanctioning system for juveniles in conflict with the criminal law
- ✓ Only educational measures. No punishments

# The Change

**1st of February 2014 - First fundamental legislative reform in half of century**

**2 new codes**

- **CRIMINAL CODE (2009)**
- **CRIMINAL PROCEDURE CODE (2010)**

**3 laws on the execution of penalties**

- **Law no. 254/2013 on the execution of custodial sentences**
- **Law no. 253/2013 on the execution of non-custodial sentences**
- **Law no. 252/2013 on the organization and functioning of the probation system**

# The Change

<b>Pre-trial (prosecutors)</b>	<b>Trial (Judges)</b>	<b>Enforcement of the sanctions (community and judges)</b>	<b>Post release (community and judges)</b>
<b>Reports for minors</b>	<b>Reports for minors</b>	<b>Minors - 4 educative measures</b>	<b>Release from a detention center</b>
	<b>Reports for adults</b>	<b>Postponement of the sanction Suspended sentence with supervision + Community Service</b>	<b>Conditional release ≥ 2 years</b>

# The change - reports

In the prosecuting, court judgment and executional stage:

- preparing the assessment/pretrial reports for the accused minors – Prosecution
- Preparing the presentence reports for the minor or adult offenders – Court
- preparing the report in the executional stage
  - in order to change the obligations
  - in case of breaking the obligations and measures
  - for the minors released from prison and obliged to follow the daily assistance measure
  - for the minors conditionally released from detention centres or educative centres

# The change - supervision

- Supervising the convicted persons to respect the measures and obligations imposed by the court during the probation period
- Supervising the obligation to perform an unpaid activity in an institution of public interest (only for adult offenders)
  - restriction not to leave the country without the judge's permission
  - to participate in a specialized reintegration program
- The probation services **have to** run the reintegration programs for the convicted persons if they request to be assisted



# The change - minors

- 4 noncustodial measures:
  - civic education programme
  - supervision
  - consignment during the weekend
  - daily assistance

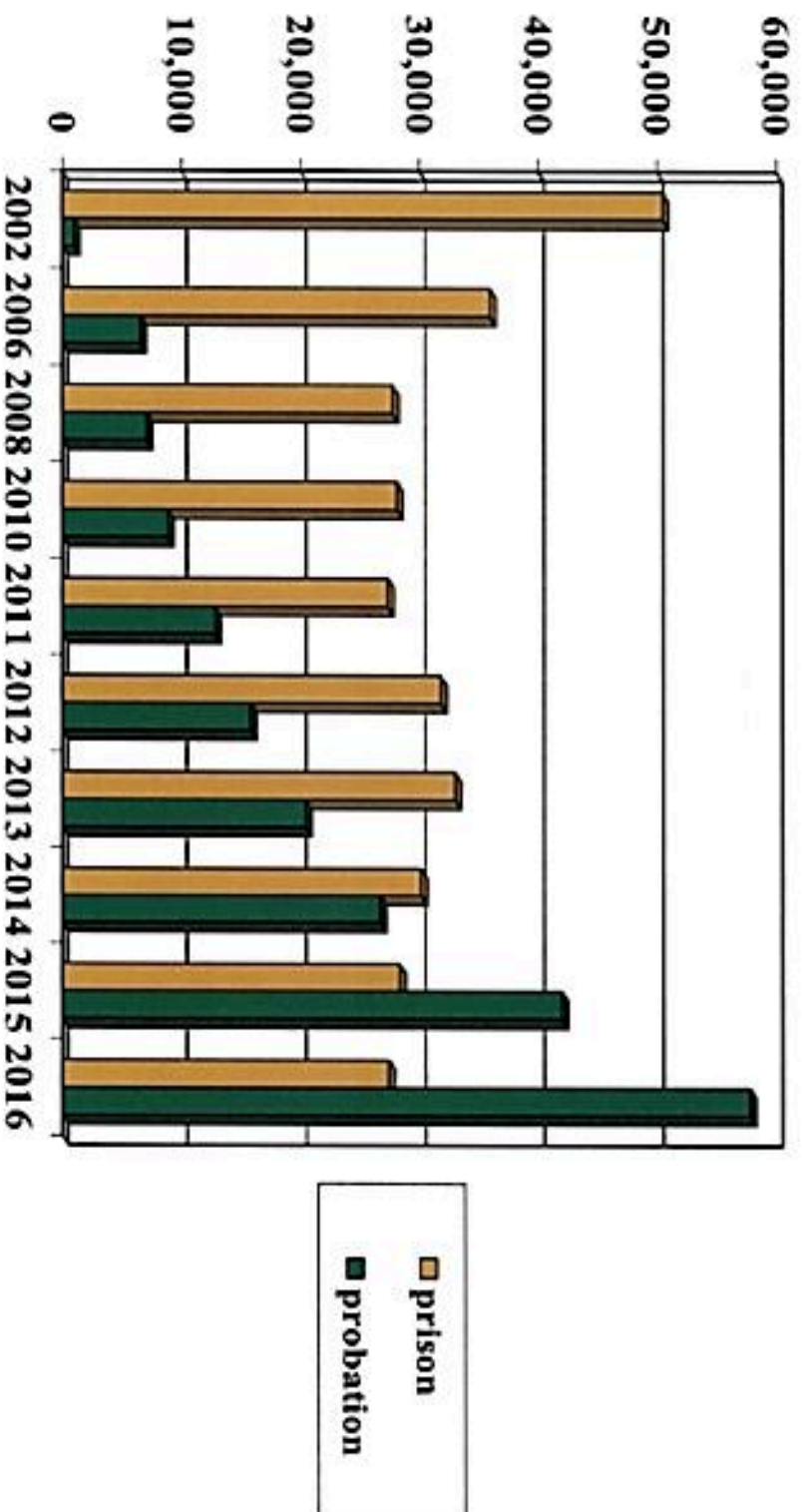
# The change – in prison

- Supervision of conditional released inmates from prisons – remaining of sentence more than 2 years
- Recommendations for the Parole Board Commission for adults/minors regarding the obligations that may be imposed

# The change – specialized programs

- **Individual programs/technics:**
  - “OTO program”
  - Motivational Interviewing
  - Pro-social Modelling
  - SEED approach
- **Group programs:**
  - Development of social skills, minors (DAS – minors)
  - Development of social skills, adults (DAS – adults)
  - “STOP! Think and change”
  - RRR – Reducing the Risk of Reoffending
    - Drink and Drive Rehabilitation
  - Anger Management
  - My choice

# The change. Prison and Probation



Source: annual reports of the National Probation Directorate and National Prison Administration

# The challenge

- New organisation
- New staff
- New procedures for probation practice
- Overcrowding
- Change of the profile of the people in probation
- New administrative procedures

## The progress

- Role of the probation service within the justice system
- Decreasing the prison population
- Reducing the costs
- Educating the community

Thank you!



[icarbunaru@just.ro](mailto:icarbunaru@just.ro)

[dp@just.ro](mailto:dp@just.ro)