



CRIMINAL EXECUTIVE INSPECTION OF SPS

The Criminal-Executive Inspection was founded on the 21 of November, 2003 for execution of sentence without deprivation of freedom (at past this function was realized by the special department of the Ministry the Internal Affairs)

The tasks of the Criminal-Executive Inspection

The Criminal-Executive Inspection is the body under the State Penitentiary Service of Ukraine that

- 1) executes the criminal sentences without deprivation of freedom : deprivation of right to hold determined posts or engage in determined activity, social tasks (free work for common benefit from 60 to 240 hours), correctional tasks (in the place of job with contribution (10-20 percent from the salary) to the state treasure;
- 2) controls behavior of the persons released from serving of conviction with probation term;
- 3) executes administrative sentences in the forms of social tasks and correctional tasks (for the offence without criminal character).

The structure and the composition of the Criminal-Executive Inspection:

The system of management is vertical: the department of the criminal-executive inspection as a part of the central administration of the State Penitentiary Service of Ukraine; 25 regional divisions; 622 subdivisions.

At present the staff of the Criminal-Executive Inspection is composed of 2722 employees; the 33 percent of them have length of service under 3 years and the education on Law (mainly), Psychology, Pedagogy, Social work.

Quantity of the persons who are registered in the Criminal-Executive Inspection

On the 1st of Feb, 2015 76.1 thousand persons are registered in the Criminal-Executive inspection (including minors – 1835 persons).

During 2014 year 213 thousand persons were on the books in the Criminal-Executive Inspection.

The large majority of persons who are registered in the Criminal-Executive inspection is the persons who released by the court from the serving of sentence with probation term (84 percent).



General information about State Penitentiary Service of Ukraine

On evidence of Feb 1, 2015 there are **72602** inmates in **150** penitentiary institutions of the State Penitentiary Service of Ukraine.

In **13** pre-trial detention and **16** penal institutions with the remand function 15.6 thousand persons are held:

- pre-trial investigation (before court hearing) - 1.9 thousand;
- trial in court hearing (pre-sentence) - 5.5 thousand.

In **115** penitentiary institutions 56.5 thousand persons are held, namely:

- 8 maximum security prisons - 3.3 thousand;
- 33 colonies of medium level security for repeatedly sentenced 22.6 thousand persons;
- 27 colonies in medium level security for the first time convicted -16.6 thousand persons;
- 7 colonies minimum level security with the general conditions for male – 2.1 thousand;
- 4 colonies minimum level security with the lighten conditions for male – 585 people;
- 21 correctional centres (restriction of freedom, semi-open) – 2.4 thousand people;
- 11 penal colonies for female - 2.8 thousand persons;
- 6 juvenile correctional facilities (for minors) - 443 people;
- 4 specialized medical institutions – 1.2 thousand people

Category sentences persons are:

496 persons serving a sentence of arrest;
1613 persons serving a sentence of life imprisonment

Criminogenic composition sentenced to imprisonment:

- 8.5 thousand persons sentenced to a term of over 10 years;
- 11.1 thousand persons for premeditated murder, including:
- 5.6 thousand persons who have committed murder with aggravating circumstances;

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- 5.4 thousand persons for intentional infliction of grievous bodily harm;
- 14.8 thousand persons - for robbery, robbery and extortion;
- 1.5 thousand persons - for rape;
- 24 persons for the taking of hostages;
- 7.5 thousand persons - for crimes in the sphere of illegal circulation of narcotics.

Manufactory production of the State Penitentiary Service of Ukraine represented 88 industrial, 12 agricultural enterprises and 139 workshops at penal establishments.

At 82 penal institutions operate **vocational schools**. Comprehensive study of sentenced persons provided 131 **general educational** institutions of public education at institutions.

To meet the **religious needs** of inmates operates 117 religious building.

SPS Staff

The activities of the State Penal Service of Ukraine provide 38.4 thousand employees (personnel numbers at 43.4 thousand positions) are:

- senior and junior staff - 11.9 thousand;
- non-commissioned officers and other ranks– 17.8 thousand;
- civilian employees - 8.7 thousand.

The Staff Training:

Three School of Basic Professional Training (Bila Tserkva of Kyiv region; Dneprodzerzhinsk of Dnepropetrovsk region, Khmelnitsk).

The Higher Education:

Yaroslav Mudryi National Law University (Kharkiv)

The Institute of the Criminal-Executive Service of Ukraine (Kyiv)

The Chernihiv Law College of the State Penitentiary Service of Ukraine (Chernihiv)



PROBATION IN UKRAINE



What has been done and what is planned to do for establishing the Probation Service in Ukraine?

The Law Act "On Probation" was adopted on 5th Feb, 2015 as a result of the eight year work for establishing the legal background for the European model of probation to proceed with offenders.

The development of the national model of Probation Service in Ukraine has been started since 2002. The practical experience of probation service activity was studied in different countries, as England, Georgia, Latvia, Romania, USA and Sweden.

The first Law Act to establish a probation was drafted in 2006. The final draft Law Act "On Probation" was prepared in 2012 by certain Interdepartmental Commission. During 2013-2015 the mentioned draft Law Act was being supported until its adoption by the Parliament.

Probation Service is planned to be established on the basis of units of the Criminal-Executive Inspection, which, at present, within the current legislation already provides some of the probation functions in non-custodial sentences and has a certain material base and personnel.

More materials are available on the website of the State Penitentiary Service of Ukraine "On the way to the Probation Service in Ukraine":

<http://www.kvs.gov.ua/peniten/control/main/uk/publish/article/708610>

What is the Probation Service in Ukraine?

Probation – a system of observation and socio-educational activities to be applied by the court in accordance with the law to persons who are prosecuted. Also its function is to provide the court with information that describes a person who is the subject to criminal liability.

What types of Probation Service are in Ukraine?

The Draft Act of Law of 2013 provides three types of probation: pre-trial (pre-court), supervisory and penitentiary.

What term of probation is going to apply?

The period of alternative punishment or term of sentence with probation term.

What is the pre-trial (pre-court) probation?

Support the Court with a pre-trial report – the formalized information characterising a person who is the subject to criminal liability in order the court takes the decision on the measure of person's responsibility.

Pre-trial report should contain:

- Socio-psychological characteristic;
- Risk and need assessment of possible reproducing crime (relapse);
- Conclusion about the possibility of person's correction without restriction or deprivation of liberty for a certain period of time.

What is the supervisory probation?

Providing observation and socio-educational activities to convicts serving the non-custodial punishment (providing advice, psychological and other forms of assistance; employment promotion, involve learning, participation in educational activities and socially useful activities, carrying out individual preventive work).

Drawing up an individual client plan, which will include measures of supervision and social - educational work.

Supervision - activities that are carried out by the Probation bodies of residence place, work and study of individuals who are prosecuted, to comply with the duties prescribed by law and imposed by the court.

Socio-educational work - measures are carried out including a risk assessment of possible person's crime relapsing. It provides the differentiated individual approach in the provision of advice, psychological and other forms of assistance; promotion of employment;

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involvement in learning; participate in educational activities and socially useful activity; carrying out individual preventive work. Probation programs are planned to realize as a duty of the court. The programs are divided into the psychological treatment program and the program of social adaptation.

What is the penitentiary probation?

Preparation of persons who is serving their sentences in the form of restriction or deprivation of liberty for a specified period to release with a purpose of employment and living conditions of persons in place of residence after release.

What features regarding juvenile probation clients?

Pre-trial report on a juvenile client additionally should contain:

- *Information on the impact of criminogenic factors on inmate's behavior;*
- *Recommendations on measures aimed at minimizing the risk of crime relapse.*

Social and educational work can be carried out with the involvement of parents or other legal representatives.

Probation measures are carried out in cooperation with the authorities and services for children, specialized agencies and institutions that carry out their social security and crime prevention.

Probation programs are carried out together with the central body of executive power, forming state policy in the sphere of social policy.

Is there a participation of private sector in the probation implementation?

Volunteer activity is related to probation in accordance with the Law of Ukraine "On the volunteer activity." The main task of probation volunteer is to promote probation agency in the implementation of the probationary supervision and conduct of socio-educational work.