

IPA 2008 CROATIA PROJECT FICHE
HR2008-01-23-02

1. Basic information

1.1 CRIS Number: 2008/020-329

1.2 Title: **Development of the Probation Services in Croatia**

1.3 ELARG Statistical code: 01.23 - Judiciary and fundamental rights

1.4 Location: Croatia, Zagreb, Ministry of Justice

Implementing arrangements:

1.5 Implementing Agency:

The Central Finance and Contracting Agency (CFCA) is responsible for the tendering, contracting and disbursement of all the project's components in line with DIS principles and the EC Financial Regulation.

The Programme Authorising Officer (PAO) for the project is:

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1.6 Beneficiary (including details of SPO):

The Senior Programme Officer (SPO) at the Croatian Ministry of Justice is responsible for the technical management and authorisations associated with the project, including submission of the detailed technical design for the project's components to the CFCA, inputs in relation to the corresponding evaluation of technical offers, plus follow-up contract implementation and monitoring, approval of contract outputs and confirmation to the CFCA that no technical constraints (as opposed to procedural or budgetary constraints) exist in relation to the CFCA's processing contractual payments.

The SPO for the project is:

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1.7 Overall cost (VAT excluded): 1.800.000 €

1.8 EU contribution: 1.635.000 €

1.9 Final date for contracting: 2 years following the date of conclusion of the Financing Agreement

1.10 Final date for execution of contracts: 2 years following the end date for contracting

1.11 Final date for disbursements: 3 years following the end date for contracting

2. Overall Objective and Project Purpose

2.1 Overall Objective:

To reduce the prison population and increase the efficiency of the criminal justice system by dealing with more offenders in the community, thus raising the level of humanity and the protection of human rights.

2.2 Project purpose:

To support the Croatian Ministry of Justice in the establishment and sustained development of a National Probation Service.

2.3 Link with SAA, 2008 NPIEU, AP (as adopted by Council Decision of 12.02.08)

The **Stabilisation and Association Agreement** between Croatia and the European Communities and their Member States entered into force on 16 February 2005.

SAA - Art. 75 REINFORCEMENT OF INSTITUTIONS AND RULE OF LAW

In their cooperation in justice and home affairs the Parties will attach particular importance to the consolidation of the rule of law and the reinforcement of institutions at all levels in the areas of administration in general, and law enforcement and the machinery of justice in particular.

Cooperation in the field of justice will focus in particular on the independence of the judiciary, the improvement of its effectiveness and the training of the legal professions.

- Implement the strategy and action plan for judicial reform in consultation with interested bodies, including the adoption of necessary new legislation.

- Take measures to ensure proper and full execution of court rulings.

The **National Programme for the Accession of the Republic of Croatia into the EU – 2008 (NPAEU)** contains the annual program of Croatian Government activities to be undertaken towards EU integration. The NPAEU aims at showing the way Croatia is going to fully implement the SAA and AP through the further harmonization of Croatian legislation with EU *acquis communautaire*, implementation of economic reforms, and the strengthening of the relevant institutions (administrative and institutional capacity building) important for Croatian integration into the EU. The NPAEU 2008 gives the current sectoral overview, with planned activities to be undertaken. For this project pre-activities will include implementation of probation as a pilot project on 3 County courts. For the implementation of this pilot project, amendments on Ordinance on internal organisation of MoJ need to be made. Amendments are needed for the employment of 6 new officers in Treatment Department in Directorate for prison system.

Under Chapter 23: Judiciary and fundamental rights guidelines for the reform of criminal proceedings were adopted by the government in March 2007. The main aim of the reform, to be implemented in 2009, is to abandon the current system of judicial investigations, with investigative tasks being completely transferred to the State Prosecutor and police. A new misdemeanours law was adopted in October 2007 which aims to streamline misdemeanour procedures.

Implementation of the Judicial Reform Strategy covering the majority of issues outlined above continues. Its Action plan is going to be reviewed in 2008.

In National budget for year 2008 no specific funds are foreseen for probation due to the fact that funds can be planned only after new Probation Law comes into force. For financing of the 6 new staff members, funds are foreseen for only 3 of them. For the other three employees funding is expected through 2008 budget modification that will be made in fourth quarter of 2008. The budgetary forecast for 2009-10 (what EC pointed out in their comments) is not mentioned. It is apparently difficult to do, but in order to satisfy EC they might say that salaries for all the staff of Probation Unit will be foreseen in 2009-10 budget and funds for probation will be foreseen following adoption of Probation Law.

This project proposal addresses the following areas defined in the Accession Partnership (AP) and the National Programme for the Accession of the Republic of Croatia into the EU (NPAEU) for Croatia's accession to the EU, as follows:

Accession Partnership 2007 adopted on 12 February 2008 by the Council Decision on the principles, priorities and conditions contained in the Accession Partnership with Croatia and repealing and replacing the Decision 2006/145/EC.

Short-Term Priorities: Key priorities:

- Implement the strategy and action plan for judicial reform in consultation with interested bodies, including the adoption of necessary new legislation.

Democracy and the rule of law: Judicial system

- Make progress in rationalising the organisation of courts including the development of modern information technology systems.
- Take measures to ensure proper and full execution of court rulings.

Human Rights and the Protection of Minorities

- Promote respect for and protection of minorities in accordance with the European Convention on Human Rights and the principles laid down in the Council of Europe's Framework Convention for the Protection of National Minorities and in line with best practice in EU Member States.
- Continue to implement the strategy and action plan for the protection and integration of Roma and ensure availability of the necessary means especially as regards employment,

2.4 Link with MIPD

The Multi-Annual Indicative Planning Document 2008 - 2010 for Croatia

- Under the political criteria (first area of intervention under the MIPD), assistance may focus in the **judicial system** on reducing the case backlog in courts and ensure an acceptable length of judicial proceedings including the enforcement of court decisions, as well as rationalising and modernising the courts and enhancing the independence, accountability and professionalism in the judiciary; in the **field of human rights**, assistance may focus among other on taking measures improving access to justice and prison conditions,

2.5 Link with National Development Plan

Not applicable

2.6 Link with national/ sectoral investment plans

Not applicable

3. Description of project

3.1 Background

In 2007 Member State experts working closely with a Working Group from the Ministry of Justice as part of an EU Twinning Light Project "Support the development of a probation system in Croatia" identified the importance of the provision of community penalties to support broader reform of the Criminal Justice System. The final report of the Twinning Project was the 'Five Year Strategy for the Development of the Croatian National Probation Service' (available from the MoJ) which has the support of the Ministry of Justice and is now included in the 2008 Action Plan for the Reform of the Judiciary.

This Twinning Project is designed to assist the Ministry of Justice in all aspects of the development and establishment of the new service. The Strategy and Twinning Project proposal recognise the need to build sufficient management capacity in the Ministry of Justice to deliver the change programme as well as the development of professional practice and organisational infrastructure.

The revised Croatian Criminal Code allows for the greater use of alternative measures in dealing with offenders in the Croatian criminal justice system, but so far the judiciary have made little use of these powers. According to Croatian legislation the judges have at their disposal a wide range of measures that are alternatives to incarceration. However, these measures are insufficiently implemented. For example, existing alternatives to incarceration that judges can decide upon are house arrest, monetary settlement, the offsetting of damages, medical treatment or the adjuring of further legal proceedings under specific conditions (e.g. the accused is submitted to treatment for addiction). According to Croatian legislation, in the phase of the promulgation of the ruling, the Court can decide upon a conditional sentence. The conditional sentence as an alternative measure is based on community service with protective monitoring in combination with specific obligations of the accused (frequently treatment for addiction) instead of incarceration or monetary settlement. For these alternative measures and sanctions to be effective in reducing the prison population and protecting the public from re-offending they have to have the confidence of the judges and public prosecutors. This can only be achieved if the measures are implemented by a sufficient number of well trained, professional staff accountable under the law and bound by professional ethics.

The establishment of a national probation service under the authority of the Ministry of Justice will ensure that these reforms are embedded into the criminal justice system and have the support of the government and of the local communities. It is intended that the probation service shall provide the full range of professional interventions to adults throughout the criminal justice process.

The new probation service will be organized on a county basis serving the municipal and county courts. It is intended that the probation service will be a national, state service within the jurisdiction of the Ministry of Justice. A new Directorate of Probation will be established when the law allows, and until that time services will be managed through the Department of Alternative Sanctions in the Directorate of Prisons.

The Progress Report on Croatia produced by the European Commission in 2007 commented that “As regards the prison system, there continues to be room for improvement in prison conditions. There is a lack of prison staff and capacity. Overcrowding continues; with on average a prison population 20% above capacity.”

The Croatian prison population reached 4,127 on 1 July 2007. There has been a steady increase in the number serving prison sentences and subject to pre-trial detention in recent years, and the level of overcrowding in many prisons exceeds the standards set by the Council of Europe and the European Union. The proportion of pre-trial detainees is almost twice that of some EU Member States.

Year	Number of prisoners on 31 December	Number and proportion (%) of pre-trial detainees
2001	2679	820 (30.6%)

2005	3485	1105 (31.7%)
2006	3833	1150 (30.0%)
1 July 2007	4127	1233 (29.8%)

The Croatian Prison Service has identified an explicit link between alcohol misuse and crime. The victim or perpetrator was under the influence of alcohol in 65% of murders, 70% of assaults and in 50% of fights or cases of domestic violence. There has also been a growth of prisoners with a history of drug misuse. In 1991 only 14 drug users were serving a prison sentence, while in 2004, 566 were in Prison. Although no statistics exist it is generally agreed that the ROMA are disproportionately represented in the prison population.

As a Council of Europe member Croatia is expected to comply with the set of Prison Rules agreed by the Council of Ministers in September 2006 that stated “In the case of those prisoners with longer sentences in particular, steps shall be taken to ensure a gradual return to life in free society... this aim may be achieved by a pre-release programme in prison or by partial or conditional release under supervision with effective social support”. The Council of Europe has also made a recommendation on conditional release that include: “In principle, conditional release should also be accompanied by supervision consisting of help and control measure. The nature, duration and intensity of supervision should be adapted to each individual case.....”

Year	Conditional Release Decisions		
	Reviewed	Granted	%
2002	458	218	48,0 %
2003	597	337	56,5 %
2004	763	446	58,5 %
2005	914	578	63,2 %
2006	1101	653	59,3 %
Total:	3833	2232	58,2 %

Croatia has a conditional release scheme which is overseen by Enforcement Judges. However, offenders do not have a probation officer supervising their behaviour and providing them with assistance as takes place in most countries within the European Union. While the number receiving conditional release is raising the average length of the release period remains far short of the maximum of 50% of the sentence.

In 1999 the Council of Ministers adopted a set of recommendations concerning prison overcrowding and prison population inflation that included: “Efforts should be made to reduce recourse to sentences involving long imprisonment, which place a heavy burden on the prison system and to substitute community sanctions and measures for short custodial sentences”.

Croatia has a limited range of community sanctions compared to other European Union members and the proportion of offenders receiving such sentences is low compared to other jurisdictions. Currently, in a small proportion of cases, judges receive a social background report before imposing sentence. The scope of these reports is limited, and there is no systematic assessment of the risk of reoffending and

how different sentences might help reduce that risk in the future, as takes place in many other European Union countries.

In the current system around 200 part-time commissioners supervise up to three offenders each in the community. The commissioners are all civil servants, mostly drawn from the prison service. There are a significant number of unallocated cases owing to a lack of sufficient staff.

Suspended (Conditional) Sentence with Protective Supervision & Community Work

Year	2002	2003	2004	2005	2006	2007 (to 1.7.07)	TOTAL
Protective Supervision	52	81	90	158	252	96	729
Community Work	16	41	75	100	284	188	639

In 2006 the Council of Europe made a recommendation on the use of pre-trial detention that included the following principles:

- “In view of both the presumption of innocence and the presumption in favour of liberty, the remand in custody of persons suspected of an offence shall be the exception rather than the norm”
- “In individual cases, remand in custody shall only be used when strictly necessary and as a measure of last resort; it shall not be used for punitive reasons”
- “In order to avoid inappropriate use of remand in custody the widest possible range of alternative less restrictive measures relating to the conduct of a suspected offender shall be made available.”

Although the proportion of detainees has remained stable the number has risen by 11.5% since 2005 despite there being no overall increase in people entering the criminal justice system. Approximately 3,700 people in each year are detained for less than six months. There will be a variety of reasons why people are detained including the seriousness of the offence, the likelihood of the person absconding, the risk of offending and the possibility of witnesses being harassed. Prosecutors and judges are not provided with verified information to assist them in reaching decisions about whether a person should be detained. Powers to order home detention exist in Croatia Law but are rarely used because of the absence of an agency to provide monitoring and supervision.

The expected outcomes of the ‘Five Year Strategy for the Development of the Croatian National Probation Service’ are:

- a reduction in the proportionate use of pre-trial detention;
- an increase in the proportionate use of alternative sanctions; and
- an increase in both the proportion of prisoners granted conditional release and the proportion of the sentence served in the community.

This will create a more humane and equitable Criminal Justice System and reduce the proportion of offenders sent to prison. It is estimated that up to 1000 fewer prison places could be required, and prison over-crowding thereby substantially ameliorated.

The Ministry of Justice has agreed that:

- Legislation will be required to establish the new Probation Service. Approval from Parliament will be sought in 2008/09. Existing law will be reviewed to ensure consistency between all relevant legislation
- A separate Directorate of Probation will be established within the Ministry of Justice during 2010, and a Director of Probation appointed
- The current Alternative Sanctions Unit within the Directorate of Prisons will have its staffing level increased by six posts in 2008, and will eventually be subsumed into the new Directorate of Probation
- A number of development projects will take place as part of the institution building process for the new Probation Service, including the piloting of pre-trial detention schemes, the first version of the risk/needs assessment tool and a mentoring scheme for the ROMA
- In 2010 the total number of staff employed within the Directorate of Probation will be increased to 70. The range of services to be provided will be increased from 2010.
- A network of Probation Offices covering every criminal court in Croatia will be established beginning in the major population centres.

The EU Twinning Light project ended in early December 2007. It is not expected that this EU IPA Twinning Project will commence before autumn 2009/spring 2010. In the interim, the Ministry of Justice is seeking bilateral funding to provide support to assist in the institution building during 2008-09. Bilateral project with UK is approved, but still not signed yet. It should cover an analysis of the new law establishing probation as well as the necessary by-laws.

The bulk of the development team will be based in Zagreb but some of its members may be located elsewhere in Croatia during pilot projects to ensure the national applicability of new developments. Development will begin in 2008 and is likely to continue to the end of the Twinning Project. 2010/2012 will be an Establishment Phase with the creation of the new Probation Service. There will be an increase in the number of staff employed, and an extensive programme of training will be delivered. The range of services available to the courts and the community will be increased. There will be a review of the strategy in 2011 setting the direction and priorities for 2013-17.

By 2012 the Croatian Probation Service will deliver a range of services designed to:

- Support victims during the investigation and pre-trial stages
- Provide pre-trial information reports and bail support/monitoring services, including the supervision of offenders on home detention To provide victim offender mediation when sufficient resources become available
- Assess the risk of an offender committing further offences and identify the intervention necessary to reduce that risk using a new standard assessment tool

- Provide reports to judges and the Parole Board based on these assessments to assist in decisions about sentencing and release arrangements
- Provide information to the enforcement judge on the postponement and implementation of sentences
- Supervise alternative sanctions including protective supervision and community work
- Assist in the maintenance of family ties during prison sentences, to provide verified information to assist in decisions about home leave, and to provide support and supervision during the periods of temporary release
- Obtain the views of victims for the Parole Board in order to inform decisions about release, and to advise on the requirements and arrangements necessary to ensure that risk of harm is minimised
- Supervise prisoners on conditional release under the overall direction of the enforcement judge.

Part of the project (component 4) will be implemented through technical assistance. Representatives from Directorate for prison system and IT Sector in Ministry of Justice agreed on this kind of assistance due to the general opinion that for software development and other IT issues it is more efficient to have specialized companies which will implement everything end users specify and need.

The last part of the project is related to the supply. Equipment will be used for creating centralised data base of personal records of offenders. This data base will be targeted to supervision and evaluation of implementation of community sanctions and measures, to reporting the Courts and to make statistical reports. For the purposes of unique monitoring system and for persons that will be enclosed within the project, it is essential to purchase appropriate IT equipment which will be sufficient for all data and relevant information.

3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact (where applicable)

Project impact

The impact of a new institution on the criminal justice system should be to change the behaviour of sentencers and prosecutors in making decisions. The expected impact is:

- a reduction in the proportionate use of pre-trial detention;
- an increase in the proportionate use of alternative sanctions; and
- an increase in both the proportion of prisoners granted conditional release and the proportion of the sentence served in the community.

This will create a more humane and equitable Criminal Justice System and reduce the proportion of offenders sent to prison. It is estimated that the number of prison places required could be reduced by around 1,000.

Sustainability

The sustainability of the new probation service will depend on the continued funding and political support for the new service. An analysis of major risks affecting future sustainability was made as part of the Twinning Light project together with a

preliminary risk management plan. This approach will be developed further during this Twinning Project.

Catalytic effect

One anticipated catalytic effect will be the reform of the assessment process used in the Prison Service, resulting in consistent assessment of offenders at all stages of the criminal justice process and the release of resources from the current highly intensive and expensive process.

Cross border impact

Not applicable

3.3 Results and measurable indicators:

Contract No. 1: Twinning contract

Component I: Prison Administration prepared for the effective management of the new Probation Service through Institutional and Capacity Building

Measurable indicators:

- A set of national standards & professional guidance for staff covering all areas of practice published by the end of first quarter of project implementation (Q1) meeting Council of Europe standards
- A long-term Human Resources strategy prepared by Q6¹ based on workload projections and analysis of skill requirements
- A performance management framework with key performance indicators identified and monitoring methods defined by Q5 consistent with EFQM standards
- A revised 3 year Strategy for the Service for the period 2011-2014 prepared by Q7 consistent with EFQM standards
- A communications strategy prepared by Q6 based on stakeholder analysis, including development of a range of leaflets and other promotional material about the Croatian Probation Service ready for distribution by Q5
- An equal opportunities policy developed and a pilot project to provide services to the ROMA established by Q4 consistent with the requirements of ECHR and EU directives
- All 31 managers in the Croatian Probation Service have gained an enhanced understanding of the services and management of a probation service through observation in another jurisdiction by Q6

Component II: Offender Risk and Needs Assessment Tool developed

Measurable indicators:

- An offender assessment tool for risks of harm and reconviction and criminogenic needs for use by staff, with sub-assessments for sex and violent offenders integrated into the case management and report writing processes by Q4, consistent with international research and validated for Croatia.

¹ Quarter of project implementation

- Comprehensive and clear guidance for staff on using the tool prepared by Q4 in an easily accessible style and format.
- A set of reports providing relevant and timely aggregated data for planning purposes by Q4 meeting the needs of supervisors, managers and MoJ staff.
- A paper specifying the methodology by which the MoJ will analyse the assessment data in order to produce an actuarial tool capable of accurately predicting the probability of reconviction in the future by Q5 consistent with the findings of international research.

Component III: Training Strategy and Programmes developed and delivered

Measurable indicators:

- A long-term training strategy prepared by Q6 based on a training needs analysis
- 5 in-service training courses developed and designed
- 70 delivery staff trained in the skills appropriate to their role in the organisation by Q7 with portfolio assessment of practice competence
- All 31 probation service managers trained in project management and business planning methods by Q3 to EFQM standards
- A team of at least 6 Croatian trainers equipped to deliver the 5 training courses by Q1 with pass/fail assessment of competence

Contract No. 2: Technical assistance

Component IV: New case record and data collection system created

Measurable indicators:

- Case management software with adequate reporting requirements for use throughout the organization and fit for purpose developed and implemented Q7
- A national case record for use throughout the Service supported by electronic templates and fit for purpose by Q2

Contract No. 3: Supply Contract:

- Workstations and IT network infrastructure between new probation offices and MoJ with sufficient capacity by Q7
- Equipment purchased

3.4 Activities:

Contract No. 1: Twinning contract

- 1.1. Developing of national standards & professional guidance for probation staff covering all areas of practice meeting Council of Europe standards. To include: pre-sentence reports for judges; protective supervision; community work; reports for enforcement judges on the stay of execution of sentences and discontinuance; prisoner through-care; parole reports and home circumstances reports; supervision of conditionally released prisoners; case management, including

breach and the enforcement of sentences; the supervision of obligations and measures related to drug and alcohol treatment, education, training, employment, mental health; review after one year of the existing standards and guidance regarding the provision of information to judges to assist in the decision about pre-trial detention and the supervision of pre-trial cases, including home detention and curfew.

- 1.2. Preparation of a long-term human resources strategy based on workload projections and analysis of skill requirements, to include entry and qualification requirements, recruitment and appraisal processes
 - 1.3. Identification of performance management framework with key performance indicators, including the definition of monitoring methods consistent with EFQM standards
 - 1.4. Preparation of revised 3 year Strategy for the Service for the period 2011-2014 consistent with EFQM standards
 - 1.5. Preparation of communications strategy to promote the new Probation Service, to identify the key stakeholders, messages to be communicated and methods to be employed, including crisis management and the media
 - 1.6. An equal opportunities policy developed consistent with the requirements of ECHR and EU directives and a pilot project established to provide mentoring services to the ROMA
 - 1.7. Writing and printing of a range of leaflets and other promotional material about the Croatian Probation Service
 - 1.8. Three study visits to MS countries with a similar model of Probation Service to examine service delivery and management
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- 2.1. Preparation of systematic offender risk needs assessment tool for use by staff, including risk of reoffending, risk of harm and criminogenic factors with sub-assessments for sex and violent offenders integrated into the case management and report writing processes consistent with international research and validated for Croatia.
 - 2.2. Development of comprehensive and clear guidance for staff on using the tool in an easily accessible style and format
 - 2.3. Development of methodology by which the MoJ will analyse the assessment data in order to produce an actuarial tool capable of accurately predicting the probability of reconviction in the future
 - 2.4. A study visit to another jurisdiction to examine the development and implementation of a risk/needs assessment tool
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- 3.1. Design a comprehensive education curriculum and long-term training strategy for Probation Service
 - 3.2. Develop a training needs analysis, design seven in service training courses for delivery to seventy staff including options for distance and weekend learning in the areas of:
 - Basic skills for all probation staff covering law, national standards, case management, criminality and criminogenic needs, motivational interviewing, pro-social modelling, and task-centred case work
 - Assessment Skills

- Management of community work
 - Work with drug and alcohol abusers
 - Post-traumatic stress counselling
 - Work with sex offenders
 - Work with violent offenders
- 3.3. Develop training needs analysis, design and deliver to all 31 probation service managers training in project management and business planning methods to EFQM standards
- 3.4. Train at least 6 Croatian trainers to equip them to deliver the 5 training courses, including the development of core training skills

Contract No. 2: Technical assistance

- 4.1. Development of a national case record for use throughout the Service supported by electronic templates
- 4.2. Development and implementation of case management software to support business processes
- 4.3. Building IT infrastructure (LAN and WAN network) in order to link Probation offices and MoJ, with portals to Prison Service and Court case management system and development of appropriate software

Contract No. 3: Supply Contract:

- 4.4. Procurement of IT equipment (1 main server, 1 UPS, 80 PC-s, 44 printers, 22 notebooks, 22 network printers, 22 Multifunctional devices, 22 switches and 22 routers)

3.5 Conditionality and sequencing:

- a. The establishment of a new government institution requires enabling law to be passed by the Croatian Parliament. The Working group responsible for drafting of the new Probation Law has been established and drafting of the new act begun in 2008. The new Law should provide a comprehensive legislative framework which would enable the new service to undertake any of the activities performed by probation services in EU member states. Not all sections will be activated immediately, and services such as victim offender mediation will not be implemented until resources become available.

The appointment of a Director of Probation, the creation of a Directorate of Probation in the Ministry of Justice, and the budget for the recruitment of staff are all dependent on the passing of the law. The law is likely to be laid before the Croatian Parliament in the second half of 2008 and is expected to be passed by the end of 2009. This time gap between the submission of the draft law to the Parliament and its adoption is foreseen due to the fact that the new law has to be harmonised with existing Criminal Act, Criminal Proceeding Act and Alternative Sanction Act. It is also important to mention that parliamentary procedure is also time consuming due to the fact that after first reading every amendment needs to be taken into consideration.

- b. 2008 Judicial Reform Strategy and Action Plan: the Action plan will require amendment to include the establishment of the Croatian Probation Service. This is then subsumed into the 2008 National Programme for the Accession of the Republic of Croatia into the EU (NPAAEU).
- c. The Twinning Project will train all the new staff to be recruited by the Service. A firm budgetary commitment to expand the number of staff in 2010 is required before the start of the project. The Ministry of Justice budget is set annually and while the commitment already exists it will not be finally confirmed until the autumn of 2009. The budget for the 70 new staff members should be planned under 2009 and 2010 Budget (recruitment + training).
- d. Experience in other jurisdictions suggests that having the Directorate of Probation established and fully staffed is essential for the success of the project. A separate Directorate of Probation will be established within the Ministry of Justice, and the current Alternative Sanctions Unit within the Directorate of Prisons will be transferred to the Directorate of Probation.
- e. In the early stages of the project it is assumed that 6 new staff will be appointed to the existing Alternative Sanctions Unit in the Directorate of Prisons. According to the NPAAEU 2008 it is planned to fill these posts during 2008 and these staff will form the core of the Alternative Sanctions Unit that is planned to be transferred from the Directorate of Prisons to the Directorate of Probation. The remaining four staff needs to be appointed before the project starts.

The following conditionality will apply prior to the project commencement:

- Probation law passed by Parliament
- Amendment of the 2008 Judicial Reform Strategy and Action Plan
- Necessary recourses such as co-financing from National budget, logistical support provided by MoJ
- 6 new staff in post in Unit for Alternative Sanctions in 2008
- MoJ Directorate of Probation established

3.6 Linked activities

Links will need to be made to several other projects in the field of judicial reform. In several cases these are due to end prior to the start of the Twinning Project, but the results of their activities will need to be taken into account. These include:

- Twinning light project: CARDS 2004 *Support the development of a Probation system in Croatia* – ended in December 2007
- Twinning Project: CARDS 2004 *Improving Court & Case Management at the High Misdemeanour Court and Selected Misdemeanour Courts* - started in September 2007 and will end in September 2009.
- MATRA-FLEX project *Treatment of sexual offenders* ended in February 2008 and MATRA *Treatment of violent prisoners* (bilateral funding from the Netherlands) is planned to end in July 2009.

- Efficiency in the management of the Municipal Courts in Croatia (bilateral funding from the United Kingdom) due to end in March 2009.
- Transitional Support for the Development of a Probation Service in Croatia (bilateral funding application to United Kingdom. If successful this project will run between April 2008 and March 2009).
- MATRA MPAP Management of the organisational ethos and development of human resources within Croatian Ministry of Justice – Prison Administration – proposal, planned duration 2 years

Links will also need to be made to the National Action Plan for the Decade of Roma Inclusion (2005-2015).

The Ministry of Justice has proposed another IPA 2008 Twinning Project “Support to the Reform of Criminal Proceedings” which focuses on the process of prosecution and trial. If the application is successful links will need to be made to this project regarding the provision of information to judges and prosecutors.

3.7 Lessons learned

The development of the probation service in Croatia has been studied in depth in the Twinning Light Project HR/2004/IB/JH/07 Support for the Development of a Probation System in Croatia. The project produced a series of reports including a comparative study of different probation systems in EU Member States, a gap and needs analysis examining how offenders are dealt with in Croatia. The most important issues are as follows:

Weaknesses:

- The delivery system for alternative sanctions is currently a weakness, as it appears to be entirely dependent upon part-time staff managing these sanctions in the evenings, rather than upon an established and accepted mainstream modus operandi. There is no identifiable institution known as the probation service, and this represents a major obstacle to growth and credibility.
- The social welfare centres have duties and responsibilities in law towards offenders, but owing to their overwhelming workload is only able to provide a limited service post-release, mostly of material assistance. They contribute assessments at the beginning of the process, but these are not systematically revised at later points in the sentence.
- A significant gap in the current system is the lack of accommodation for discharged prisoners whose families either will not or cannot take them back and support them. For such prisoners the only recourse is to hostel accommodation consisting of dormitories. Clearly that will not assist social reintegration and inclusion, and it will be important therefore to assess what kind of accommodation network Croatia could provide for such people.
- Another weakness may be the lack of an overall plan to develop skills either in the penitentiaries or the community, and subsequent links to willing employers. Given the 14% national unemployment rate, creating such linkage could be a strong component in assisting the reduction of re-offending.

- A further weakness (also an external threat) is the length of time that currently exists between arrest and subsequent processes of conviction and sentence. Such a process leaves society exposed (if the person is not remanded in custody) to the commission of further crimes, and does not support the idea of justice being seen to be done.
- Another area that requires scrutiny is the difference in treatment interventions between alternative sanctions (protective supervision/probation) and conditional release. A good example of this is domestic violence. A pilot group programme has recently been developed for perpetrators, but this is *only* available for men given an alternative sanction. So, if a man is imprisoned for a domestic violence offence (the seriousness of the offence demanding a prison sentence rather than community penalty) he will not be able to participate in the programme either while in or after release from his prison sentence. This is clearly a gap that needs to be plugged.
- There is currently an excellent and comprehensive range of assessments at the beginning of a prison (penitential) sentence, but that assessment needs to follow the prisoner through his/her sentence including the post-release period, and be reviewed and updated regularly. Whilst there is a very thorough assessment system at the beginning of the period of incarceration (albeit we have some concerns about the validity of some of the non-validated psychometric tests), assessment processes seem to fall away very quickly after that. So there is currently no consistent review of the initial assessment or modification of it.
- This links in with another systemic shortcoming, namely the lack of robust documentation on offenders. The Ministry of the Interior holds information on previous convictions electronically, the information of sentencing outcomes is held by the Ministry of Justice, non-electronically. This separation of data is bound to make assessment and offender management considerably harder. The lack of data about some of the social factors significant to reoffending makes it difficult to scope the demand for interventions in the future.

The Croatian courts and prison allocation system appear to put too much emphasis on static factors such as the seriousness of the offence, and not enough on dynamic risk factors which would affect the likelihood of reconviction or compliance with the prison regime. This raises doubts about the numbers within prison requiring secure accommodation, and also questions whether those in open conditions required a prison sentence at all.

Threats:

- The first threat is already recognised within the current system of conditional release in that, as more offenders are dealt with by supervision in the community, so the risk of one of them committing a very serious offence increases. Such an event is likely to create wide public outcry and with negative publicity against the supervisory process for offenders. To deal effectively with this threat it would be important to construct a framework of “defensible decision making” and a multi-agency approach to the management of any offender identified as presenting a high risk of harm. This is especially important when considering mentally ill offenders, since there seems to be less post release supervision for this type of offender than for the generality.
- The second is that the Social Welfare department may see this sphere of work with offenders as belonging to them. Any creation of an expanded conditional

release/probation service could be experienced as asset-stripping by the social welfare agency. It is important therefore to ensure that they see the creation of such a service as an opportunity, allowing them to get on with other roles, and thereby reducing (even if only to a small degree) the overwhelming caseloads that face them).

- In similar vein there could be potential conflict (and certainly overlap) between a probation officer required to supervise and oversee the progress of a released prisoner, and the enforcement judge who also has a significant role to play in the post-release arrangements of conditionally released prisoners. If there is legislation to define the institutional arrangements of a new service then it would be advisable to clarify the roles and responsibilities of probation staff and the enforcement judge.

Within the project also an options paper, an impact analysis, and a draft Strategic Plan: “The Establishment of the Croatian National Probation Service: Five Year Strategy 2008-12” (available from the Croatian MoJ on request) were produced.

The strategy to establish a probation service in Croatia draws on the experience of other EU Twinning Projects to establish probation services in Estonia, Romania, Bulgaria, Turkey and the Czech Republic. Members of the Working Group also participated in study visits to the United Kingdom and the Czech Republic. As a result the Strategy recognises the need to build sufficient management capacity in the Ministry of Justice to deliver the change programme as well as the development of professional practice and organisational infrastructure.

4. Indicative Budget (amounts in EUR)

			SOURCES OF FUNDING										
			TOTAL EXP.RE	TOTAL PUBLIC EXP.RE	IPA COMMUNITY CONTRIBUTION		NATIONAL PUBLIC CONTRIBUTION					PRIVATE CONTRIBUTION	
The Development of Probation Services in Croatia	IB (1)	INV (1)	EUR (a)=(b)+(e)	EUR (b)=(c)+(d)	EUR (c)	% (2)	Total EUR (d)=(x)+(y)+(z)	% (2)	Central EUR (x)	Regional/Local EUR (y)	IFIs EUR (z)	EUR (e)	% (3)
Twinning	X		1.200.000	1.200.000	1.140.000	95	60.000	5	60.000				
Technical assistance	X		300.000	300.000	270.000	90	30.000	10	30.000				
Supply		X	300.000	300.000	225.000	75	75.000	25	75.000				
TOTAL IB			1.500.000	1.500.000	1.410.000		90.000		90.000				
TOTAL INV			300.000	300.000	225.000		75.000		75.000				
TOTAL PROJECT			1.800.000	1.800.000	1.635.000		165.000		165.000				

Amounts net of VAT

(1) In the Activity row use "X" to identify whether IB or INV

(2) Expressed in % of the **Public** Expenditure (column (b))

(3) Expressed in % of the **Total** Expenditure (column (a))

5. Indicative Implementation Schedule (periods broken down per quarter)

Contracts	Start of Tendering	Signature of contract	Project Completion
Twinning Contract	3Q/2009	1Q/2010	1Q/2012
Technical assistance	3Q/2009	1Q/2010	1Q/2012
Supply Contract	3Q/2009	1Q/2010	3Q/2010

All projects should in principle be ready for tendering in the 1st Quarter following the signature of the Financing Agreement.

6. Cross cutting issues (where applicable)

6.1 Equal Opportunity

Based on the fundamental principles of promoting equality and combating discrimination, participation in the project will be guaranteed on the basis of equal access regardless of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

Specifically in relation to the issue of equality between men and women, Croatia's population (2001 census) constitutes 51.87% women and 48.13% men, with those in active employment (based on Labour Force Survey statistics, conducted in accordance with ILO methodology, for the second half of 2002) divided 45.31% women and 54.69% men.

All contractors shall be requested to provide monitoring data recording the participation of men and women in terms of expert inputs (in days) and of trainees benefiting under the project (in days) as an integral component of all project progress reports.

Equal opportunities and non-discrimination will be respected as regards gender as well as minorities and vulnerable groups at the programming and implementation stage, particularly in relation to socio-economic support programmes.

The project will include the development of an equal opportunities strategy for the Croatian Probation Service.

6.2 Environment

Not applicable

6.3 Minorities

Minority and vulnerable groups' concerns will be reflected in all activities, in particular when it concerns public service delivery, legislative matters and socio-economic development.

There will be a specific project in relation to work with the ROMA community based on the mentoring model used by the Czech Probation Service.

ANNEXES

- 1- Log frame in Standard Format
- 2- Amounts contracted and Disbursed per Quarter over the full duration of Programme
- 3 - Reference to laws, regulations and strategic documents:
 - Reference list of relevant laws and regulations
 - Reference to AP /NPAA / EP / SAA
 - Reference to MIPD
 - Reference to National Development Plan
 - Reference to national / sector investment plans
- 4 - Details per EU funded contract (*) where applicable:

ANNEX 1: LOGICAL FRAMEWORK MATRIX IN STANDARD FORMAT

THE DEVELOPMENT OF PROBATION SERVICES IN CROATIA		Programme name and number IPA 2008	[Cris number]
Ministry of Justice – Prison Administration		Contracting period expires: 2 years following the date of conclusion of the Financing Agreement	Disbursement period expires: 3 years following the end date for contracting
		Total budget: MEUR 1.80	IPA budget: 1.635 MEUR Twinning: 1.14 MEUR Technical assistance: 270,000 EUR Supply: 225,000 EUR
Overall objective	Objectively Verifiable Indicators	Sources of Verification	
To reduce the prison population and increase the efficiency of the criminal justice system by dealing with more offenders in the community, thus raising the level of humanity and the protection of human rights.	<ul style="list-style-type: none"> • Full range of probation services available/established at criminal courts throughout Croatia and the effective enforcement of criminal sanctions • A reduction in the proportion of offenders subject to pre-trial detention (around 300 less imprisonment per year) • An increase in the proportion of offenders receiving alternative sanctions to imprisonment (around 300 alternative sanctions more per year) • An increase in the proportion of offenders granted conditional release and an increase in the average length of the release period (10% - 20% per year) 	Ministry of Justice reports & statistics Court statistics/National statistical office reports Ministry of Justice statistics Ministry of Justice statistics	
Project purpose	Objectively Verifiable Indicators	Sources of Verification	Assumptions
To support the Croatian Ministry of Justice in the establishment and sustained development of a National Probation Service	<ul style="list-style-type: none"> • The professional practice of the service defined in standards, business processes and intervention methods supported by guidance to staff by Q7 to European standards and best practice. • Management capability of 10 members of the Directorate of Probation developed in order to 	MoJ documentation MoJ reports Project reports Training Manuals MoJ documentation including Revised Strategy, Training Strategy,	Political and financial support to the implementation of the overall strategy of the Reform of Judiciary. Government has also to provide sufficient funds under the National

	establish the service and to sustain its development in the future, by Q7 to the standards of the EFQM.	Recruitment Strategy, Performance Management Reports, etc, etc Project reports	Budget 2008-2012 for the implementation of the Overall Strategy and implementation of new Probation System
Results	Objectively Verifiable Indicators	Sources of Verification	Assumptions
<p>1. Prison Administration prepared for the effective management of the new Probation Service</p>	<ul style="list-style-type: none"> • A set of national standards & professional guidance for staff covering all areas of practice published by the end of Q1 meeting Council of Europe standards • A long-term Human Resources strategy prepared by Q6 based on workload projections and analysis of skill requirements • A performance management framework with key performance indicators identified and monitoring methods defined by Q5 consistent with EFQM standards • A revised 3 year Strategy for the Service for the period 2011-2014 prepared by Q7 consistent with EFQM standards • A communications strategy prepared by Q6 based on stakeholder analysis, including development of a range of leaflets and other promotional material about the Croatian Probation Service ready for distribution by Q5 • An equal opportunities policy developed and a pilot project to provide services to the ROMA established by Q4 consistent with the requirements of ECHR and EU directives • All 31 managers in the Croatian Probation Service have gained an enhanced understanding of the services and management of a probation service through observation in another jurisdiction by Q6 	<p>Published MoJ documents MoJ reports</p> <p>Published MoJ documents</p> <p>Project reports and attendance records</p> <p>User feedback report from ROMA project</p>	<p>Ministry of Justice has to provide sufficient staff for the project daily management, activities performance and overall monitoring</p>
<p>2. Offender Risk and Needs Assessment Tool developed</p>	<ul style="list-style-type: none"> • An offender assessment tool for risks of harm and reconviction and criminogenic needs for 	<p>Assessment forms</p>	<p>Ministry of Justice has to provide sufficient staff for the project daily management, activities performance</p>

<p>3. Training Strategy and Programmes developed and Training delivered</p> <p>4. New Case Record and Data Collection System created</p>	<p>use by staff, with sub-assessments for sex and violent offenders integrated into the case management and report writing processes by Q4, consistent with international research and validated for Croatia.</p> <ul style="list-style-type: none"> • Comprehensive and clear guidance for staff on using the tool prepared by Q4 in an easily accessible style and format. • A set of reports providing relevant and timely aggregated data for planning purposes by Q4 meeting the needs of supervisors, managers and MoJ staff. • A paper specifying the methodology by which the MoJ will analyse the assessment data in order to produce an actuarial tool capable of accurately predicting the probability of reconviction in the future by Q5 consistent with the findings of international research. • A long-term training strategy prepared by Q6 based on a training needs analysis • 5 in-service training courses developed and designed • 70 delivery staff trained in the skills appropriate to their role in the organisation by Q7 with portfolio assessment of practice competence • All 31 probation service managers trained in project management and business planning methods by Q3 to EFQM standards • A team of at least 6 Croatian trainers equipped to deliver the 7 training courses by Q1 with pass/fail assessment of competence • A national case record for use throughout the Service supported by electronic templates and fit for purpose by Q2 • Case management software with adequate 	<p>Guidance manual</p> <p>Project reports Sample reports from MoJ</p> <p>Methodology paper</p> <p>MoJ published document 5 training manuals with guidance notes for trainers and course participants. Training the Trainers manual. Attendance records, sample portfolios and review reports for training</p> <p>Documentation and electronic templates from MoJ Project documents containing software specification and reporting</p>	<p>and overall monitoring</p> <p>Ministry of Justice has to provide sufficient staff for the project daily management, activities performance and overall monitoring</p> <p>Provision of training support facilities through the use of Judicial Academy</p> <p>Ministry of Justice has to provide sufficient IT staff for the project daily management, activities performance and overall monitoring</p>
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	<p>reporting requirements for use throughout the organization and fit for purpose developed and implemented Q7</p> <ul style="list-style-type: none"> • Workstations and IT network infrastructure between new probation offices and MoJ with sufficient capacity by Q7 	<p>requirements Supply contract invoices</p>	
Activities	Means	Costs	Assumptions
<p>1.1. Developing of national standards & professional guidance for probation staff covering all areas of practice meeting Council of Europe standards</p> <p>1.2. Preparation of a long-term human resources strategy based on workload projections and analysis of skill requirements</p> <p>1.3. Identification of performance management framework with key performance indicators, including the definition of monitoring methods consistent with EFQM standards</p> <p>1.4. Preparation of revised 3 year Strategy for the Service for the period 2011-2014 consistent with EFQM standards</p> <p>1.5. Preparation of communications strategy for Probation Service based on stakeholder analysis</p> <p>1.6. An equal opportunities policy developed and a pilot project to provide services to the ROMA established by Q4 consistent with the requirements of ECHR and EU directives</p> <p>1.7. Writing and printing of a range of leaflets and other promotional</p>	Twinning covenant	<p>Twinning: 1.20 MEUR (5% co-financing)</p> <p>Technical assistance: 300.000 EUR (10% co-financing)</p> <p>Supply: 300.000 EUR (25% co-financing)</p>	

<p>material about the Croatian Probation Service</p> <p>1.8. 3 Study visits to MS countries with a similar model of Probation Service</p>			
<p>2.1. Preparation of systematic offender risk needs assessment tool for use by staff, including risk of reoffending, risk of harm and criminogenic factors with sub-assessments for sex and violent offenders integrated into the case management and report writing processes consistent with international research and validated for Croatia.</p> <p>2.2. Development of comprehensive and clear guidance for staff on using the tool in an easily accessible style and format</p> <p>2.3. Development of methodology by which the MoJ will analyse the assessment data in order to produce an actuarial tool capable of accurately predicting the probability of reconviction in the future</p> <p>2.4. Study visit to another jurisdiction to examine the development and implementation of a risk/needs assessment tool</p>			

<p>3.1. Design comprehensive education curriculum and long-term training strategy for Probation Service</p> <p>3.2. Develop training needs analysis and design training courses</p> <p>3.3. To design and deliver training for all probation service managers in project management and business planning methods to EFQM standards</p> <p>3.4. Training of at least 6 Croatian trainers equipped to deliver 5 training courses</p> <p>4.1 A national case record for use throughout the Service supported by electronic templates</p> <p>4.2 Development and implementation of case management software</p> <p>4.3 Building IT infrastructure in order to link Probation offices and MoJ, with portals to Prison Service and Court case management system and development of appropriate software.</p> <p>4.4. Procurement of IT equipment (1 main server, 1 UPS, 80 PC-s, 44 printers, 22 notebooks, 22 network printers, 22 Multifunctional devices, 22 switches and 22 routers)</p>	<p>Technical assistance</p> <p>Supply</p>		
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<p>Preconditions:</p> <ul style="list-style-type: none">• Probation law passed by December 2009• Amendment of 2008 Strategy of the Reform of Judiciary and its Action Plan• Adoption of Strategy of the Reform of the Judiciary by Parliament• Necessary recourses such as co-financing from National budget, logistical support provided by MoJ• 6 new (Probation officers) in post during 2008• MoJ Directorate of Probation established and fully staffed by Q1 2010

ANNEX II: AMOUNTS (IN €) CONTRACTED AND DISBURSED BY QUARTER FOR THE PROJECT

Contracted	2010				2011				2012		
	I	II	III	IV	I	II	III	IV	I	II	III
Contract 1 - Twinning	1.200.000										
Contract 2 - Technical assistance	300.000										
Contract 2 - Supply	300.000										
Cumulated	1.800.000										
Disbursed	2010				2011				2012		
	I	II	III	IV	I	II	III	IV	I	II	III
Contract 1 - Twinning		400.000			300.000			300.000			200.000
Contract 2 - Technical assistance		100.000			100.000			50.000			50.000
Contract 2 - Supply	300.000										
Cumulated	300.000	800.000			1.200.000			1.550.000			1.800.000

ANNEX 3: REFERENCE TO LAWS, REGULATIONS AND STRATEGIC DOCUMENTS:

Strategic Planning Document:

MoJ Strategic Plan: The Establishment of the Croatian National Probation Service: Five Year Strategy 2008-12 (available from MoJ on request)

Reference list of relevant laws and regulations:

- Criminal Code 2004
- Criminal Procedure Act 2003
- Law on the Enforcement of Protective Supervision (Probation) and Community Service
- The Enforcement of Prison Sentences Code

Copies of the above laws are available in English and Croatian from the Ministry of Justice on request.

Reference to AP /NPAEU / SAA

- Accession Partnership with Croatia (2006/145/EC)
- Stabilisation and Association Agreement – Article 75
- National Programme for the Accession of the Republic of Croatia into the EU – 2008 (NPAEU)

Reference to MIPD

- The Multi-Annual Indicative Planning Document 2008 - 2010 for Croatia

Reference to National Development Plan

Not applicable

Reference to national / sector investment plans

Not applicable

Annex 4

Details per EU funded contract (*) where applicable:

For *TA contracts*: account of tasks expected from the contractor

For *twinning covenants*: account of tasks expected from the team leader, resident twinning advisor and short term experts

Components I, II and III:

Contract: Twinning

The project will be implemented in the form of a Twinning contract between Croatia and a Member State/Member States. The overall duration of the project is envisaged to be 24 months with activities to take place during 21 months. The Twinning partner(s) will manage all aspects of execution in close cooperation with the Ministry of Justice.

The Twinning partner(s) will provide a Resident Twinning Advisor (RTA) and also secure a pool of short- term experts, who will be called upon whenever necessary to contribute to the achievement of the mandatory results and especially for the purpose of advisory services and training according to the work plan that will be prepared as part of the corresponding contract.

The EU Twinning advisors will work together with the staff of the beneficiary institution under the overall direction of the beneficiary institution and the Project Steering Committee. In addition it is planned to continue with the current Working Group consisting of senior managers from the Ministry of Justice, two existing probation commissioners, an enforcement judge and two academics. This group participated in the study visits under the Twinning Light Project and have developed considerable expertise in probation matters, and will be responsible for guiding developments during 2008-09 prior to the start of the Twinning Project.

The EU Twinning partner will be a Member State institution directly involved in Justice and Home Affairs. Member States may also form a consortium which could result in a wide range of qualified senior experts gathered from public administrations or mandated bodies from up to two Member States, provided that national approaches can be harmonized within this consortium.

Expert input:

1. PL (Project Leader):

The PL should be a high ranking official with broad knowledge of all processes in the area of the Justice and Home Affairs that the project deals with, who will continue to work at his/her Member State (MS) administration but devote, some of his/her time to conceive, supervise and co-ordinate the overall thrust of the Twinning project.

The PL will allocate a minimum of 3 days per month including one visit every 3 months (more for complex projects) to Croatia as long the project lasts.

a) Qualifications:

- Broad long-term knowledge of all processes in the area of acquis that the project is dealing with;
- High-ranking official, commensurate with an operational dialogue at vice-ministerial level;
- Overall appreciation of the problems and solutions in the sector;
- Capable of unblocking any problems at highest level;
- Good leadership skills.

b) Tasks:

- Overall project co-ordination;
- Co-chairing, with the Croatian PL, the regular project implementation steering committee meetings;
- Mobilizing short- and medium term experts;
- Executing administrative issues (i.e. signing reports, administrative order etc.).

2. Resident Twinning Advisor (RTA):

a) RTA background

A RTA expert on probation systems will provide advice and technical assistance to the Ministry of Justice in the development of a probation system for 21 months. He will be located at the Ministry of Justice Zagreb in the Directorate of Prisons. He/she will also work in other probation centres as necessary. He/she should be a person with significant experience as a manager and should have a capacity for initiating new projects. Experience of working outside of the home country administration would be an advantage. In addition to the short term experts, he/she will also occasionally work together with the Croatian Ministry of Justice to provide inputs focused on:

- Advice to the Ministry of Justice in the design and establishment of a modern probation service together with the necessary legislative and regulatory changes that will be required under Croatian law.
- co-ordination - together with probation headquarters in Croatia - of the organization of training and lecturers
- facilitation of transferral of EU member states best practices and developing potential for their implementation in the new Croatian Probation Service
- promotion of the Service to major stakeholders including the judiciary

The RTA must be highly qualified in public affairs in general and the field of probation services in particular covered by the twinning covenant, and must possess good management skills. Experience with the operation of pre-accession programmes would be a comparative advantage.

b) RTA qualifications

- Minimum of 15 years experience in the organization of the practical application of the probation systems at managerial/expert etc. level;
- Familiar with probation systems field in a European Union Member State with particular emphasis on institutional set-up and implementation;
- Preferably a comparative knowledge of other Member States systems;
- Experience in project management;
- Experience in the participation of a legislative process/law drafting;
- Broad international contacts/exposure will be an asset;
- Advanced university degree;
- Strong written, oral and inter-personal communication skills in English;
- Good communication skills and experience in developing, co-coordinating and conducting training programmes;
- Experience in managing a large team of experts;
- Experience in working in a different cultural environment an advantage.

c) RTA tasks

- To design a work plan for the implementation of the programme and to assist the process of drawing up a covenant;
- Assist in the preparation of all strategic project documents [inception study, sector strategy/policy/plan, quarterly monitoring reports, final project report, training manuals etc.]
- To ensure continuity of implementation through: the execution of the day to day management; working on a daily basis with the Croatian Ministry of Justice staff to implement the project;
- To plan and coordinate outputs;
- Together with the Project Leader: to nominate, mobilize and supervise the short- and medium term experts;
- To coordinate and organize study visits, training activities, workshops and public awareness activities;
- To ensure proper quality of outputs;
- To provide detailed reports on the impact of the project.
- To promote the Service to major stakeholders through presentations, workshops and seminars

Note: RTA should be in close contact and cooperation with consultant on Component IV regarding all issues which will overlap during project implementation.

3. Short-term experts

a) Experts' qualifications

Minimum of 5 years professional experience in their respective field i.e., probation services, criminal justice agencies, and in the Ministries of Justice and associated state organizations etc.

- Advanced university degree in a relevant subject;
- They should be professionally qualified and have the appropriate experience in the area and subjects that they are selected for.
- Previous experience of working in other cultures and countries will be an advantage.
- Good written and oral command of English (or other community language);
- Proven contractual relation to public administration or mandated body;
- Capacity to integrate into a large expert team;
- Willingness to work in a different cultural environment.

b) Experts' tasks

- To contribute to the project with specialist knowledge in the area of probation, law enforcement systems and the judiciary;
- To provide specialist support services [e.g. providing Croatia with access to databases];
- To prepare training course modules;
- Delivery of selected training modules to the probation officers.
- Advice and backstopping from a national EU Ministry of Justice.

Component IV:

Contract Technical assistance

Expert input:

1. IT expert 1(Team leader) - 150 days

Qualifications and skills

- University degree in information and communication technology or computer science field
- Experience with analysis of existing information systems.
- Experience with business process analysis and reengineering.
- Excellent communication skills, with fluency in written and spoken English language, including excellent report-writing English language.
- Knowledge of Croatian language would be an advantage.
- Computer (MS Office/MS Project) and office automation literacy required.

General professional experience

- Preferably 10 years significant experience in informatics, but a minimum of 3 year informatics experience in probation service is required
- Minimum experience of 5 years in computerisation of public administration institutions

Specific professional experience

- Having a knowledge of practical experience with management of probation system
- Previous relevant working experience in specific probation areas would be an advantage
- Previous experience in EU assistance projects on software development would be advantage

Note: Team Leader should be in close contact and cooperation with twinning partners regarding all issues which will overlap during project implementation.

2. IT expert 2 - 80 days

- University degree in information and communication technology or computer science field
- Minimum experience of 10 years in computerisation of public administration institutions
- Experience with analysis of existing information systems
- Experience with business process analysis and reengineering
- Working experience with international consultants
- Working experience in “multi-task” teams (teams who perform several simultaneous tasks)
- Fluency in written and spoken English language, including excellent report-writing skills
- Previous experience in EU assistance projects on the reform of courts system would be an advantage
- Knowledge of Croatian language would be an asset

Short-Term Experts (200 days)

The Key expert will be assisted by short-term experts so as to provide the full range of expertise necessary. The exact tasks to be performed and the number and distribution of days to be delivered will be defined during the inception phase and approved by the Ministry of Justice.

All experts selected during the project implementation will have at least 5 years of experience related to the areas covered by this project and must be fluent in both English and Croatian languages.

Component IV:

Contract: Supply

The equipment that will be purchased through this contract is needed for proper functioning of the new Probation Directorate. Current state of play of IT equipment in the Directorate for prison system is as follows:

- 50 desktop PC
- 39 printers
- 3 notebooks

In the Directorate for Prison administration there are currently 50 employees. As already mentioned 6 new employees are planned to be hired in 2008. They will be the core group of new Probation directorate that must be established in 2010 prior to the beginning of this project.

The Supply contract is needed to procure, install, and test the equipment for the future probation offices.. Equipment will be used for creating centralised data base of personal records of offenders. This data base will be targeted to supervision and evaluation of implementation of community sanctions and measures, to reporting to the Courts and to make statistical reports. Technical specification that were made for this project clearly specify which items of IT equipment are needed for proper functioning of new Probation directorate and they are as follows:

-IT equipment (1 main server, 1 UPS, 80 PC-s, 44 printers, 22 notebooks, 22 network printers, 22 Multifunctional devices, 22 switches and 22 routers.)

It is desirable to create connections between Probation Service, Courts, Prison administration, Social welfare centres and Police. Unfortunately it is impossible to asses the IT needs of other involved institutions at this stage.

For the purposes of unique monitoring system and for persons that will be enclosed within the project, it is essential to purchase appropriate IT equipment which will be sufficient for all data and relevant information.

Basic IT knowledge will be one of the competences that new employees are expected to have. If the need for additional IT training occurs employees will be educated in State Office for Administration. IT training will not be part of this twinning project.

Entailed in the application of the existing legal regulation and in the harmonization with the EU legislative standards are new demands concerning functionality as well as the level of risk-control related to the operation of the information system of the new probation system and Prison administration in general.