Standard Summary Project Fiche for the Transition Facility
Strengthening the Romanian probation system and the inter-institutional cooperation in victim protection

1. Basic Information

1.1. CRIS Number: 2007/19343.01.06
1.2. Title: “Strengthening the Romanian probation system and the inter-institutional cooperation in victim protection”
1.3. Sector: Justice and Home Affairs
1.4. Location: Romania

2. Objectives

2.1. Overall Objective:
To ensure an effective and efficient system for the social re-integration of offenders and for the protection of crimes' victims in Romania

2.2. Project purpose:
To improve the response of the probation and victim protection services by a better use of probation instruments and by ensuring an integrated approach to the assistance provided to various types of crimes' victims

2.3. Justification

Shortcomings concerning the probation system have been identified in the May 2006 Comprehensive Monitoring Report which states that the network of probation centres supervising the social reintegration of prisoners still has insufficient resources for this task. The shortcomings identified in the report are the result of the growing complexity of the probation activity in recent years. That is because the newly enacted criminal legislation also refers to the probation field. Thus, following the 2006 amendments to the Criminal Code, the probation counsellors have gained new competences; the new draft Criminal Code also provides new criminal measures regarding both adult and juvenile offenders such as supervision or community services. As a consequence, the workload of the probation services has constantly increased.

This aspect is also underlined in the reports of the short term experts and the final report of the Phare 2003 RO/IB/JH/13-TL – Twinning Light project “Improving the efficiency of the Romanian probation system in supporting the social rehabilitation of the offenders and victims” which ended in August 2006.

The final report of the project stated that the Romanian probation services are working under considerable pressure. The experts' reports also expressed their concern as to how the service could effectively apply the new learning in their day-to-day work considering the workload laid on them by statute and the daily demands of running a national service with limited resources. Though the probation services' staff is due to increase in 2007, further support is needed in order to render the probation services' work more efficient and to reduce their workload.

The probation services are not only responsible for working with offenders, but also have important competences in the field of victim protection. At the European Union's level there's
been a constant concern in recent years for developing the field of victim protection, as an important contribution to the creation of a space of justice, liberty and security where freedom of movement of persons and services is secured. This concern and support for developing the national systems of victim protection is reflected both in legislation enacted at the level of the European Union, notably the Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims, as well as in the Framework Decision 2001/220/JHA on the standing of victims in criminal proceedings, and the jurisprudence of the European Court of Justice (for example Case C 186/87 Ian William Cowan v. Tresor Public).

Thus, in Romania, new legislation was enacted in 2004 for reflecting the efforts undertaken in this field at European level. Thus, the Law no. 211/2004 concerning certain measures to ensure victims' protection provides that the probation counsellors deliver psychological counselling and other forms of assistance to victims of crimes.

Both the social reintegration of offenders and the protection of victims represent important objectives for the reform of the justice system in Romania and they are underlined as such in the Strategy for reform of judiciary 2005-2007 (adopted through the Government Decision no. 232/March 30th/2005). The strategy emphasises, within the priority “The protection of victims and the social reintegration of offenders”, the importance of efficient reorganization of the national system for protection of victims and social reintegration of offenders. These services ensure the implementation of the post-punishment assistance, as well as the protection of crime victims, essentially adding to the dimension of the Judiciary as public service.

This project will help the Romanian probation system to deal more efficiently with its new tasks thanks to a clear streamlining of competences among institutions in charge of victim protection by providing a referral system of beneficiaries of the services between institutions. The probation work will also be more efficient thanks to the improvement of the common working practices of judges and probation counsellors and ensuring a more effective use of the probation related instruments. Finally, the project will allow the probation services to involve an important number of volunteers in the probation work and their contribution consequently producing a decrease in their workload.

3. Description

3.1. Background and justification:

The National Probation Service in Romania began as a pilot project in Arad in 1997. In 2001/2002 it was expanded to 41 probation services, one for each county (judet) in the country. The first legislative step in relation to probation was made by GO no. 92/2000, amended and approved by the Law no. 129/2002, which dealt with the creation and functioning of the social reinsertion and surveillance services.

Probation counsellors supervise offenders in the community and provide assistance and counselling to convicted persons whose imprisonment has been suspended. They undertake similar work with discharged prisoners, but without supervision. There are currently 182 probation counsellors across the whole of the country, although the number is shortly to be considerably increased through the creation of further 142 posts from 2007. These increases are essential, given the considerable anticipated augmentation of the workload of the probation services as result of new legislation, most particularly in the provision of court reports on juveniles. The new penal draft code provides new measures for offenders (adults
and juveniles) such community service, educative measures — week-end confinement, supervision). There will also be new requirements for probation officers to be involved in decisions about prisoner release.

Another important development has been Law no. 211/2004 which requires probation services to provide psychological counselling and other forms of assistance to victims, should they request it. Other pressures of work have meant that this task has only been carried out to a limited extent to date and that there are also doubts about whether all victims are being properly informed of this facility being available.

1. Probation. Working with offenders

Though important progress has been made in probation area, important gaps still relate to the necessity to better ensure the coordination between the courts and the probation services in order to ensure that the evaluation work performed by the probation officers with regard to offenders finds a reflection in the solutions provided by the judges and in the penalties applied to these. The quality of the justice act may be improved by increasing the awareness of judges with regard to the role of the probation services in different phases of the criminal trial. That is why special attention should be given to the new measures concerning offenders (adults and juveniles) such as community service, educative measures — week-end confinement, supervision - provided by the new draft penal code. The judge must be aware of and make use new instruments, such as pre-sentence (evaluation) report, supervision and community service. Thus, organising workshops for judges and probation counsellors would allow the participants to discuss common issues related to these probation instruments and how to find the best use for them, so that the work of the probation counsellors would be fully valued. These workshops also represent an opportunity to for exchange of information between judges in order to develop unitary practices regarding non-custodial punishments and supervision measures to be undertaken by the probation services.

2. Involving volunteers in the work of the probation services

As mentioned above, the May 2006 CMR underlined that the probation services still have insufficient resources to perform their complex task. This assertion has been confirmed by the reports of the 2003 Twinning light experts. The final report underlined that "it is clear from the reports of the Short Term Experts that the Romanian probation service is working under considerable workload pressure".

Involving volunteers into the work of the probation services nationwide is important both from the probation services’ point of view because it would help reduce their workload, as well as from a social point of view because it would raise citizens’ awareness with regard to the role of probation. The volunteers represent a resource that can add important input in the well functioning of the system and the valorisation of such a resource should be secured.

The role of the volunteers was already considered in the development of the probation service up to now, as one important requirement for joining this profession. Nevertheless, the good results already achieved need a further strategic approach in this field for the upcoming years, considering the recent legislative changes adopted on the statute of the probation staff as well as the new tasks established by the new laws in criminal area. Therefore, a strategy and related action plan are more than necessary as to allow the development of the human resources planning on the one hand, as well as the implication of the civil society members in the mission that the probation services are due to fulfil in terms of prevention and combating the criminal phenomenon and increasing the public safety.
3. Victim assistance

An integrated approach must be promoted in Romania with regard to victim assistance, at the level of the probation services which includes one-to-one work with victims, as well as at the level of all the institutions involved in the victims’ assistance.

As a first step, „One-to-one work with victims” programmes have been elaborated under the PHARE 2003 twinning light project, having as beneficiary the Probation Department within the Romanian Ministry of Justice. Further on, under the Phare RO/2005/IB/JH/04 “Continuation of assistance for strengthening the probation and victim protection services in Romania” procedures for working with victims will be agreed upon and detailed by pilot groups consisting of the representatives of the key institutions, that as a last step will be endorsed by a National working group, as representative body of all the institutions concerned of victims’ assistance. These results will allow to victims of crimes to benefit of better tailored services to their specific needs while in contact with the authorised services providers.

Nevertheless, the inter-institutional cooperation between the institutions involved in victims’ assistance needs to be clearly defined and streamlined, through the setting up of a referral system at national level and also minimum standards in order to ensure the quality of the intervention. This is meant to be achieved under this project, as a completion phase in the setting up of the victims’ assistance system. Although steps have been taken in this area, the real efficiency of the system relies on the coordination of the actions undertaken at the level of every involved public body.

In the last few years, many public authorities have become in charge of victim assistance depending on the nature of the crime (the National Agency for Family Protection, the National Agency for Preventing Trafficking in Persons and for Monitoring the Assistance Granted to Victims of Trafficking in Persons, including the Transit Centres for Victims of Trafficking in Persons, National Agency for Child Protection and the Probation services). This cumulus of responsibilities held by different authorities with competences in this field means that the victim cannot take full and best tailored advantage of a coherent and immediate response to his/her needs. Each crime harms in a specific way and therefore the assistance to victims has to be provided in due time, by the competent body holding the appropriate intervention instruments. That is why the elaboration of a formalized referral system at national level is mandatory in the creation of a standardised system for the victims’ protection.

The Transition Facility support is therefore necessary in order to meet these gaps.

In the Sector Operation Programs elaborated by Romania, and currently undergoing an approval procedure, for the implementation of the European Social Fund the judiciary system has not been identified as a priority axes. Furthermore, whereas the projects eligible under the SOPs for the implementation of the structural funds that might relate to probation activity envisage mostly the support of directly targeted interventions for the disadvantaged persons (i.e. former prisoners) such as professional re-conversion and social inclusion, the current project aims at creating a more refined, structured and developed institutional framework related to the probation officers and their activity.
3.2. Linked Activities

1) By Phare 2003 programme, “Support for improving the justice for minors” the probation services will benefit from investments and technical expertise in order to provide effective service to juvenile offenders.

2) Another Phare project run in 2004 by an NGO (Penal Reform International) in partnership with the Ministry of Justice prepared to a certain extent the implementation of the community service.

3) The British Department for International Development is supporting the development of a National Probation Service in Romania through a consultancy based in the University of Wales Swansen. This Project has been carried out between 1998-2004 and it has been extended with 2 more months for 2005. The assistance aims to further provide training for the Romanian probation counsellors with the UK experts’ support, having in mind the amendments of the criminal legal framework, training for judges dealing with penal cases, improving the promotion activity for probation services, the creation of national standard of quality for probation services and specialized inputs in the area of the European Excellence Model on effective management.

4) Also, the Probation Department was the beneficiary of two Phare Access programmes. The first project was carried out jointly with the Centre for Legal Resources on the restorative justice field. The second project, carried out between December 2003-August 2004, was in conjunction with the Penal Reform International on the execution of community service sentences. In the year 2004 the Probation department has cooperated with the NGO „the League for the Defence of Human Rights”- LADO-for the elaboration of a legal guide for the convicted persons supervised by the probation services; 4000 copies of this guide were disseminated locally, for the direct use of the convicted persons.

5) In the year 2004 the Probation department has cooperated with the NGO „The Romanian Center for Human Education and Development”-CRED- for the development of the project “Alternative measures. Provoking community answer to juvenile delinquency”, financed by UNICEF. A bilateral programme with the United States of America has been initiated with the purpose of raising awareness about the role of probation amongst the judiciary. As such, 6 local seminars were organized between February-March 2005.

6) The cooperation with United Kingdom is continuing by a new project “Strengthening the institution of probation in Romania” - 2005 - 2007, financially supported by Global Opportunity Fund which started in April 2005. The purpose of this project is to create systems and know-how to strengthen the institution of probation, to raise efficiency in service delivery.

7) At the end of the 2003 Twinning Light RO/IB/JH/13-TL- project “Improving the efficiency of the Romanian probation system in supporting the social rehabilitation of the offenders and victims” (December 2005 - August 2006), three individual and group work rehabilitation programmes aiming at changing criminal behaviour and maintaining a pro-social life of offenders as well as at offering assistance to victims of crimes will be developed and approved by the Ministry of Justice. By training sessions (seminars and workshops) the probation personal will be trained in order to apply these programmes in a unitary manner.
8) The Phare 2005/017-553.01.04, RO/2005/IB/JH/04 “Continuation of assistance for strengthening the probation and victims’ protection services in Romania” aims at improving the working procedures in the area of victims’ protection and the working methodologies in the area of social reintegration of the offenders. Training sessions will be organised for the probation counsellors and the educational policy of the Probation department will be elaborated.

The Transition Facility will continue the Phare 2005 project by improving the working practices between the probation services and courts. The Phare 2005 project aims at elaborating working procedures for institutions in charge of social reintegration of offenders (Probation services, Ministry of Labour, Ministry of Education and Research, National Administration for Child Protection, Ministry of Health, National Agency for Fighting against Drugs), as well as for NGOs involved in the social reintegration of convicted persons. While these procedures are concentrated on the social reintegration of offenders, after the sentencing phase, the present project focuses on the pre-sentence phase with a view to improve the pre-sentence working procedures between the courts and the probation services.

As regards the victim protection field, working procedures for victims assistance will be elaborated under the Phare 2005 project. The common referral system that will be created under the Transition Facility Project aims at assisting various institutions involved in victim protection to make better use of the working procedures elaborated under the Phare 2005 project, contributing this way to maximizing the effect of their activity by ensuring that each victim reaches the authority competent and with the adequate experience to respond to his/her specific needs.

Furthermore, with its volunteers’ component, the Transition Facility project will complement the Phare 2005 Project bearing in mind that the latter envisages the training of practice supervisors, namely the persons from each probation service that will be responsible of supervising the activity of the new probation services, students performing internships within the system and volunteers. Thus, while the Phare 2005 will provide the training of the human resources the transition facility will provide the institutional and strategic framework for the involvement of the volunteers, so as to ensure the maximum use of this important resource.

3.3. Results

1. The working practices of the probation counsellors and judges improved as to ensure the maximum impact of alternative sanctions.

2. A strategy and an action plan for attracting and involving volunteers in the probation services’ activities elaborated.

3. A common referral system and common minimum assistance standards for different institutions involved in victims’ protection elaborated.

3.4. Activities:

1. Activities under result 1:

1.1. Organising 8 common regional workshops of 3 days each for judges and probation counsellors (20 participants, respectively 10 judges and 10 probation counsellors per seminar) to develop working practices between the courts and the probation services.
The workshops will focus on issues related to instruments used in the criminal trials that involve the activity of the probation services (i.e. the pre-sentence report) and how to make the best use of these instruments, both from the judges and probation counsellors’ point of view. Furthermore it is envisaged for the workshops to contribute to the improvement of the courts’ practice with regard to and the execution of alternative sanction to imprisonment/non-custodial punishments.

Estimated overall budget: 122 200 euro
Experts involved: team leader, key expert 3, STE

1.2. Elaboration of a report with recommendations for ensuring the improvement of the working practices of judges and probation counsellors nationwide, based on the findings of the workshops.

Estimated overall budget: 50 000 euro
Experts involved: team leader, key expert 3, STE

1.3. Organisation of a conference between the heads of probation services and the presidents of the courts in order to discuss and agree upon the report mentioned at activity of 1.2. (conference of 2 days for 41 presidents of courts and 41 heads of probation services)

Estimated overall budget: 28 500 euro
Experts involved: team leader, key expert 3, STE

1.4. Elaboration of best practices, including at EU level, on the enforcement of community sanctions and evaluation of offenders for the use of judges and probation counsellors based on the results of the previous activities.

Estimated overall budget: 50 500 euro
Experts involved: team leader, key expert 3

2. **Activities under result 2:**

2.1. Elaboration of a reference material on general practices regarding the work with volunteers based on the best practices developed by the probation services in other EU Member States;

Estimated overall budget: 47 400 euro
Experts involved: team leader, STE

2.2. Elaboration of a Strategy and of an Action plan for attracting and working with volunteers in the probation services nationwide. The Strategy to include the induction curricula of training to be provided to volunteers involved in probation activity;

Estimated overall budget: 86 000 euro
Experts involved: team leader, STE
2.3. A mini-guide for the use of volunteers containing basic information about their role and work within the probation services elaborated and printed in 1000 copies;

Estimated overall budget: 41 500 euro
Experts involved: team leader, STE

2.4. Organising 6 round tables of 1 day each bringing together probation counsellors, students associations’ representatives and academics in order to present and promote the work of the probation counsellors, with a view to attracting volunteers within the system; (approx 5 probation counsellors participating in one round table)

Estimated overall budget: 22 500 euro
Experts involved: team leader, STE

2.5. Organising 4 events of 1 day each to attract volunteers in the work of the probation services: 2 “Probation open-day” events, as well as 2 “Safe neighbourhood – be involved” events.

“Probation open day” is an event organized for the general public in order to introduce and present the role and the activities of the probation services to the general public. The events will imply the access of all stakeholders and public to presentations organised at probation services headquarters in Bucharest and in other two major cities.

“Safe neighbourhood –be involved day” is an event organised in order to promote the contact and collaboration between the probation services and other authorities such as the police and the local authorities in order to increase the citizens’ safety.

Estimated overall budget: 11 800 euro
Experts involved: team leader, STE, team leader

3. Activities under result 3:

3.1. Setting up a working group composed of representatives of institutions involved in victim protection from both national and local level

Estimated overall budget: 70 400 euro
Experts involved: key expert 2, STE

3.2. Elaborating the common referral system for the different institutions involved in victim protection, based on the work of the working group and on the report from activity 3.1. The common referral system to be agreed upon by the different institutions involved in victim protection and to be further formalised by the beneficiary institutions. The common referral system will be elaborated by taking into account the competences of each institution dealing with victims of various types of crimes and the type of assistance provided by them.

Estimated overall budget: 62 000 euro
Experts involved: key expert 2, STE, team leader
3.3. Elaborating and formalising common minimum assistance standards in the services provided by the different institutions to the victims of crimes. The common minimum assistance standards to be agreed upon by the different institutions involved in victim protection and to be further formalised by the beneficiary institutions.

Estimated overall budget: 69 200 euro
Experts involved: key expert 2, STE, team leader

3.4. Organisation of 4 round tables of 1 day each, at regional level for the representatives of the different institutions in order to present them with the new common referral system (approx. 30 persons)

Estimated overall budget: 38 000 euro
Experts involved: team leader, key expert 2, STE

3.5. Experts' profile

**Key expert 1: Team Leader**

The team leader will be responsible for all matters relating to the management and implementation of the project, including the coordination of activities of all the other experts (long term and short-term) and the in-country management of the project. The team leader will draw up and monitor work programmes for all the other experts.

Qualifications and skills:

- University degree
- Excellent inter-personnal and communication skills
- Excellent level of English
- Ability to supervise and coordinate all aspects of the contract
- Excellent computer skills

General professional experience:

- Relevant knowledge of the functioning of the criminal justice system
- General professional experience of minimum 10 years

Specific professional experience:

- At least 5 years of experience in interagency collaboration in the probation and/or victim protection area
- Experience of minimum 2 years in project management
- Coordinated at least 2 previous similar assistance projects in related fields
Key expert 2 – victim protection specialist

Qualifications and skills:

➢ University degree in Law/ Social Science
➢ Excellent inter-personal and communication skills
➢ Excellent level of English
➢ Excellent computer skills

General professional experience:

➢ Professional experience of at least 5 years
➢ Previous experience in project management and/or consultancy in international projects
➢ Relevant experience in working with judiciary/public administration/NGOs

Specific professional experience:

➢ At least 5 years of experience in victim protection/assistance and/or consultancy on victim protection programmes
➢ Previous experience in working with an international team/international assistance project

Key expert 3 – probation specialist

Qualifications and skills:

➢ University degree in Law/ Social Science
➢ Excellent inter-personal and communication skills
➢ Excellent level of English
➢ Excellent computer skills

General professional experience:

➢ At least 5 years of professional experience
➢ Previous experience in project management and/or consultancy in international projects
➢ Relevant experience in working with judiciary/public administration/NGOs/volunteers associations

Specific professional experience:
➢ At least 5 years of experience in working with probation services

➢ At least 3 years in developing programmes for working with/attracting volunteers, preferably in the field of probation related activities

➢ Previous experience in working with an international team/international assistance project

3.5. Lessons learned:

See Annex 5

4. Institutional Framework

As a component of justice system, probation has been set up in order to achieve the social reintegration of those persons who offended, maintained in liberty, the supervision of their compliance to the obligations imposed by the court as well as the victims’ protection (beginning with January 2005). In this purpose in 2000 it has been established the Probation Department at the level of the Ministry of Justice. Under its coordination, during 2001 and 2002, 41 probation services have been created as specialized bodies without juridical personality organized nearby each county court from each county.

5. Detailed Budget

<table>
<thead>
<tr>
<th>€M</th>
<th>Transition Facility support</th>
<th>Co-financing</th>
<th>Total cost</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Investment</td>
<td>Institution Building</td>
<td>Total Transition Facility (= I+1B)</td>
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<tr>
<td>TA</td>
<td>0,00</td>
<td>0,57</td>
<td>0,57</td>
</tr>
<tr>
<td>Total</td>
<td>0,00</td>
<td>0,57</td>
<td>0,57</td>
</tr>
</tbody>
</table>

** Joint co-financing

Contributions from the Romanian administration for effective implementation of the twinning/twinning light/TA may be further detailed in the twinning contract/ terms of references.

To ensure smooth implementation of the project, the beneficiary will provide adequately equipped office space with telephone, PC (Internet) and fax. Photocopier and access to the necessary information as well as secretarial support will be ensured during the project life-time. In addition the beneficiary will provide space and facilities for workshops (training), consultations and seminars. The national co-financing will be specified in the twinning contract.

VAT is not an eligible expenditure under both the Transition Facility and national co-financing funds indicated in the above budget table. Where contracts are subject to VAT due to provisions of national legislation, these funds have to be provided from national resource outside and in addition to the amounts indicated in the budget table.
6. Implementation Arrangements

6.1. Implementing Agency

The Implementing Agency is the Central Finance and Contracts Unit (CFCU) which will be responsible for tendering, contracting, administration, accounting, payments and financial reporting.

Carmen ROSU, Director CFCU/PAO
030669 Bucharest, Sector 3
Mircea Voda Boulevard 44, Entrance B
Telephone: +40 (21) 3260202
Fax: +40 (21) 3268730; 3268709
E-mail: carmenrosu@cfcu.ro

The Implementing Authority (IA)

The responsibility for technical project preparation, implementation and control will remain with the beneficiary institution, i.e. the Ministry of Justice. The PIU from the MoJ will be responsible for overall procedural and administrative management of the project. Responsible persons for each component will be appointed from the institutions directly involved in the respective components.

SPO:
Diana Mihaela POPESCU, Director of the Department for European Programmes,
Ministry of Justice,
Bucharest, Sector 5,
Apolodor St., no.17
Telephone: +40 (21) 3136046
Fax: +40 (21) 3146407
E-mail: dpopescu@just.ro

The beneficiaries directly involved in the project will be the MoJ and probation and victims’ protection services.
Direct beneficiaries: MoJ, 41 local probation and victims’ protection services.

Romanian Project Leader: Iuliana CARBUNARU, Director, Probation Department
Phone: + 40.21.335.20.61
Fax: + 40.21.335.20.83
Email: icarbunaru@just.ro

Steering committee:

The steering committee (consisting of the Representative of the Probation Department, the Representative of the European Programmes Department, Representative of the Superior Council of Magistracy, the Representative of the National Authority for Family Protection, Representative of National Agency for the Protection Child rights, the Representative of National Agency for the prevention of Trafficking in Human Beings and for the Monitoring of the Assistance granted to Human Trafficking Victims) will be responsible for approving the progress reports and will meet every three month in order to review project progress.
6.2. Twinning
NA

6.3. Non-standard aspects
The National Procurement Rules will be strictly followed.

6.4. Contracts
☐ TA – 0,7 Meuro

7. Implementation Schedule

7.1 Start of tendering/call for proposals: October 2007
7.2 Start of contract: July 2008
7.3 Project Completion: June 2009

8. Sustainability
The project’s results will continue to be valorised by the probation services after the end of the project.
Thus the practice supervisors, who will be trained under the Phare 2005 Project and will be extensively involved in the elaboration and implementation of the volunteers’ component will ensure the coordination and instruction of any volunteers who would be interested to join the probation services. The probation services will also stay in close contact with students associations and academics involved under result 2 and the established links between the concerned bodies will be maintained and possible formalised. The students associations and volunteers may thus represent a possible human resources selection field for future recruitment in the probation services.

Resources in terms of staff and budget to secure the sustainability of the project after their completion will be ensured

9. Conditionality and sequencing

Sequencing:
The present project is closely related with the results of PHARE 2005 “Continuation of assistance for strengthening the probation and victims’ protection services in Romania”. While the results under the Phare 2005 Transition Facility Project and those of the Phare 2005 Project will contribute to overall goals, such as the improvement of the response of the probation services and victim protection institutions to the specific needs of the offenders and victims, by securing not only good qualitative intervention but also by improving the coordination of the stakeholders, the projects should not be seen in a sequential order.

Thus, the results 1 and 3 of the Transition Facility Project are interconnected with the Phare 2005 Project but the two projects may run in parallel, if the case may be. Also, the Phare 2005 project aims at elaborating working procedures for the purpose of securing the social reintegration of offenders, in the post-sentencing phase, while the TF project focuses on the pre-sentence phase with a view to improve the pre-sentence working procedures between the courts and the probation services.
As regards the victim protection field, the common referral system created under the Transition Facility will provide the opportunity for the various institutions involved in victim protection to put the working procedures elaborated under the Phare 2005 project into practice, contributing this way to maximizing the effect of their activity.
ANNEXES TO PROJECT FICHE

1. Logical framework matrix in standard format (compulsory)

2. Detailed implementation chart (compulsory)

3. Contracting and disbursement schedule by quarter for full duration of programme (including disbursement period) (compulsory)

4. Lessons learnt from previous years (compulsory)

5. List of relevant Laws and Regulations (optional)

6. Number of working days

7. Budget Breakdown
**ANNEX 1: LOGFRAME**

### Log frame
**Transition Facility programme for Romania**

<table>
<thead>
<tr>
<th>LOGFRAME PLANNING MATRIX FOR Project Fiche</th>
<th>Programme name and number 2007/19343.01.06</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Title of the project</strong></td>
<td></td>
</tr>
<tr>
<td>&quot;Strengthening the Romanian probation system and the inter-institutional cooperation in victim protection&quot;</td>
<td></td>
</tr>
<tr>
<td>Contracting period expires</td>
<td>Disbursement period expires 15.12.2010</td>
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<tr>
<td>Total budget: 0.7 MEuro</td>
<td>TF budget 0.57 MEuro</td>
</tr>
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<table>
<thead>
<tr>
<th>Overall objective</th>
<th>Relates to Copenhagen criterion and acquis chapter¹</th>
<th>List of other projects with same objective</th>
</tr>
</thead>
</table>
| To ensure an effective and efficient system for the social re-integration of offenders and for the protection of crimes’ victims in Romania | “Stable institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities” | • Phare 2003 RO/IB/JH/13-TL— “Improving the efficiency of the Romanian probation system in supporting the social rehabilitation of the offenders and victims”
• Phare RO/2005/IB/JH/04 “Continuation of assistance for strengthening the probation and victim protection services in Romania” |

<table>
<thead>
<tr>
<th>Project purpose</th>
<th>Objectively verifiable indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
</table>

¹ Please specify here the recommendation made in Comprehensive Monitoring Report or other relevant documents (SIGMA (financial control, procurement, Peer Reviews, Evaluation reports, Final reports of TW projects)
To improve the response of the probation and victim protection services by a better use of probation instruments and by ensuring an integrated approach to the assistance provided to various types of crimes' victims

<table>
<thead>
<tr>
<th>Results</th>
<th>Objectively verifiable indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Result 1</strong></td>
<td>Number of judges using the probation instruments (e.g., the pre-sentence report) when ruling a</td>
<td>Monitoring reports&lt;br&gt;Ministry of Justice reports&lt;br&gt;Project reports</td>
<td>Willingness and active interest of the participants&lt;br&gt;Willingness of judges and probation counsellors to refer to the best practices on the enforcement of community sanctions and evaluation of offenders</td>
</tr>
<tr>
<td>The working practices of the probation counsellors and judges improved as to ensure the maximum impact of alternative sanctions.</td>
<td>decision Number of victims referred to in accordance to the new reference system Number of volunteers involved in the work of the probation services</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Result 2</strong></td>
<td>Number of judges and probation counsellors referring to working practices elaborated under the project.</td>
<td>Ministry of Justice reports&lt;br&gt;Superior Council of Magistracy reports&lt;br&gt;Project quarterly and final reports;&lt;br&gt;Probation services statistics</td>
<td>Good collaboration between the relevant institutions in order to gather the required information&lt;br&gt;The relevant information structured in order to complete an accurate strategy and action plan&lt;br&gt;Good collaboration of students' associations, academics and other stakeholders.</td>
</tr>
<tr>
<td>A strategy and an action plan for attracting and involving volunteers in the probation services' activities elaborated</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Result 3**
A common referral system and common minimum assistance standards for different institutions involved in victims' protection elaborated

<table>
<thead>
<tr>
<th>Activities</th>
<th>Means</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Result 1:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.1. Organising 8 common regional workshops of 3 days each for judges and probation counsellors to develop working practices between the courts and the probation services.</td>
<td>Technical Assistance</td>
<td>Monitoring reports</td>
<td>Active interest of the participants</td>
</tr>
<tr>
<td>1.2. Elaboration of report with recommendations for ensuring the improvement of the working practices of judges and probation counsellors nationwide, based on the findings of the workshops.</td>
<td></td>
<td>Project reports</td>
<td>Willingness of judges and probation counsellors to refer to the best practices on the enforcement of community sanctions and evaluation of offenders</td>
</tr>
<tr>
<td>1.3. Organisation of a round table between the heads of probation services and the presidents of the courts in order to discuss and agree the report mentioned at activity of 1.2.</td>
<td></td>
<td>Workshop questionnaires</td>
<td>Proper collaboration between the involved institutions</td>
</tr>
<tr>
<td>1.4. Elaboration of best practices, including at EU level, on the enforcement of community sanctions and evaluation of offenders for the use of judges and probation counsellors based on the results of the previous activities.</td>
<td></td>
<td>Best practices document for judges and probation counsellors</td>
<td>Good collaboration of students’ associations, academics and other stakeholders.</td>
</tr>
<tr>
<td>Result 2:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1. Elaboration of a reference material on general practices regarding the work with volunteers based on the best practices developed by the probation services in other</td>
<td></td>
<td>Lists of participation to the “Probation Day” and “Safe neighbourhood – be involved” events</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lists of participants from the round tables</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Questionnaires from the round tables</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Project reports</td>
<td></td>
</tr>
<tr>
<td>EU Member States;</td>
<td>Report including a detailed overview of the competences of the institutions involved dealing with victims of various types of crimes as well as of the type of assistance provided by each institution</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>2.2. Elaboration of a Strategy and of an Action plan for attracting and working with volunteers in the probation services nationwide. The Strategy to include the induction curricula of training to be provided to volunteers involved in probation activity;</td>
<td>Active interest from the participants to the round tables</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.3. A mini-guide for the use of volunteers containing basic information about their role and work within the probation services elaborated and printed in 1000 copies;</td>
<td>Project reports</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.4. Organising 6 round tables of 1 day each bringing together probation counsellors, students associations’ representatives and academics in order to present and promote the work of the probation counsellors, with a view to attracting volunteers within the system;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.5. Organising 4 events of 1 day each to attract volunteers in the work of the probation services: 2 “Probation open-day” events, as well as 2 “Safe neighbourhood – be involved!” events.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Result 3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.1. Setting up a working group involving representatives of institutions involved in victim protection from both national and local level</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.2. Elaboration of a report including a detailed overview of the competences of the institutions involved dealing with victims of various types of crimes as well as of the type of assistance provided by each institution</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.3. Elaborating the common referral system for the different institutions involved in victim protection, based on the work of the working group and on the report from 3.2. The common referral system to be agreed upon by the different institutions involved in victim protection and to be further formalised by</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
3.4. Elaborating and formalising common minimum assistance standards in the services provided by the different institutions to the victims of crimes. The common minimum assistance standards to be agreed upon by the different institutions involved in victim protection and to be further formalised by the beneficiary institutions.

3.5. Organisation of 4 round tables at regional level for the representatives of the different institutions in order to present them with the new common referral system.
## ANNEX 2 - DETAILED TIME IMPLEMENTATION CHART

<table>
<thead>
<tr>
<th>Calendar months</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Technical assistance activities</strong></td>
<td>D D D D D C</td>
<td>C C C C C C</td>
<td>I I I I I I</td>
<td>I I I I I I</td>
</tr>
</tbody>
</table>

D = Design  
C = Contracting  
I = Implementation

## ANNEX 3: CONTRACTING AND DISBURSEMENT SCHEDULE BY QUARTER FOR FULL DURATION OF PROGRAMME (INCLUDING DISBURSEMENT PERIOD)
### Annex 3a - Cumulative contracting schedule

<table>
<thead>
<tr>
<th></th>
<th>31/03/07</th>
<th>30/06/07</th>
<th>30/09/07</th>
<th>31/12/07</th>
<th>31/03/08</th>
<th>30/06/08</th>
<th>30/09/08</th>
<th>31/12/08</th>
<th>31/03/09</th>
<th>30/06/09</th>
<th>30/09/09</th>
<th>31/12/09</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONTRACTED</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0.57</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Technical</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>MEuro</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

NB: *All contracting should normally be completed within 6-12 months and must be completed within 24 months of signature of the FA.*

### Annex 3b - Cumulative disbursement schedule

<table>
<thead>
<tr>
<th></th>
<th>31/03/08</th>
<th>30/06/08</th>
<th>30/09/08</th>
<th>31/12/08</th>
<th>31/03/09</th>
<th>30/06/09</th>
<th>30/09/09</th>
<th>31/12/09</th>
<th>31/03/01</th>
<th>30/06/01</th>
<th>30/06/01</th>
<th>30/09/01</th>
</tr>
</thead>
<tbody>
<tr>
<td>DISBURSEMENT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Technical</td>
<td></td>
<td></td>
<td></td>
<td>0.11</td>
<td>0.22</td>
<td>0.33</td>
<td>0.44</td>
<td>0.57</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>MEuro</td>
<td>MEuro</td>
<td>MEuro</td>
<td>MEuro</td>
<td>MEuro</td>
<td>MEuro</td>
<td>MEuro</td>
<td>MEuro</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NB: *All disbursements must be completed within 36 months of signature of the FA.*
ANNEX 4 - LESSONS LEARNT FROM PREVIOUS YEARS

Note to the attention of the Head of PIU

<table>
<thead>
<tr>
<th>Identified Gaps or Recommended courses of intervention</th>
<th>Action for covering the Gap or implement the recommended intervention</th>
<th>Phare Programming (Project Reference) 2004-2006</th>
<th>Transition Facility</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;The network of probation centres supervising the social reintegration of prisoners still has insufficient resources for this task.&quot; - Comprehensive Monitoring Report, May, 2006</td>
<td>The Strategy and the Action plan for attracting in involving volunteers in the work of the probation services will allow the probation services to reduce their workload.</td>
<td>The Phare RO/IB/JH/13-TL project – &quot;Improving the efficiency of the Romanian probation system in supporting the social rehabilitation of the offenders and victims&quot; The Phare 2005/017-553.01.04, RO/2005/IB/JH/04 &quot;Continuation of assistance for strengthening the probation and victims’ protection services in Romania&quot;</td>
<td>&quot;Strengthening the probation services in Romania&quot; - TA</td>
</tr>
<tr>
<td>&quot;It is clear from the reports of the Short Term Experts that the Romanian probation service is working under considerable workload pressure and as can be seen from the reports of the STE’s there is some concern as to how the service can now effectively apply the new learning in their day-to-day work considering the workload laid on them by statute and the daily demands of running a national service with limited resources.&quot; - Final report of the Phare 2003 RO/IB/JH/13-TL- Twinning Light project “Improving the efficiency of the Romanian probation system in supporting the social rehabilitation of the offenders and victims&quot;</td>
<td>Improving the working practices of the judges and probation counselors as it will help maximize the impact of alternative sanctions and will have a positive impact on the workload of the probation services.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


- “There is a need for a clear policy statement of what the Service aims to achieve in relation to victim work and offender programmes.” - Final report of the Phare 2003 RO/1B/JH/13-TL - Twinning Light project “Improving the efficiency of the Romanian probation system in supporting the social rehabilitation of the offenders and victims”

| | The common referral system will help to establish a clear division of tasks between the institutions involved in victim support and victim assistance. |
| | Organizing public events such as “Probation Day” will give more visibility to the work of the probation services. |

**Note:** The table should summarize all the interventions aimed at the application of the recommendations of the comprehensive Monitoring Report, SIGMA (financial control, procurement, Peer Reviews, Evaluation reports, Final reports of TW projects, specifying the sources of financing of the intervention, i.e. IFIs or state budget (see the examples in the table).

Please insert in the table only those gaps/recommendations relevant for the interventions planned for current exercise, in a most synthetic way. Obviously, the column for PHARE 2004-2006 will be completed only if the intervention spans over all the three programming years - i.e. there are projects to be financed from Phare 2004, respectively 2005 and 2006 under the same recommendation.
ANNEX 5: LIST OF RELEVANT LAWS AND REGULATIONS

ROMANIA

GO no. 92/2000, concerning the organisation and functioning of the probation and social reintegation of offenders services

Law no. 129/2002, for the amendment and approval of the GO no. 92/2000, concerning the organisation and functioning of the probation and social reintegration of offenders services

Law no. 211/2004, relating to certain measures to ensure victims' protection

Law no. 275/2006, relating to the execution of criminal sanctions and other criminal measures

EUROPEAN UNION acquis

# ANNEX 6- NUMBER OF WORKING DAYS

<table>
<thead>
<tr>
<th>Activities of the experts</th>
<th>Expert days</th>
<th>Cost per activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1. Organising 8 common regional workshops of 3 days each for judges and probation counsellors to develop working practices between the courts and the probation services. – 20 participants (10 judges and 10 probation counsellors) per seminar</td>
<td>Preparation, organisation of the regional workshops 40 WD Regional workshops 88 WD</td>
<td>122 200 Euro</td>
</tr>
<tr>
<td>1.2. Elaboration of a report with recommendations for ensuring the improvement of the working practices of judges and probation counsellors nationwide, based on the findings of the workshops</td>
<td>Research, preparation of the materials: 20 WD Elaboration of the report 60 WD</td>
<td>50 000 Euro</td>
</tr>
<tr>
<td>1.3. Organisation of a conference between the heads of probation services and the presidents of the courts in order to discuss and agree the report work mentioned at activity of 1.2. (Conference of 2 days for 41 presidents of courts and 41 heads of probation services).</td>
<td>Preparation of the conference, materials: 12 WD Conference: 6 WD</td>
<td>28 500 Euro</td>
</tr>
<tr>
<td>1.4. Elaboration of best practices, including at EU level, on the enforcement of community sanctions and evaluation of offenders for the use of judges and probation counsellors based on the results of the previous activities;</td>
<td>Research: 40 WD Elaboration of best practices report 40 WD</td>
<td>50 500 Euro</td>
</tr>
<tr>
<td>2.1. Elaboration of a reference material on general practices regarding the work with volunteers based on the best practices developed by the probation services in other EU Member States;</td>
<td>Research of practices of other member states: 35 WD Elaboration of reference material 36 WD</td>
<td>47 400 Euro</td>
</tr>
<tr>
<td>2.2. Elaboration of a Strategy and of an Action plan for attracting and working with volunteers in the probation services nationwide. The Strategy to include the induction curricula of training to be provided to volunteers involved in probation activity;</td>
<td>Preparation phase: 20 WD Elaboration of strategy:55 WD Elaboration of action plan 50 WD Elaboration of training curricula: 25 WD</td>
<td>86 000 Euro</td>
</tr>
<tr>
<td>2.3. A mini-guide for the use of volunteers containing basic information about their role and work within the probation services elaborated and printed in 1000 copies;</td>
<td>Design of the miniguide: 15 WD Elaboration of the</td>
<td>41 500 Euro</td>
</tr>
<tr>
<td>Activity</td>
<td>Description</td>
<td>Miniguide</td>
</tr>
<tr>
<td>----------</td>
<td>-------------</td>
<td>-----------</td>
</tr>
<tr>
<td>2.4.</td>
<td>Organising 6 round tables of 1 day each bringing together probation counsellors, students associations' representatives and academics in order to present and promote the work of the probation counsellors, with a view to attracting volunteers within the system; (approx 5 probation counsellors participating in one round table)</td>
<td>Planning of the round tables: 10 WD</td>
</tr>
<tr>
<td>2.5.</td>
<td>Organising 4 events of 1 day each to attract volunteers in the work of the probation services: 2 &quot;Probation open-day&quot; events, as well as 2 &quot;Safe neighbourhood – be involved&quot; events.</td>
<td>Planning the events 10 WD, Events 4 WD</td>
</tr>
<tr>
<td>3.1</td>
<td>Setting up a working group composed of representatives of institutions involved in victim protection from both national and local level</td>
<td>Planning the meetings: 30 WD</td>
</tr>
<tr>
<td>3.2.</td>
<td>Elaborating the common referral system for the different institutions involved in victim protection, based on the work of the working group and on the report from activity 3.1.</td>
<td>Meetings with the stakeholders: 10 WD</td>
</tr>
<tr>
<td>3.3.</td>
<td>Elaborating and formalising common minimum assistance standards in the services provided by the different institutions to the victims of crimes. The common minimum assistance standards to be agreed upon by the different institutions involved in victim protection and to be further formalised by the beneficiary institutions.</td>
<td>Elaborating a reference material</td>
</tr>
<tr>
<td>3.4.</td>
<td>Organisation of 4 round tables at regional level for the representatives of the different institutions in order to present them with the new common referral system (approx. 30 persons).</td>
<td>Preparing 4 round tables: 20 WD</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>999 WD</td>
</tr>
</tbody>
</table>
Annex 7 Budget Breakdown

“Strengthening the role of the Romanian probation system and the inter-institutional cooperation in victim protection field”

<table>
<thead>
<tr>
<th>FEES (including overheads):</th>
<th>Days</th>
<th>Fees</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Long-term experts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Team leader</td>
<td>170</td>
<td>700,00</td>
<td>119,000</td>
</tr>
<tr>
<td>- Senior experts</td>
<td>240</td>
<td>600,00</td>
<td>144,000</td>
</tr>
<tr>
<td>- Junior experts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Short-term experts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Senior experts</td>
<td>332</td>
<td>600,00</td>
<td>199,200</td>
</tr>
<tr>
<td>- Junior experts</td>
<td>257</td>
<td>400,00</td>
<td>102,800</td>
</tr>
</tbody>
</table>

Total fees (including overheads) 565,000

PROVISION FOR EXPENDITURE VERIFICATION:
MAXIMUM CONTRACT VALUE 5,000 570,000