

**COST Action IS 1106: Offender Supervision
in Europe**

COUNTRY REPORT FOR SERBIA

*A contribution to the working group no.1:
Experiencing supervision*

Table of contents

- 1 Introductory remarks
- 2 Offender under supervision
- 3 Current state in experiencing supervision – offender’s account, third parties, victim engagement with probation, public/politicians/judiciary/media/service providers view on supervision
- 4 General conclusions
- 5 References

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1. Introductory remarks

Significant changes in penal legislation of the Republic of Serbia occurred on January 1st 2006, when a set of new laws and sub-legal documents, pertinent to substantial criminal law, criminal procedure, execution of criminal sanctions and juvenile delinquents, came into force. This set of legal provisions includes: Criminal Code of the Republic of Serbia, Code of Criminal Procedure, Law on Execution of Criminal Sanctions and Law on Juvenile Perpetrators of Criminal Offences and Criminal Legal Protection of Juveniles as well as appropriate sub-legal documents such as rules and regulations that arrange some of the issues mentioned in the laws in a more detailed manner.

Prior to that moment, Serbian penal legislation was familiar with some forms of alternative sanctions for adult offenders such as: judicial admonition, confiscation of driving license, fine and conditional sentence. However, normative framework establishing preconditions for the functioning of a modern system of community or alternative sanctions was set in 2006, when punishment of community service was introduced. Another step towards the improvement of alternative sentencing in Serbia was made in 2009, when amendments of law on execution of criminal sentences and criminal code were made. Application of alternative sanctions was further enhanced through the adoption of the Strategy on the minimization of over-population of institutions for the execution of criminal sanctions in the Republic of Serbia for the period between 2010 and 2015, which recommended alternative sanctions as one of the most efficient means to achieve the decrease in the number of prisoners and reduce over-population of penitentiary institutions. The most important of these sanctions – so called house prison or enforcement of prison sentence in the premises where the sentenced person lives, with or without electronic surveillance, actually represents a special modality of execution of prison sentence and was introduced to Serbian legislation in 2009. However, its enforcement did not begin until 2011, when all necessary legislative and practical preconditions and requirements for its execution were met.

It is also worth mentioning that, in spite of being prescribed by the law, post-penal treatment and supervision of offenders has not been conducted in our country. Namely, the Law on the Enforcement of Criminal Sanctions does oblige relevant state bodies to provide assistance to former prisoners on their way to rehabilitation and social reintegration, but insufficient number of correction service offices and staff members still represent a serious obstacle for its adequate and efficient fulfillment. Correction service offices have been established in seven cities in Serbia and more are expected to be established. Moreover, some pioneer projects of non-governmental organizations participating in the conduction of post-penal

treatments have been launched, but they still have not managed to become a part of regular practice. The results of these efforts are still to be assessed.

The adoption of new Law on Execution of Criminal Sanctions was accompanied by the adoption of two sublegal acts, necessary for its implementation: Regulation on the enforcement of conditional sentence with protective supervision and Regulation on the enforcement of community service. These legal documents regulate the duties and obligations of officer in charge of supervision of convicted person in a detailed manner. The officer performs his duties within the Probation Service Office, which is about to become an independent service functioning under the auspices of Ministry of Justice and Public Administration. The main task of this service is to enforce the decisions of judiciary bodies, to improve public safety and to enhance social reintegration of former prisoners. The officer is nominated by the director of the Administration for the Execution of Criminal Sanctions in accordance with the proposal of Head of the Department for Treatment and Alternative Sanctions.

When selecting a Probation Service Officer, the needs and personal characteristics of the convicted person must be taken into consideration. The Officer is empowered to supervise the convicted person, establish and maintain regular contacts with him, to cooperate with relevant judiciary bodies, police officers, employers and other institutions, organizations and associations, as well as to require and obtain data contained in official records and other documents pertinent to the enforcement of conditional sentence or community service

At the moment, there are altogether 45 Probation Officers employed at Probation Service Office. They are highly educated (predominantly in the field of special pedagogy, psychology and social work) and have a lot of practical experience when it comes to working in penitentiary institutions and dealing with convicted persons. In addition, all Probation Officers passed through a one-day training organized by the Department for Treatment and Alternative Sanctions. The cooperation and communication between the Officers and the Department for Treatment and Alternative Sanctions are maintained on a daily basis, particularly if any problems appear and need to be resolved during the actual enforcement of alternative measures.

Although normative preconditions for the enforcement of alternative or community sanctions in Serbia were created in the period between 2006 and 2011, our country is about to face another legislative reform in the field of execution of criminal sentences and post-penal treatment in order to achieve harmonization with the European standards and enable full and appropriate implementation of Recommendation CM/ Rec (2010) 1 of the Committee of Ministers to member states on the Council of Europe Probation Rules,

adopted on 20 January 2010¹. Accordingly, four draft versions of documents have been created and are about to be adopted and, hence, obtain legal force: 1) Strategy of the development of the system of execution of criminal sentences in the Republic of Serbia in the period between 2013-2020², 2) Law on the Execution of Criminal Sanctions³, 3) Law on the probation of execution of non-custodial sanctions and measures (i.e. Law on Probation)⁴ and 4) Strategy for social reintegration and acceptance of sentenced persons for the period between 2012 and 2015⁵. All these draft documents dedicate significant amount of attention to the issue of offender supervision through the course of enforcement of various alternative or community sentences and measures, as well as during the period of the application of post-penal treatments and programs.

Offender supervision is particularly important in the enforcement of probation which, according to Draft Law on probation includes: 1) supervision of the fulfillment of obligations in accordance with public prosecutor's decision to delay criminal prosecution, 2) supervision of the fulfillment of obligations derived from plea bargain agreement, 3) supervision of the execution of ban to leave one's apartment with or without electronic surveillance, 4) supervision of the execution of ban to approach, meet or communicate with a particular person, 5) organization, enforcement and supervision of community service, 6) protective supervision in case of conditional sentence, and 7) supervision of the execution of prison sentence in the premises where the convicted person lives, 8) supervision of conditionally released prisoners and 9) post-penal support and assistance. These activities are supposed to be performed by a special organizational unit in charge of treatment and Alternative Sanctions, within the Administration for the execution of criminal sentences (that functions under the auspices of the Ministry of Justice and Public Administration). The unit should function through a network of local probation offices employing probation officers and other staff-members and cooperating with other relevant state bodies and civil sector representatives, particularly non-governmental organizations who provide post-penal treatment services.

A comprehensive network of Probation Service Offices that would cover the entire territory of the Republic of Serbia is due to be established by the end of 2015.

¹ Recommendation CM/ Rec(2010)1 of the Committee of Ministers to member states on the Council of Europe Probation Rules, adopted by the Committee of Ministers on 20 January 2010 at the 1075th meeting of the Ministers' Deputies, <https://wcd.coe.int/ViewDoc.jsp?id=1575813>, 14.10.2013.

² <http://www.mpravde.gov.rs/obavestjenje/1561/radna-verzija-strategije-razvoja-sistema-izvršenja-krivinih-sankcija-2013-2020.php>, 14.10.2013.

³ <http://www.mpravde.gov.rs/obavestjenje/1556/radna-verzija-zakona-o-izvršenju-krivinih-sankcija.php>, 14.10.2013.

⁴ <http://www.mpravde.gov.rs/files/ZAKON%20O%20PROBACIJI%2013%205-13.doc>, 14.10.2013.

⁵ See: Joka, D. (ur.): Izveštaj o radu Uprave za izvršenje krivičnih sankcija za 2011. godinu, Ministarstvo pravde Republike Srbije – Uprava za izvršenje krivičnih sankcija, Beograd, 2012., 84-85. i Alternativne sankcije, Bilten, br. 3/2012, Ministarstvo pravde Republike Srbije – Uprava za izvršenje krivičnih sankcija, Beograd, 2013.

2. Offender under supervision

Statistics for all prisoners in 2006

Table 1. Total number of adult persons deprived of liberty in 2006

	01.01.2006.	Admitted in 2006	Total	Discharged in 2006	31.12.2006.
<i>Convicted</i>	5.616	7.095	12.711	6.956	5.755
<i>Treatment measures</i>	228	45	273	72	201
<i>Detained</i>	1.876	8.138	10.014	8.413	1.601
<i>Punished for minor offences</i>	132	5.612	5.744	5.600	144
Total	7.852	20.890	28.742	21.041	7.701

Table 2. Structure of the convicted persons by sex in 2006

<i>Convicted persons</i>	01.01.2006.	Admitted in 2006	Total	Discharged in 2006	31.12.2006.
<i>male</i>	5.479	6.911	12.390	6.797	5.593
<i>female</i>	137	184	321	159	162

Table 3. Convicted persons per type re-offending and gender admitted in 2006

<i>Convicted persons</i>	<i>First time offenders</i>	<i>Re-offenders</i>	<i>Total</i>
<i>Male</i>	3.242	3.669	6.911
<i>Female</i>	71	113	184

Table 4. Convicted persons released in 2006

<i>Type of release</i>	<i>Total</i>
<i>Fully served sentence</i>	3.879
<i>On parole</i>	1.561
<i>Other*</i>	1.516
Total	6.956

*Other** (pardoned, sent to other countries, relocated, escaped, deceased)

Table 5. Number of full time and fixed term staff in penal institution per services at 31.12.2006.

Unfortunately, we do not have data for this section for 2006.

Offender supervision in Serbia in 2006

Since initial normative preconditions for the implementation of some alternative sanctions that include offender supervision (such as community service) in the Republic of Serbia were created at the beginning of 2006, when a set of new laws regulating various aspects of penal law was adopted, there are no available statistics that would depict the quality of offender supervision in this period, because its implementation did not start at the moment when the law came into force, but a bit later, due to time-consuming and preparations for its implementation. In addition, legislative framework pertinent to other alternative sentences and offender supervision was adopted later-via the amendments made in 2009 and 2011, which means that data on their enforcement is exposed in reports adopted in 2010, 2011 and 2012.

Statistics for all prisoners in 2007

Table 1. Total number of adult persons deprived of liberty in 2007

	01.01.2007.	Admitted in 2007	Total	Discharged in 2007	31.12.2007
<i>Convicted</i>	5.735	7.933	13.668	7.428	6.240
<i>Treatment measures</i>	219	97	316	88	228
<i>Detained</i>	1.629	8.832	10.461	8.299	2.162
<i>Punished for minor offences</i>	135	5.253	5.388	5.230	158
<i>Total</i>	7.718	22.115	29.833	21.045	8.788

Table 2. Structure of the convicted persons by sex in 2007

<i>Convicted persons</i>	01.01.2007.	Admitted in 2007	Total	Discharged in 2007	31.12.2007.
<i>male</i>	5.578	7.700	13.278	7.227	6.051
<i>female</i>	15	233	390	201	189

Table 3. Convicted persons per type re-offending and gender admitted in 2007

<i>Convicted persons</i>	<i>First time offenders</i>	<i>Re-offenders</i>	<i>Total</i>
<i>male</i>	3.311	4.389	7.700
<i>female</i>	88	145	233

Table 4. Convicted persons released in 2007

<i>Type of release</i>	<i>Male</i>	<i>Female</i>
<i>Fully served sentence</i>	4.173	131
<i>On parole</i>	1.674	61
<i>Other*</i>	1.380	9
<i>Total</i>	7.227	201

Other (pardoned, sent to other countries, escaped, suspension of sentence, deceased)*

Table 5. Number of full time staff in penal institution per services at 31.12.2007.

Unfortunately, we do not have data for this section.

Offender supervision in Serbia in 2007

Implementing of the system of alternative sanctions, i.e. community work and suspended sentence with protective supervision in 2007 represents a continuation of activities from the previous year that primarily focused on rounding-off the legislative framework for enforcement of these sanctions and creating and educating of a team of commissioners who would directly monitor enforcement of sentences. In January 2007 a selection was made of 15 commissioners from institutions in Belgrade that otherwise cover the territory of the District Court in Belgrade where the first phase of implementing alternative sanctions will be carried out. For this group of commissioners the Council of Europe Office in Belgrade organized three seminars where experts from countries with an established system of alternative sanctions presented their experiences and knowledge that is imperative for effective enforcement of these sanctions. Concurrent with the education of commissioners a working group was formed in collaboration with the OSCE Mission to Serbia tasked with designing the professional profile of commissioner, defining the training program for commissioners and drafting the text of the Rules for Enforcement of Community Sanctions and the Rules for Enforcement of Suspended Sentence with Protective Supervision. All these activities were successfully realized as well as two study visits focusing on a learning experience regarding the manner of realization of these sanctions in developed enforcement systems. In 2007 the Council of Europe actively cooperated with the Prison Administration in the implementation of a three-year project funded by CIDA. In the course of the year a total of 22 activities were carried out, with an aim to raise the level of knowledge on relevant European standards, improve the juvenile enforcement system, improve the system of complaints and oversight, and assist the Prison Administration in introducing the system of alternative sentencing.

Statistics for all prisoners in 2008

Table 1. Total number of adult persons deprived of liberty in 2008

	<i>Total</i>
<i>Convicted</i>	14214
<i>Treatment measures</i>	278
<i>Detained</i>	12.086
<i>Punished for minor offences</i>	6.093
<i>Total</i>	32.671

Table 2. Structure of the convicted persons by sex in 2008

<i>Convicted persons</i>	<i>01.01.2008.</i>	<i>Admitted in 2008</i>	<i>Total</i>	<i>Discharged in 2008</i>	<i>31.12.2008.</i>
<i>male</i>	6.132	7.751	13.793	7.266	6527
<i>female</i>	189	232	421	239	182

Table 3. Convicted persons per type re-offending and gender admitted in 2008

<i>Convicted persons</i>	<i>First time offenders</i>	<i>Re-offenders</i>	<i>Total</i>
<i>male</i>	3.576	4.175	7.751
<i>female</i>	131	101	232

Table 4. Convicted persons released in 2008

<i>Type of release</i>	<i>Male</i>	<i>Female</i>
<i>Fully served sentence</i>	4.508	161
<i>On parole</i>	1.423	53
<i>Other*</i>	1.335	25
<i>Total</i>	7.266	239

*Other** (pardoned, sent to other countries, escaped, suspension of sentence, deceased)

Table 5. Number of full time staff in penal institution per services at 31.12.2008.

Unfortunately, we do not have data for this section.

Offender supervision in Serbia in 2008

In March 2008, the Prison Administration set up Commissioners' Service within the Department for Treatment and Alternative Sanctions. Accordingly, in July 2008 the Ministry of Justice of the Republic of Serbia provided premises for operational work of the service within the building of the Judiciary Center in Belgrade. In the period 21–23 April 2008 the first course for advanced training of commissioners was initiated within the project. The course was attended by 15 future commissioners, to whom the local experts presented the legal and organizational framework of the Commissioners' Service, while representatives of the Prison Administration of the Republic of Croatia presented the practical and operational aspects and everyday work of the Croatian Commissioners' Service. Within the same project, in August 2008 the OSCE Mission to Serbia signed an agreement with the Probation Service of the Kingdom of the Netherlands stipulating engagement of experts of the Dutch probation service. In the period September 2008 to June 2009 they will teach at the courses for advanced training of commissioners. In the period September to November 2008, the OSCE Mission to Serbia organized two in the series of eight courses for commissioners led by the trainer of the Dutch probation service. The courses focused the system of alternative sanctions and methodology of operation of probationary officers in the Netherlands, and they presented the use of various diagnostic tools and instruments that will be of key importance for everyday work of future commissioners with convicted people. From 13 to 17 October 2008 the OSCE Mission to Serbia organized a study visit to the Probation Service of the Kingdom of the Netherlands for representatives of the Commissioners' Service to provide them an insight into the methodology of enforcement of alternative sanctions in the Netherlands, in the Groningen regional center, and the seat of the Probation Service in Amsterdam. The group for the study visit consisted of the Head of Department for Treatment and Alternative Sanctions of the Prison Administration, coordinator for alternative sanctions and four commissioners in the Commissioners' Service, as well as two representatives of the OSCE Mission to Serbia. The group also visited the Forensic Psychiatry Clinic in Groningen, and also used the opportunity to learn about the community service enforcement in a visit to the University Health Center in Groningen and a welfare foundation in Leeuwarden.

Upon completion of the Training Program for judges and prosecutors on alternative sanctions in cooperation with the Council of Europe Office to Belgrade, trainers for future courses for judges and prosecutors in Belgrade courts and prosecutor's offices were selected among the participants. In November and December 2008 together with the Judiciary Center the OSCE Mission to Serbia organized the initial three out of 10 planned courses. These were attended by the total of 60 Belgrade judges and prosecutors. Each course covered 4 topics: comparative legal framework, judiciary and prosecutorial

aspects of alternative sanctions and the system of alternative sanction enforcement, i.e. the role and operation of the Commissioners' Service.

On 4 July 2008, in cooperation with the Prison Administration the OSCE Mission to Serbia organized a round table on "Establishment of the System of Alternative Sanctions in the Republic of Serbia". The course was attended by over 50 judges, prosecutors, and other legal experts, as well as officials from the Ministry of Justice purpose of the system of alternative sanctions, comparative legal review of alternative sanctions and probation, legislative framework for implementation of alternative sanctions, presentation of the role, mission and vision of the Commissioners' Service, and presentation of the program for advanced training of judges and prosecutors in alternative sanctions.

In September 2008 the OSCE Mission to Serbia hired a PR agency to conduct a comprehensive campaign to promote alternative sanctions in the professional community and among the general population, since alternative sanctions are a new concept in Serbia. One of the basic and very important strategic aims of the campaign is cooperation with the media. Accordingly, soon after the campaign launch the agency organized the first meeting for selected representatives of the media to provide the basic information on the system of alternative sanctions. Visit of the representatives of the media to the penal-correctional facility in Padinska Skela was also organized.

The office of the Commissioners' Service was officially open on 14 November 2008. The ceremony was attended by a large number of officials and representatives of the media. This resulted in numerous articles and news packages on national televisions in a very favorable light, both in respect to the Commissioners' Service and alternative sanctions as a concept. In late 2008 the effects of campaign were very good: from September to December 2008 the total of 89 media reports of alternative sanctions were recorded; 65 newspaper articles, and 24 news packages on national televisions. All these communications provided accurate and timely information to the public, conveying a positive attitude to alternative sanctions.

Statistics for all prisoners in 2009

Table 1. Total number of adult persons deprived of liberty in 2009

	<i>01.01.2009.</i>	<i>Admitted in 2009</i>	<i>Total</i>	<i>Discharged in 2009</i>	<i>31.12.2009.</i>
<i>Convicted</i>	6.609	9.023	15.632	8.169	7.463
<i>Treatment measures</i>	312	73	385	151	234
<i>Detained</i>	2.373	9.299	11.672	9.071	2.601
<i>Punished for minor offences</i>	168	6.829	6.997	6.758	239
<i>Total</i>	9.462	25.224	34.686	24.149	10.537

Table 2. Structure of the convicted persons by sex in 2009

<i>Convicted persons</i>	<i>01.01.2009.</i>	<i>Admitted in 2009</i>	<i>Total</i>	<i>Discharged in 2009</i>	<i>31.12.2009.</i>
<i>male</i>	6.362	8.726	15.088	7.865	7.223
<i>female</i>	247	297	544	304	240

Table 3. Convicted persons per type re-offending and gender admitted in 2009

<i>Convicted persons</i>	<i>First time offenders</i>	<i>Re-offenders</i>	<i>Total</i>
<i>male</i>	3.458	5.268	8.726
<i>female</i>	145	152	297

Table 4. Convicted persons released in 2009

<i>Type of release</i>	<i>Male</i>	<i>Female</i>
<i>Fully served sentence</i>	4.173	131
<i>On parole</i>	1.674	61
<i>Other*</i>	1.380	9
<i>Total</i>	7.227	201

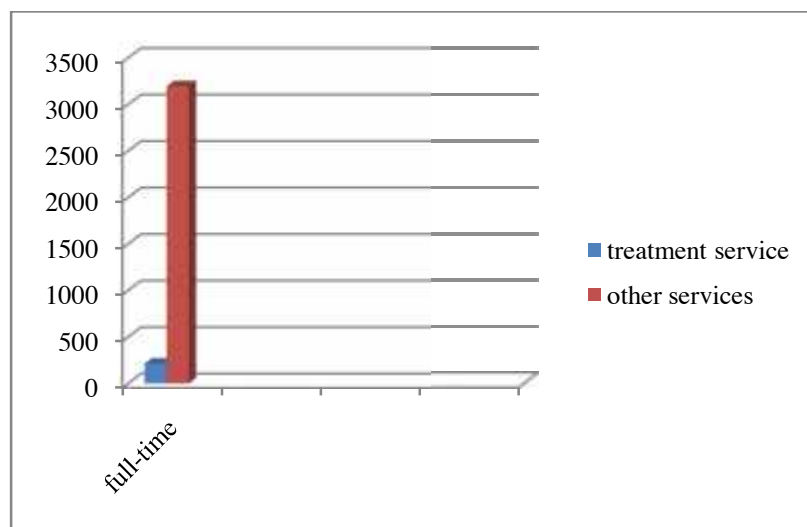
*Other** (pardoned, sent to other countries, escaped, suspension of sentence, deceased)

Table 5. Number of full time staff in penal institution per services at 31.12.2009.

	<i>Full-time</i>
<i>Treatment service</i>	213
<i>Other services</i>	3195
<i>Total</i>	3408

The situation in treatment service could be better seen in graph 5.

Graph 5. Number of full-time and fixed term staff in penal institution per services at 31.12.2009.



Offender supervision in Serbia in 2009

During the 2009 the number of alternative sanctions included: 42 court decisions with pronounced sentence to community service and 14 suspended sentences with protective supervision. With the support of OEBS and The Netherlands Embassy in Belgrade, six Centers for alternative sanctions were open in Subotica, Nis, Novi Sad, Leskovac and Kragujevac.

Statistics for all prisoners in 2010

Table 1. Total number of adult persons deprived of liberty in 2010

	01.01.2010.	Admitted in 2010	Total	Discharged in 2010	31.12.2010.
<i>Convicted</i>	7.463	7.660	15.123	7.956	7.167
<i>Treatment measures</i>	234	76	310	68	242
<i>Detained</i>	2.601	8.585	11.186	7.854	3.332
<i>Punished for minor offences</i>	239	7.567	7.806	7.585	221
Total	10.537	23.888	34.425	23.463	10.962

Table 2. Structure of the convicted persons by sex in 2010

<i>Convicted persons</i>	01.01.2010.	Admitted in 2010	Total	Discharged in 2010	31.12.2010.
<i>male</i>	7.223	7.421	14.644	7.683	6.961
<i>female</i>	240	239	479	273	206

Table 3. Convicted persons per type re-offending and gender admitted in 2010

<i>Convicted persons</i>	<i>First time offenders</i>	<i>Re-offenders</i>	<i>Total</i>
<i>male</i>	3.517	3.904	7.421
<i>female</i>	120	119	239

Table 4. Convicted persons released in 2010

<i>Type of release</i>	<i>Male</i>	<i>Female</i>
<i>Fully served sentence</i>	5.683	206
<i>On parole</i>	1.646	35
<i>Other*</i>	354	32
Total	7.683	273

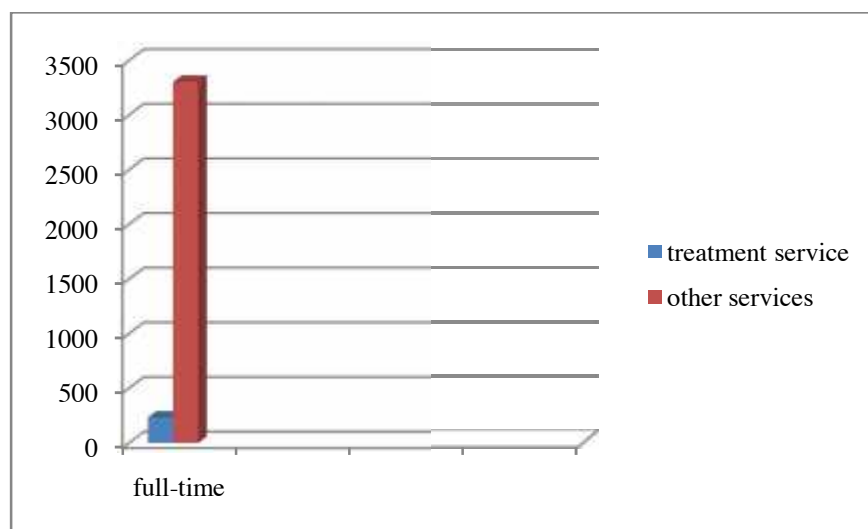
*Other** (pardoned, sent to other countries, escaped, suspension of sentence, deceased)

Table 5. Number of full time staff in penal institution per services at 31.12.2010.

	<i>Full-time</i>
<i>Treatment service</i>	233
<i>Other services</i>	3.305
<i>Total</i>	3.538

The situation in treatment service could be better seen in graph 5.

Graph 5. Number of full-time and fixed term staff in penal institution per services at 31.12.2010.



Offender supervision in Serbia in 2010

Alternative forms of sanctioning were promoted in the Republic of Serbia continuously over the year together with continuous training of civil servants planned to be assigned to posts of coordinators of future alternative sanctions offices. A study visit to the Probation Service of the Kingdom of the Netherlands was organized as a part of this training. Seminars on administration of alternative forms of sanctioning were run again for judges and prosecutors in Novi Sad, Subotica, Niš and Kragujevac. In addition to the Alternative Sanctions Office in Belgrade, similar offices have also commenced their work in Novi Sad and Subotica. Good results of cooperation with local self-governments contributed to increased interest in faster implementation and administration of alternative sanctions in other towns, as well. A Memorandum of Understanding was signed on the level of the Ministry of Justice and Town Assemblies of Sombor and Šabac. Continuous cooperation and contacts with representatives of towns with which such memoranda

were signed last year contributed to increase the interest in this form of sanctioning and proper appreciation of wider use of alternative sanctions all over the country. Prerequisites for opening of the alternative sanctions offices have also been provided in Niš, Kragujevac and Valjevo. In the course of the year the Prison Administration received 80 rulings pronouncing the sentence of community service and 3 pronouncing suspended sentence with protective supervision. Sentences pronounced on the territory of jurisdiction of the Higher Court in Belgrade (13 sentences), Novi Sad (2 sentences) and Subotica (11 sentences) were enforced as follows: 3 sentences of suspended sentence with protective supervision were successfully carried out in Belgrade sentences pronounced in previous years) and 10 sentences of community service; in the Novi Sad Office 2 sentences of community service were successfully completed and currently realization of 2 old suspended sentences with protective supervision is in progress; in the Subotica Office 5 sentences of community service were successfully completed and realization of 6 more is ongoing. In September 2010 the Rulebook on Enforcement of Prison Sanction in the Premises of Prisoner's Home was adopted. It is a necessary requirement for the implementation of yet another form of alternative sanctioning in our judiciary system. Within the preparations for enforcement of prison sentence in the form of home confinement and in concert with article 45 paragraph 5 of the Penal Code of the RS the Prison Administration mounted and tested the necessary equipment, and all necessary procedures and accompanying documentation have been elaborated at the Department for Treatment and Alternative Sanctions. In this period enforcement of two sentences is currently in progress requiring the convicted persons to serve their prison sentence without leaving the premises of their place of residence (home confinement), without electronic monitoring.

Statistics for all prisoners in 2011

Table 1. Total number of adult persons deprived of liberty in 2011

	<i>01.01.2011.</i>	<i>Admitted in 2011</i>	<i>Total</i>	<i>Discharged in 2011</i>	<i>31.12.2011.</i>
<i>Convicted</i>	7.167	7.925	15.092	7.770	7.322
<i>Treatment measures</i>	247	79	321	113	208
<i>Detained</i>	3.332	8.510	11.842	8.733	3.109
<i>Punished for minor offences</i>	221	10.235	10.456	10.248	208
<i>Total</i>	10.962	26.749	37.711	26.864	10.847

Table 2. Structure of the convicted persons by sex in 2011

<i>Convicted persons</i>	<i>01.01.2011.</i>	<i>Admitted in 2011</i>	<i>Total</i>	<i>Discharged in 2011</i>	<i>31.12.2011.</i>
<i>male</i>	6.961	7.529	14.490	7.450	7.040
<i>female</i>	206	396	602	320	282

Table 3. Convicted persons per type re-offending and gender admitted in 2011

<i>Convicted persons</i>	<i>First time offenders</i>	<i>Re-offenders</i>	<i>Total</i>
<i>Male</i>	3.134	4.450	7.584
<i>Female</i>	197	144	341

Table 4. Convicted persons released in 2011

<i>Type of release</i>	<i>Male</i>	<i>Female</i>
<i>Fully served sentence</i>	5.565	212
<i>On parole</i>	936	54
<i>Other*</i>	949	54
<i>Total</i>	7.450	320

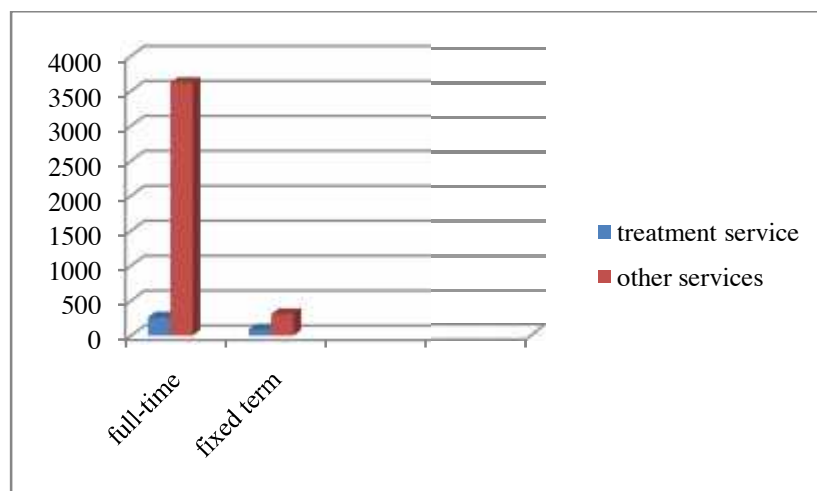
*Other** (pardoned, sent to other countries, escaped, suspension of sentence, deceased)

Table 5. Number of full time and fixed term staff in penal institution per services at 31.12.2011.

	<i>Full-time</i>	<i>Fixed term</i>
<i>Treatment service</i>	260	88
<i>Other services</i>	3.616	307
<i>Total</i>	3.876	395

The situation in treatment service could be better seen in graph 5.

Graph 5. Number of full-time and fixed term staff in penal institution per services at 31.12.2011.



Offender supervision in Serbia in 2011

Continual activities towards the promotion of alternative types of punishment in the Republic of Serbia have been strong, seminars and meetings were organized at different levels, attended by proponents of judiciary functions, especially in towns where new offices for alternative sanctions were established. During 2011 offices in Nis, Valjevo, Sombor and Kragujevac were also established. For that reason, permanent training of public servants involved in the realization of the alternative sanctions was necessary. During 2011, Administration for the enforcement of criminal sanctions received 388 court decisions with pronounced sentence to community service and 21 court decisions on suspended sentence with protective supervision. Out of this number, 99 sentences to community service were realized successfully, and four suspended sentences with protective supervision. Enforcement of one suspended sentence with protective supervision was suspended because the sentenced person was committed to serve his prison sentence and it will be resumed after the latter would be enforced. Disproportion in the number of received and realized such court decisions occur because these sanctions are enforced only in towns with functioning offices for alternative sanctions (Belgrade, Novi Sad, Subotica, Valjevo, Nis, Sombor and Kragujevac). On 31 December 2011 realization of 30 sentences to community service and of 6 suspended sentences with protective supervision is in progress. Until now, 70 prison sentences in the premises where the convicted persons live have been realized successfully, using electronic surveillance, and 18 sentences were realized without the use of electronic surveillance. Only in one case, because of the violation of the treating program provisions, court decision ordering the prison sentence to be enforced without leaving the premises where the convict lives, was altered. Along with final decisions, we have

also started with the enforcement of restriction measure prohibiting sentenced persons to leave the apartment or place of residence. In one case, pursuant to court decision this measure was suspended and more stringent detention measure was pronounced. On 31 December 2011 the realization of 34 sentences to home custody without electronic surveillance is in progress, as well as of 158 sentences to home custody with electronic surveillance.

Statistics for all prisoners in 2012

Table 1. Total number of adult persons deprived of liberty in 2012

	<i>01.01.2012.</i>	<i>Admitted in 2012</i>	<i>Total</i>	<i>Discharged in 2012</i>	<i>31.12.2012.</i>
<i>Convicted</i>	7.280	8.270	15.092	8.548	6.952
<i>Treatment measures</i>	247	97	321	112	232
<i>Detained</i>	3.104	8.745	11.842	937	2.532
<i>Punished for minor offences</i>	208	10.160	10.456	1090	278
<i>Total</i>	10.789	27.272	37.711	10.687	9.994

Table 2. Structure of the convicted persons by sex in 2012

<i>Convicted persons</i>	<i>01.01.2012.</i>	<i>Admitted in 2012</i>	<i>Total</i>	<i>Discharged in 2012</i>	<i>31.12.2012.</i>
<i>male</i>	6.978	7.952	14.930	8.239	6.691
<i>female</i>	252	318	570	309	261

Table 3. Convicted persons per type re-offending and gender admitted in 2012

<i>Convicted persons</i>	<i>First time offenders</i>	<i>Re-offenders</i>	<i>Total</i>
<i>Male</i>	3.435	4.517	7.952
<i>Female</i>	226	92	318

Table 4. Convicted persons released in 2012

Type of release	Male	Female
Fully served sentence	5.041	175
On parole	581	19
Early release	213	4
Other*	2.404	111
Total	8.239	309

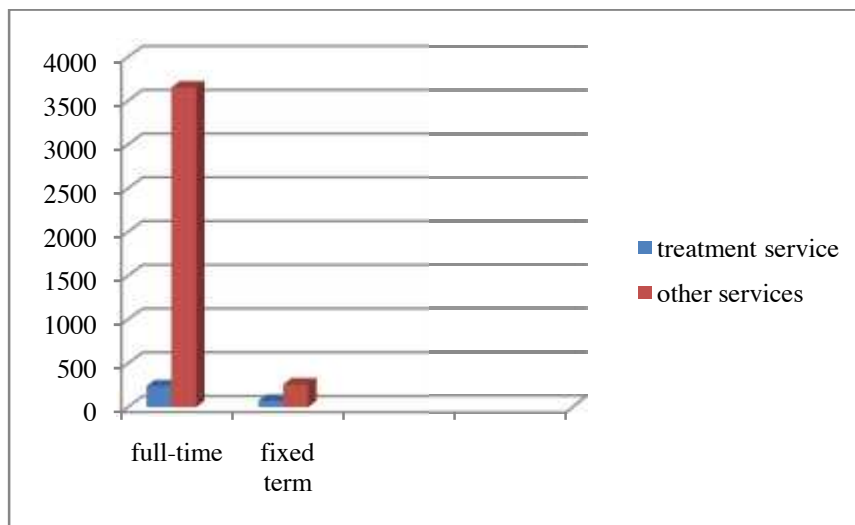
*Other** (pardoned, sent to other countries, absconded or absent but not apprehended by 31.12.2012, suspension of sentence, amnesty, statute of limitations, repeated proceedings, termination of sentence and return to remand, deceased)

Table 5. Number of full time and fixed term staff in penal institution per services at 31.12.2012.

	Full-time	Fixed term
Treatment service	240	73
Other services	3.655	260
Total	3.895	333

The situation in treatment service could be better seen in graph 5.

Graph 5. Number of full-time and fixed term staff in penal institution per services at 31.12.2012.



Offender supervision in Serbia in 2012

On December 31, 2012, the total number of enforced community service was 32, and 18 suspended sentences with protective supervisions were imposed. Since 2011, the Administration has been enforcing prison sentence without leaving the premise where the convicted persons live (in accordance with Article 45, paragraph 4 of the Criminal Code of the RS and article 174a-e of the Law on enforcement of criminal sanctions), and the measure of house arrest imposed against the accused persons. At the beginning of 2012, the new system for electronic surveillance was set in place and the equipment was received as donation of the EU.

In the course of 2012, 538 prison sentences were successfully enforced in the premises where convicted person lives accompanied by the electronic surveillance and 82 sentences were enforced without electronic surveillance, also 20 measures of house arrest were imposed against the convicted persons.

On December 31, 2012, 46 house arrests without the electronic surveillance were realized, as well as 228 house arrests accompanied by the electronic surveillance and 20 measures against the convicted persons were imposed.

3. Current state in Experiencing supervision – the offender’s account, third parties, victim engagement with probation, public/politicians/judiciary/media/service providers view on supervision

Unfortunately, implementation of offender supervision in Serbia is at the beginning, therefore no data about offender’s account, third parties, victim engagement with probation and public/politicians/judiciary/media/service providers view on supervision were available.

4. General conclusions

The system of alternative sanctions was introduced to the legal system of the Republic of Serbia on January 1st 2006, when current Criminal Code of the Republic of Serbia came into force. However, community sanctions and measures that belong to this type of criminal sanctions are not being applied in the scope that would be compatible with the structure of offenders in our country. In numerous cases, alternative sanctions and measures are not applied due to the fact that there are no necessary objective

preconditions for their efficient practical implementation in all areas. So, even if offender's personal characteristics, type of the offence committed and other relevant circumstances indicate that the application of an alternative sanction or measure would be appropriate or suitable, the application of these sanctions may be left out in the cities or municipalities where probation services have not yet been established. Namely, the network of probation service offices has not yet been fully developed and there are still areas in which probation service offices still need to be founded. Besides, the efficiency and effectiveness of the implementation of alternative sanctions, including various forms of supervision, are jeopardized by the fact that the number of probation staff members is insufficient to cover the growing number of cases in which alternative sanctions should be imposed.

Correct implementation of European probation standards requires intensive rising of public awareness on the importance and advantages of alternative sanctions, particularly when it comes to the suppression of recidivism. Accordingly, an effort should be made to change the existing ideological concept of punishment in our country, which is out of date and incompatible with contemporary solutions. The changes affecting the sphere of state reaction to crime must be accompanied by changes in the way that state and public perceive the importance, scope, possibilities and advantages of alternative sanctions in the context of crime prevention, protection of the rights and interests of perpetrators and victims, their families and the entire community. This can be achieved through media campaigns, scientific research and conferences, lectures and other forms of education designed to minimize the stigmatization of offenders and encourage the society to give them "a second chance" and through constant cooperation between state and civil sector.

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