



PROBATION AND MEDIATION SERVICE
OF THE CZECH REPUBLIC

RESTORATIVE PRACTICE & MEDIATION

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BASIC OVERVIEW

- **Governmental Organization**
- **Act on Probation and Medation Service**
- **No. 257/2000 Coll.**
- **417 Employees: 289 Officers, 102 Assistents, 26 HQ**
- **Structure: HQ (Prague), 8 Regions, 78 Centres**

Basic principles of the Czech Probation and Mediation Service

- **Integration of Offender**
law-abiding behaviour and no further offending
- **Participation of Victim**
reparation, security, trust
- **Protection of the Community**
prevention of any future offending behaviour

Probation and Mediation

**Both Probation and V-O Mediation
activities („under one roof“)**

**Involved in all stages of criminal
procedures**

**Vision of applying RJ principles as often
and as broadly as possible**

Pre-sentence work of PMS

1. Pre-trial stage

- **Mediation activities** (interpersonal level)

Face-to-Face Mediation

Indirect Mediation (other restorative activities)

- **Providing background documentation for resolution of court or state prosecutor incl. Pre-sentence report** (criminal process level)

2. Post-trial stage

Pre-sentence report of PMS

Both levels (interpersonal relation level as well as criminal process level) **connects Pre-sentence report of PMS, which provides:**

- information about reasons for offending
- circumstances of committed crime
- offender attitude and his/her interest in redress, compensation and solving of consequences
- the needs and awaitings of victim for solution
- risk assessment and suggestions of suitable preventive measure

PMS Involvement in the Pre-trial Stage

Victim-Offender Mediation, (2011 PMS realized more than 770 direct VOM)

Pre-sentence reports, (2011 PMS elaborated 492 reports before imposing Home detention, 4636 reports before imposing Community Service)

Probation Supervision replacing remand custody, (2011 PMS worked with 359 cases)

Cooperation with NGO (Association of Citizen Advice Bureau) PMS operates 40 contact places in 20 cities - Victim Support and Counseling Project

Post trial stage, probation work – restorative practice

- Risk and Needs Assessment
 - possible risks of reoffending
 - situation of the victim
 - tailored probation supervision plan
- Assistance to the victim
- Offering to arrange damage compensation, indirectly or by a direct victim/offender meeting.

Post trial stage – parole

- Assessment of possible risks of reoffending and possible risks for the victim...within the preparation for parole;
- Within parole supervision: considering the situation of the victim's, including elaborating into the parole supervision plan
- Pilot project of parole boards, (currently in 3 courts districts, prospect - extensions on 9) where victims have the right to participate on parole hearing, including involvement of assistance for victim – better consideration of their needs.

Victim/Offender Mediation:

- Voluntary process, confidence, safe place for communication, **balance approach of mediator,**
- PMS report for court or state prosecutor contains information about **results of Victim/Offender mediation process,** detailed information are mentioned on request of both sides only,
- Taking part in mediation isn't incriminating evidence of a guilt, but pleading guilty of offender and his/her open regret is one of the **most important precondition for mediation**

Process of Mediation Activities

- **to get in touch with both sides of conflict**
- **one-to-one appointment in the office**
 - appointment with the victim
 - appointment with the offender
- **face-to-face mediation between the offender and the victim** (by voluntary agreement of both sides)

Case – Nicolas

Nicolas , 25 years

- first-time offender (work in Pre-trial stage)
- property offence (cottage robber with one other offender)
- 6 disturbed subjects (4 persons/victims, 2 companies) - 2 of 4 victims involved in face-to-face mediation, with other persons and subjects was negotiated reparation agreements
- **Risks:** drug addiction (metamfetamin - crystal), social environment (addicted persons)
- **Needs of offender:** support in the right way, help with contacting victims – interest for face-to-face mediation – make apology and atonment, ask for payment schedule

Case – Nicolas

Needs of victims/company – to get answers about the offence (vivid fear of repeated theft, to feel safety), to get compensation, to make sure that offender's regret is real

Pre-sentence report – attitudes of both sides and results of face-to-face mediation and other mediation activities: spoken and written apology from offender, acceptance from disturbed subjects, written reparation agreements. Probation officer recommended to suspend the charge against the offender

Result – judge suspended charge and assigned the offender one year trial period and the duty to pay for criminal damage

Summary – Victims on our Mind

- **Focus on Victims as such:**
 - every Probation Officer and Assistant at any stage
 - Advisory & Support Centres
- **Focus on work with Offenders:**
 - to realize responsibility towards Victims
 - to guide to real actions (i.e. reparations)



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**We always welcome opportunities for
international cooperation.**

**Example: International Project with
Correctional Services of Norway, System of
Further Education, 2009 – 2010**

THANK YOU FOR YOUR ATTENTION

**Probation and Mediation Service
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www.pmscr.cz

also see: www.restorativnijustice.cz
Victim Support and Counseling Project

