

Creating a Probation Service for Juvenile Offenders

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The main function of Juvenile Probation is to provide supervision to youth under the jurisdiction of the court and ensure that youth on probation comply with all court orders. Juvenile Probation officers have the ability, through the investigation process, to identify the services and supports a young person and his/her family may need. The probation officer is then in the unique position of being able to make whatever referrals are appropriate to meet these needs, including referrals for mentoring. In addition to serving as a sanction for adjudicated youth, Juvenile Probation may be used as a way of diverting status and first-time juvenile offenders from the court system. Direction, guidance and rehabilitation services are provided to youth on probation and their families in an effort to encourage and support behavior considered to be appropriate by the court and the community. Rehabilitative services are provided by the probation officer(s) and/or community-based providers. This service provides information to judges, monitor court ordered conditions and services for children and their families to increase the chances of successful rehabilitation of juveniles

It is stated in Recommendation CM/Rec (2010) 1 of the Committee of Ministers to member states on the Council of Europe probation rules that, while probation is not easy to define simply or precisely, it is a familiar term understood widely and internationally to refer to arrangements for the supervision of offenders in the community and to the organisations (probation agencies, probation services) responsible for this work. In many countries, the statutory supervision of offenders in the

community is the main characteristic of probation. Probation also denotes conditionality: if people offend again or fail to comply with specified conditions, they may be taken back to court and be liable for punishment.

Possible Challenges Facing Youth Involved with Juvenile Probation The overarching goal of mentoring youth in the juvenile justice system is to build and strengthen youth assets. When dealing with youth in this setting, one should be cognizant of potential challenges:

Individual

Conduct disorders (authority conflict/rebellious/stubborn/disruptive/antisocial)

General delinquency involvement, mental health issues (including substance abuse), unmet medical and dental needs

Family

Mental disorders/antisocial parents, family history of problem behavior/criminal involvement

Family poverty/low family socioeconomic status, family violence (child maltreatment, partner violence, conflict)

Parental use of physical punishment/harsh and/or erratic discipline practices

Poor parental supervision (control, monitoring, and child management)

Poor parent-child relations or communication, family stress, parent criminality

School

Poor school attendance, poor school performance; academic failure and learning disorders

Most often the term "probation" is used in connection with the activity on execution of punishments alternative to imprisonment, pen-

alties that convicts serve in society. Probation is regarded as a criminal supervision.

Community service is one type of exercising probation. For the first time community service were introduced in Switzerland in 1971, was originally a punishment prescribed only juvenile offenders between the ages of 7 to 18 years. Later in the Swiss community service were appointed as the main punishment to minors. Among the Scandinavian countries first community service as a form of criminal punishment imposed Denmark (in 1982) and Norway (in 1984). Since 1990, this type of punishment began to be used in Finland, and since 1991 - in Sweden. In Denmark, Sweden and Finland community service were introduced gradually, first as an experiment in several areas, and then - after a serious assessment of the implications of - throughout the country. It is important to note that in Sweden this kind of punishment in the first 8 years of experimental appointed only offenders aged up to 21 years. The experience of the Nordic countries in the field of probation services is rather widely distributed. At the same time, these countries pay special attention to the problem of juvenile delinquency and the social protection of childhood. Introduction of punishments alternative to imprisonment in the criminal punishment system, due to the fact that the deprivation of liberty has proven to be ineffective in terms of the impact on the correction of prisoners and prevention of new crimes.

State Probation Service - a government agency that takes care of public safety, by working with people who are serving a criminal punishment is not in custody and in the community (suspended sentences, forced labor), and helping ex-prisoners reintegrate into society. The main directions of work of the probation service is the development and organization of criminal sanctions policy executable in the community and helping people after his release from prison institutions.

In Latvia, October 7, 2003 the Cabinet of Ministers approved a regulation on the Office of the State Probation Service, and in December 2003 the Seimas adopted the Law "On the State Probation Service", which established the principles of probation, functions and competence of the State Probation Service. To achieve these goals, and effective use of public resources Probation Service of

Latvia in the activity determines the levels of risk and the needs of the offender and organizes measures to reduce the opportunity to commit new offenses.

State Probation Service of Latvia:

- It provides pre-trial reports to the court and prosecutors

- Provides assistance to persons released from imprisonment institutions

- Develop and implement programs of social behavior correction supervised entities

- Coordinates the course of the execution of punishment to persons sentenced to forced labor

- It provides execution of public works of juvenile offenders.

- Manages the reconciliation process with the help of a mediator between the victim and the victims of a crime

- Pre-trial report - that is, information which is characterized by customer probation, the probation officer prepares a report to the employee upon request of the court or the prosecutor. Pre-trial report prepared in deciding on a preventive measure, of the punishment, as well as the prison administration shall prepare materials for trial on early conditional release a person from punishment, and the person falls under the supervision (probation).

- Program correction of social behavior - one of the tasks of the State Probation Service. After the judge ruled the verdict, according to which the sentenced person is not associated with deprivation of liberty and be served in the community, such person is obliged to appear before the probation service. An employee of the service has a number of programs that are implemented by local authorities or public services are provided by the organization (these services are paid by the state). These programs sent to the convicted person to serve his sentence in the community.

- Reconciliation with the help of a mediator - Probation Service implements a reconciliation with the help of a mediator, the role of mediator may exercise probation workers and specially trained volunteers and the probation service itself is developing a program of training workers to perform this function.

- In Estonia, the Probation Service (probation supervision) is integrated into the judicial system. Probation Officers (the criminal Supervision) are integrated into the departments of

probation supervision, which functions as part of almost all the courts 1st instance. Criminal Supervision Department submits to the presiding judge, who carries out the general direction and control. Departments usually have units that are designed to ensure the availability of on-site services. Estonian probation service specially set up for the application of penalties, alternatives to imprisonment.

Functions of probation service in Estonia:

- gives to the prosecutor and the court a pre-trial report (report, report) about the identification of the accused or defendant, containing the summary of personal characteristics of the accused or defendant and his social position data as well as the conclusion of the test period and the choice imposed on condemned duties; pre-trial report includes facts of the biography of the accused or defendant and socio-psychological prognosis;

- on the basis of a court decision realizes the execution of prisoners of punishments appointed by the court, not connected with isolation from society.

Probation Inspector (probation supervision) monitors the performance of the duties specified in the court sentence, helps supervised and advises him in the performance of these duties and assists, facilitates their social adaptation, namely, for a trial period of supervised assisted in finding places work, study and residence, as well as in dealing with other personal problems. Also submits to the court the extraordinary reports of supervised in cases where under surveillance does not fulfill tasks assigned to it by the court duties, commits crime during the probation period or acts interfering with the way to probation supervision, in this case in the extraordinary report the probation supervisor may raise the question before the Court about the imposition of additional duties. The task of the inspector of probation is to promote the improvement and stabilization of the situation of the supervised in the community. During probation supervision is carried out not only control over the behavior and supervised the execution of their duties by the court, but also the measures on their social adaptation. Probation inspector is working with organizations offering social assistance.

State and local government agencies are required to provide employees of probation (probation supervision) necessary for the per-

formance of their duties in the field of assistance to social security under surveillance. The structure of the Probation Service (probation supervision) is consist of psychologists who provides the necessary advice to the employees of the service.

In Azerbaijan is preparing a law on probation based on the experience of European countries.

Almost in all European countries as well as in Canada and the United States the probation service structure is required to have a specialization in the implementation of probation supervision for juvenile offenders.

To sum up the purpose of testing (probation supervision) is to contribute to the social adaptation of juvenile offenders under surveillance and preventing them from committing further offenses. It realized by using alternative punishments such as community services under the supervision of probation officers. Today in many developed countries probation service created and realizes successfully.

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срок имеют возможность выявления потребностей и поддержки молодого человека и его/ее семьи, которые могут понадобиться, посредством процесса расследования.

Xülasə

Açar sözlər: yuvenal ədliyyə, probasiya, vasitəçi, cinayətkar, yetkinlik yaşına çatmayan, probasiya xidmətinin əməkdaşı

Yetkinlik yaşına çatmayanlar barəsində probasiyanın əsas funksiyası məhkəmənin yurisdiksiyası altında olan gənclərə nəzarəti təmin etmək, və gənclərin bütün məhkəmə tapşırıqlarını yerinə yetirdiklərinə əmin olmaqdan ibarətdir. Yetkinlik yaşına çatmayanlar barəsində probasiya xidmətinin əməkdaşlarının gənclər və onların ailələrinə istintaq prosesi vasitəsi ilə lazım olan dəstəyi və xidməti göstərmək səlahiyyəti var.

Резюме

Ключевые слова: ювeнильный юстице, испытательный срок, посредник, преступник, несовершеннолетний, работник службы пробации

Функцией Ювенального условного освобождения на испытательный срок по делам несовершеннолетних является обеспечение надзора и контроля над молодежью под юрисдикцией суда и обеспечение выполнения всех распоряжений суда молодежью во время испытательного срока. Сотрудники отдела по делам условного освобождения несовершеннолетних на испытательный