

ALTERNATIVES TO PRISON IN EUROPE

Italy

Susanna Marietti

European Prison Observatory. Alternatives to detention



With financial support from the
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Susanna Marietti
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INDEX

THE EUROPEAN PRISON OBSERVATORY	7
ALTERNATIVES TO DETENTION IN EUROPE	7
PART ONE. GENERAL DATA.....	9
Total number of people detained and serving an alternative measure between 2000 – 2014.....	9
Imprisonment and alternatives to custody: an overview	9
Probation practices.....	13
Procedural guarantees	18
Staff	19
PART TWO. SPECIFIC PROGRAMS.....	22
Alternatives to pre-trial detention	22
Alternative sanctions.....	26
Alternatives during execution	32

THE EUROPEAN PRISON OBSERVATORY

The European Prison Observatory is a project coordinated by the Italian Ngo Antigone, and developed with financial support from the Criminal Justice Programme of the European Union.

The partner organizations are:

Università degli Studi di Padova - Italy

Observatoire international des prisons - section française - France

Special Account of Democritus University of Thrace Department of Social Administration (EL DUTH) - Greece

Latvian Centre for Human Rights - Latvia

Helsinki Foundation for Human Rights - Poland

ISCTE - Instituto Universitário de Lisboa - Portugal

Observatory of the Penal System and Human Rights - Universidad de Barcelona - Spain

Centre for Crime and Justice Studies – United Kingdom

The European Prison Observatory studies, through quantitative and qualitative analysis, the condition of the national prison systems and the related systems of alternatives to detention, comparing these conditions to the international norms and standards relevant for the protections of detainees' fundamental rights.

The European Prison Observatory highlights to European experts and practitioners 'good practices' existing in the different countries, both for prison management and for the protection of prisoners' fundamental rights.

Finally it promotes the adoption of the CPT standards and of the other international legal instruments on detention as a fundamental reference for the activities of the available national monitoring bodies.

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ALTERNATIVES TO DETENTION IN EUROPE

Various international recommendations on community sanctions and measures promote the use of alternatives to imprisonment in order to reduce recidivism and the prison population. At the same time, legislators, academics and public administration members within the EU know that imprisonment is not the only way to balance security needs and social justice, and every Member State has implemented alternatives to imprisonment systems, with their own rules, organisational set-up and procedures.

The “European Observatory on Alternatives to Imprisonment” project aims to create a functional network of partner countries, in order to reduce the disharmony and gaps among the systems.

The main goal of the project is to provide, in a comparative way, a comprehensive picture of alternatives to detention in force within each partner country. These pictures would enable us to identify those alternative measures to detention that have led to:

- a decrease in detention rates
- the application of rehabilitative programs

To do so, starting from historical analysis, the project's objective is to compare the legal framework of the systems, their goals, the contents of the measures and their impact on the penitentiary system as a whole.

PART ONE. GENERAL DATA

Total number of people detained and serving an alternative measure between 2000 – 2014

Year	People subject to prison and its alternatives at December 31th ¹
2000	70.896
2001	74.817
2002	76.732
2003	76.861
2004	78.944
2005	83.158
2006	43.249
2007	53.696
2008	65.922
2009	75.232
2010	83.890
2011	86.793
2012	88.384
2013	89.275
2014	81.612

Data from the Ministry of Justice

Imprisonment and alternatives to custody: an overview

Political climate regarding prison numbers since 2000

Between 2000 and 2005, Italy has voted three laws having a great impact on the increasing of the entrances in prison: the new law on immigration (2002), the new law on drugs (2006) and a law strengthening punishments and making the access to alternatives to detention more difficult or even impossible for recidivists (2005). Politics was unable to plan the number of prison population on the bases of the employment of welfare policies or of alternatives to detention. As the only reaction to prison overcrowding, in 2006 the Parliament voted a pardon, after which prison population restarted unavoidably to grow. In January 2010 the Government declared a state of emergency in relation to the penitentiary system. It started to take measures aiming at decreasing the number of prisoners, first of all the possibility of serving the last part of the sentence at home.

¹ This number includes people serving prison sanctions; the alternative sanctions of semi-detention, supervised liberty and community service; alternative measures during execution of involvement in social service programs, semi-liberty and home detention.

On January 2013 the ECHR convicted Italy for violation of art. 3 in relation to prison overcrowding (Torreggiani judgment, became definitive on May 2013). It was a pilot-judgment, which imposed Italy to solve the systemic problem of overcrowding within one year. Two Decree Laws have been issued in 2013 by the Government with, among others, provisions limiting pre-trial detention, strengthening alternative measures, raising the reduction of penalty for good behavior. In February 2014 the Constitutional Court declared non-constitutional the normative on drug in force since 2006. These normative changes have contributed to the decrease of prison population.

Reforms to alternatives to detention since 2000

Law n. 199, November 26th, 2010: the possibility of serving at home the last year of prison sentence, raised to the last 18 months by the Law n. 9, February 17th, 2012, is introduced.

Law n. 94, August 9th, 2013 (from the Decree Law n. 78, July 1th, 2013): some obstacles in having access to home detention and semi-liberty for recidivists, introduced by the Law n. 251, December 5th, 2005, are removed.

Law n. 67, April 28th, 2014: the possibility of requiring the suspension of the criminal proceeding in case of crimes punishable with no more than four years of prison is introduced. If the suspension is conceded, the person is put on probation under the control of the social services and with a program to be followed. The suspension of the criminal proceeding on probation cannot be conceded more than once. The positive ending of the probation extinguishes the crime.

Total prison population (flow and daily rate) between 2000 – 2014

Year	Prison population at December 31th	Number of entries during the year
2000	53.165	81.397
2001	55.275	78.649
2002	55.670	81.185
2003	54.237	81.790
2004	56.068	82.275
2005	59.523	89.887
2006	39.005	90.714
2007	48.693	90.441
2008	58.127	92.800
2009	64.791	88.066
2010	67.961	84.641
2011	66.897	76.982
2012	65.701	63.020
2013	62.536	59.390
2014	53.623	50.217

Data from the Ministry of Justice

Prison population rate per 100,000 population (based on the daily rate prison population 2000 – 2014)

Year	Prison population at December 31th	Prison population rate for 100,000 inhabitants at December 31th
2000	53.165	93,41
2001	55.275	96,99
2002	55.670	97,44
2003	54.237	94,33
2004	56.068	96,87
2005	59.523	102,51
2006	39.005	66,99
2007	48.693	83,01
2008	58.127	98,51
2009	64.791	109,46
2010	67.961	114,48
2011	66.897	112,63
2012	65.701	110
2013	62.536	102,88
2014	53.623	88,18

Data from the Ministry of Justice and Istat

Number of pre-trial detainees² and as a percentage of the prison population (based on the daily rate prison population 2000 – 2014)

Year	Prison population at December 31th	Number of pre trial detainees at December 31th ³ (except when differently stated)	Percentage on the total prison population
2000	53.165	14.055 (at January 1th)	
2001	55.275	12.907 (at July 1th)	
2002	55.670		
2003	54.237		
2004	56.068	12.020 (at February 29th)	
2005	59.523	12.204	20,5
2006	39.005		
2007	48.693		
2008	58.127	14.671	25,2
2009	64.791	14.367	22,1
2010	67.961	14.112	20,7
2011	66.897	13.625	20,3
2012	65.701	12.484	19
2013	62.536	11.108	17,7
2014	53.623	9.549	17,8

Data from the Ministry of Justice

² In this grid, the term “pre-trial” refers to those awaiting for the first instance.

³ This number does not include prisoners presenting a mixed position – pre-trial in a proceeding and having passed the first instance in another – nor few prisoners for which the relevant documentation was still not available at the moment.

Number and proportion of the total prison population (based on the daily rate prison population 2005 – 2014) by length of sentence (e.g. less than 6 months; 6 months to less than 12 months; 12 months to less than four years; 4 years plus; other)

The data in question are not available according to the classification requested. The table below shows the available data, which start from 2005 and are slightly differently classified. All data come from the Ministry of Justice and refer to December 31th. The percentages refer to the total number of prisoners with a final judgment.

Prisoners with a final judgment classified according to the length of the sentence they are serving														
Year	Length of the prison sentence													Total
	Less than 1 year	From 1 to 2 years	From 2 to 3 years	From 3 to 4 years	From 4 to 5 years	From 5 to 6 years	From 6 to 7 years	From 7 to 8 years	From 8 to 9 years	From 9 to 10 years	From 10 to 20 years	More than 20 years	Life sentence	
2005	3.356 9,1%	3.758 10,2%	4.159 11,3%	4.970 13,5%	3.595 9,8%	2.644 7,2%	1.890 5,1%	1.524 4,1%	1.268 3,4%	958 2,6%	5.026 13,7%	2.304 6,2%	1.224 3,3%	36.676
2006	1.069 6,9%	843 5,4%	927 5,9%	1.131 7,3%	1.127 7,2%	936 6,0%	826 5,3%	793 5,1%	657 4,2%	554 3,5%	3.455 22,3%	1.913 12,3%	1.237 7,9%	15.468
2007	2.061 10,8%	2.128 11,1%	1.881 9,8%	1.659 8,7%	1.358 7,1%	1.041 5,4%	825 4,3%	713 3,7%	645 3,3%	541 2,8%	3.206 16,8%	1.614 8,4%	1.357 7,1%	19.029
2008	2.919 10,9%	3.259 12,2%	3.718 13,9%	3.214 12,0%	2.334 8,7%	1.464 5,5%	1.091 4,1%	871 3,2%	753 2,8%	597 2,2%	3.332 12,5%	1.627 6,1%	1.408 5,2%	26.587
2009	3.276 9,8%	4.031 12,2%	4.374 13,1%	4.589 13,8%	3.412 10,2%	2.175 6,5%	1.610 4,8%	1.160 3,4%	993 2,9%	706 2,1%	3.673 11,0%	1.685 5,0%	1.461 4,4%	33.145
2010	3.293 8,7%	3.990 10,6%	4.696 12,5%	4.922 13,1%	4.144 11,0%	2.900 7,7%	2.153 5,7%	1.653 4,4%	1.236 3,3%	944 2,5%	4.201 11,2%	1.788 4,7%	1.512 4,0%	37.432
2011	2.733 7,1%	3.722 9,7%	4.300 11,3%	4.606 12,1%	4.083 10,7%	3.364 8,8%	2.598 6,8%	2.005 5,2%	1.451 3,8%	1.160 3,0%	4.626 12,1%	1.847 4,8%	1.528 4,0%	38.023
2012	2.459 6,3%	3.560 9,2%	4.380 11,3%	4.621 11,9%	3.911 10,1	3.253 8,4%	2.783 7,1%	2.213 5,7%	1.609 4,1%	1.247 3,2%	5.149 13,3%	1.890 4,8%	1.581 4,0%	38.656
2013	2.076 5,3%	3.371 8,7%	4.240 11,0%	4.445 11,5%	3.812 9,9%	3.066 7,9%	2.617 6,8%	2.271 5,9%	1.836 4,7%	1.357 3,5%	5.742 14,9%	2.055 5,3%	1.583 4,1%	38.471
2014	1.679 4,9%	2.498 7,3%	3.383 9,9%	3.859 11,3%	3.194 9,3%	2.628 7,7%	2.244 6,5%	1.950 5,7%	1.605 4,7%	1.341 3,9%	5.888 17,3%	2.180 6,4%	1.584 4,6%	34.033

Probation practices

Do alternatives to detention develop skills and social inclusion of the offenders?

For what concerns suspended sentence, the obligations associated with it were originally conceived also as an instrument for confirming that the offender presents a good degree of socialization. But in the routine the suspended sentence is almost automatically granted when the objective requirements exist. As to community service, which is thought with the aim of developing the skills and social inclusion of the offenders, it is still not too much employed. For what concerns alternative measures during execution, since 2010 we have been assisting to an increasing in the use of home detention, a measure that does not presuppose develop of skills and social inclusion of the offenders. As to the social service programs and semi-liberty, the situation is not homogeneous and the social workers succeed more or less in planning individual programs capable of having a real reintegration value. In any case, almost the only national research on recidivism with respect to alternatives to detention has been published in 2007 by Fabrizio Leonardi (from the Ministry of Justice) and told us that 7 convicted out of 10 among those who have been released in 1998 have entered again into prison in the following years, versus 2 recidivists out of 10 among those who have served their sentence in an alternative measure. A good practice can be seen in the employment of around 100 prisoners at the Expo of Milan. Employing prisoners for big events can convey a positive message, contributing to the overriding of prejudices. A bad practice can be seen in the insincerity and automatism with which sometimes the victims are involved in the concession of an alternative to detention.

Are alternative measures free of stigmatizing features?

It depends on the different situations. In many cases people serving an alternative to detention conduct a daily life which is similar to that of any other people. But it also happens, for instance, that people at home arrest are subject to useless and bureaucratic police control without any discretion and maybe during the nights, so that the neighbours cannot ignore what is going on. It also happens that the media have enough information to reveal where someone is serving an alternative to detention. In 2012, for instance, a very famous offender was revealed to work as a clerk in a certain shop. A crowd of meddlers started to attend the shop, so that the owner decided to fire him.

Are probation programs individualized?

There are many differences from situation to situation and it is not possible to find a common description of how the individualized programs work. The provisions of the surveillance judges are often standardized. This happens especially in the big cities and especially for what concerns the prohibitions and the obligations related to an alternative to detention. However, there are places where the synergy between surveillance magistrates and UEPEs (Offices for the execution of sentences in the community) is higher and they succeed in considering the needs of the single individuals.

Is the progress of the offender evaluated in the course of the measure's implementation?

Yes, it is. For what concerns alternative measures to detention during execution, social workers supervise the offender's course of life during the implementation of the measure and in case suggest to the surveillance judge suitable changes in the provisions of the measure. For what concerns precautionary measures, the defendant can request, through his/her lawyer, to change the provisions (for instance in case of educational needs or work opportunities).

Is the plan of work reviewed according to this evaluation?

Theoretically it should be, but it does not always happen. During execution, because of the involvement of social services, it is much more frequent that the plan of work is reviewed according to the real needs of the offender. But, especially in the pre-trial phase, the provisions are often bureaucratically decided and it is not easy to reviewed them.

Are there possibilities to change its content in the process of implementation?

Yes, there are. But a new formal measure by the surveillance judge changing the provisions is requested.

Is a final evaluation carried out at the end of the supervision period?

For what concerns those measures which are in charge to the UEPEs, a UEPE operator has the task of drafting a final relation on each single person who has served an alternative to detention.

Do workers in alternatives to detention have the same rights and safeguards as other workers?

Workers serving an alternative to detention are guaranteed the same health and safety precautions of other workers. As they are regularly employed, they have social security rights as anyone else. The companies which employ prisoners or people serving an alternative to detention receive supports for what concerns social security and taxes.

Supervision model adopted in alternative measures (e.g. control-oriented, assistance-oriented...)

For what concerns pre-trial alternatives to detention (not including in them the suspension of the criminal proceeding on probation, 'messa alla prova'), the supervision models adopted are always purely of control and are in charge to the law enforcement. The same holds for the substitutive sanctions of semi-detention and supervised liberty, with the addition that for the first one the person is subjected of the ordinary prison law for the lapses of time spent in prison and for the latter the judge can dispose interventions directed to social reintegration carried out by the social services. For what concerns the suspension of the criminal proceeding on probation, the person is under the control and the assistance of the social services and with a program directed to rehabilitation to be followed. Finally, for what concerns the alternatives to detention during

execution, if the law enforcement plays a role of pure control, monitoring if the provisions of the measure are met, the social services are in charge of carrying out the individual program of the person serving the measure. In case of people involved in social services programs 'in particular cases' (that is to say, for drug or alcohol addicts), the offender must arrange his/her individual program also with the National Health Service or with other subjects specified by the law (that can also be private).

Does the probation system offer aftercare services?

No, it does not. When the penal measure ends, the person can in case be followed by the local social services. The law states that the activities of the social services operating within the penal system shall be coordinated with the activities of the local social services. However, as the small number of people in "post-prison assistance" by the social services of the Ministry of Justice also shows, there is not enough connection between the two. This circumstance does not facilitate social integration.

Do foreigners have any limits to serve alternatives to detention? Are there specific provisions for them?

Yes, they do. The shortage of family relations, the greater difficulty in finding a job, the absence of a domicile can constitute limits to the access to alternatives to detention. Theoretically migrants without regular documents can have access to the alternative to detention but in practice, as irregular migrants cannot have a domicile, they are subject to limitations. The figures show that, proportionally, foreigners have less access to alternatives to detention than Italians.

Yes, there are two specific provisions, not at all aiming at social reintegration: the expulsion as a substitutive sanction and the expulsion as an alternative measure to detention during execution.

Are there any gender specific programs?

Yes, there is one form of home detention which is specific for women. Mothers with children aged up to ten years can serve their sentences at home if some requirements are met and when they have served in prison at least one third of their sentence or 15 years in case of lifers. Such measure aims at safeguarding the relationship between mother and child. However, the strict requirements and the absence of foster homes have determined a low number of access to this form of home detention.

Are the victims of crime involved in the alternatives to detention programs? If yes, which is their role in these programs?

The laws never provide for an explicit victim's role in alternatives to detention. However, the conditional release ex. art. 176 of the Italian penal code is subordinated to the condition that the offender, while in prison, "has behaved in such a way as to show his/her definite repentance". Such a definite repentance has traditionally been interpreted by some surveillance judges as the act of apologizing to the victims. An inclination more and more common tries to do the same for

what concerns the access to alternatives to prison during execution. Judges often expect that the offenders try to reconcile with the victims and morally compensate them.

Do probation services offer, directly or indirectly, support council or information to families of offenders?

Yes. They keep the relations with the families, providing support as far as they can.

Are there specific restorative justice programs?

Italian legislation provides for several elements of restorative justice. Penal mediation has been largely applying in the juvenile justice system since 1988, when the juvenile procedural criminal code has entered into force. For what concerns also the adult system, in 2000 it has been introduced for certain specific crimes when the criminal action can start on a third party complaint. In such cases, the judge promotes the reconciliation between the parties, using if needed local public and private mediation centers. If the reconciliation succeeds, the complaint is withdrawn. The article of the 1975 penitentiary law titled "Affidamento in prova al servizio sociale", the alternative measure to detention consisting in being involved in social service programs, explicitly states that in the program must be established that the offender acts as much as possible in favor of the victim. The 2000 penitentiary rules dispose that, after having analyzed the personality of the offender, he/she be involved in a reflection on the possible reparative actions he/she can accomplish. In 2013 community service, already existing as an alternative sanction, has been introduced as an alternative to detention during execution. The law explicitly states that prisoners can be allowed to accomplish unpaid and volunteer activities in support of the families of the victims. In February 2002 the Ministry of Justice instituted a special Committee with the task of analyzing the Italian situation regarding mediation and restorative justice and proposing guidelines on the subject. The work of the Committee highlighted several problems related to restorative justice, concerning the lack of general knowledge, the lack of competence of the penitentiary workers, the lack of relations with the territory, the difficulties faced by the social services in acquiring the relevant information on victims and offenders, the lack of continuity in the relationship with the surveillance judges. In any case, agreements on restorative justice between the Ministry of Justice and public and private subjects have been signed here and there.

Does the probation service give a systematic feedback about the effectiveness of the alternatives to prison to the general public? How is the information shared?

Absolutely not. The general public is largely uninformed about alternatives to prison. When some event occurs in which an offender serving an alternative to detention re-offends, media tends to emphasize the failure of alternative measures, without adduce any quantitative evidence. In any case it should be said that a real probation service is lacking in Italy and that only very recently a new Department has been created within the Ministry of Justice, where the management of the alternative measures to detention during execution has been separated from adult prison management and has been joined to the juvenile justice, presenting a vocation much more open to the territory. It will be worthwhile monitoring if more information will be shared from now on with the general public.

Are there systematic research projects concerning the alternatives to imprisonment and, if so, who carries them out?

No. There are only statistic data by the Ministry of Justice and elaborations by Istat (the national institute of statistic).

Probation total budget in 2014 and historical series since 2000

This datum is not available on its own. The management of the alternatives to detention was under the Department of the Penitentiary Administration, that is to say that a unique Department of the Ministry of Justice was responsible for prisons and for alternatives sanctions and measures. A reform of the structure of the Ministry of Justice, aiming at the creation of an autonomous Department for juvenile justice and for the execution of sentences in the community, has very recently been approved. Up to now, it is not possible to individuate the costs of the alternatives to detention programs autonomously. Here below the total costs of the system, which includes prisons and alternatives sanctions and measures. The major percentage of the costs are related to the staff, in which of course also UEPE workers are included.

Year	Total budget	Percentage of the total budget allocated for the staff
2000		
2001	2.642.924.161	75,8
2002	2.574.577.019	75,7
2003	2.714.511.771	77,3
2004	2.715.386.643	77,5
2005	2.682.259.184	80,7
2006	2.924.779.269	79,7
2007	3.095.506.362	79,3
2008	3.040.850.195	79,8
2009	2.970.172.869	82,1
2010	2.757.752.620	87,2
2011	3.044.499.184	80,3
2012	2.802.417.287	88,1
2013	3.081.606.867	80,1
2014	2.943.795.721	82,9

Data from Ministry of Justice, Ministry of Economy and Finance, Court of Auditors

Procedural guarantees

Do probation agencies respect the human rights of offenders without discrimination (sexual, religious, racial, political, etc.)? Do they keep in regard offenders' dignity, health, safety and well-being in their interventions?

Antigone has never received significant complaints regarding cases of discrimination during alternatives to detention. In particular, the interventions of UEPEs, involving social workers, usually comply with their professional and institutional mandate and respect the human rights of the offenders.

Do probation agencies always seek the offenders cooperation and collect their informed consent?

This is a stabilized procedure in the context of UEPEs' activities.

If probation agencies carry out interventions before the establishment of the offender's guilt, do they require the offender's informed consent? Are their interventions without prejudice to the presumption of innocence?

Pre-trial interventions by UEPEs' workers are very limited. They intervene on pre-trial detainees only when the warden explicitly requests such intervention for what concerns the relations between the prisoner and his/her relatives. For what concerns 'messa alla prova', the defendant himself/herself requests UEPE's intervention, asking for a program to be followed. UEPE's activities aim at identify together with the defendant restorative actions with regard to the victims, as well as at promoting a defendant's reflection on the consequences of his/her behavior. Such activities are strictly dependent on the spontaneous acknowledgment of responsibilities by the defendant.

Are the task and responsibility of the probation agencies and their relations with the public authorities and other bodies defined by any national law?

The institutional assignments of the UEPEs are defined by national laws.

How is the offenders' privacy guaranteed? How is the data protection of case records guaranteed to the offenders?

UEPE social workers are bound to professional and official secrecy. Furthermore, they must respect some procedures established by the Penitentiary Administration in processing the information gathered on the offenders and on the defendants.

Are there accessible, impartial and effective complaint procedures regarding probation practice?

For each measure, a procedure for appealing to the judiciary is available.

Are the probation agencies subjected to regular government inspection and/or independent bodies monitoring?

The activities of the UEPEs are subjected to inspections by the Penitentiary Administration. Such inspections have not a regular frequency.

Staff

Organization of probation staff

Italy has not an independent Probation Service, but up to now the General Directorate for the execution of sentences in the community ('Direzione generale dell'esecuzione penale esterna') has been part of the Department of the Penitentiary Administration of the Ministry of Justice (that only deals with adults). The General Directorate was articulated in the Secretary, the Office for analysis, planning, orientation and control, the Office for the implementation of justice measures. The Office for the implementation of justice measures was in charge of coordinating the UEPEs (Offices for the execution of sentences in the community). There are 83 UEPEs in Italy. The staff of the UEPEs is composed by managerial and administrative staff, social workers, psychologists, penitentiary policemen. It should be said the psychologists are not contemplated in the standard staffing plan of UEPEs while penitentiary policemen are contemplated but they are not subject to specific training on alternatives to detention. The UEPEs can make use of the assistance of volunteers. A reform of the structure of the Ministry of Justice has been presented by the Minister and it is very recently been approved. The reform aims at the creation of an autonomous Department for juvenile justice and for the execution of sentences in the community. Beyond such a proposal there would be the consideration of the peculiarity and independence of the execution of sentences in the community with respect to prison, as well as the consideration of the specific openness of juvenile justice system, deeply integrated into the surrounding area.

Number of probation officers in 2014 and historical series since 2000

Owing to the dependence of the General Directorate for the execution of sentences in the community on the Department of the Penitentiary Administration, it is not easy to determine the overall number of probation officers. The penitentiary policemen who work in the UEPEs, for instance, are not formally assigned to the UEPEs. The only figures which are possible to find out are relative to the number of social workers employed by the Ministry of Justice, which are around 1.000, and to the number of directors, which are 35 for 55 positions. The last public contest has been held in 1999, when 684 social workers and 140 administrative staffers have been employed. In the last years, the staff is diminished – because of retirements and other factors – of around 500 probation officers. In any case, it is absolutely possible to affirm that the probation staff is not sufficient for accomplishing its tasks. According to a research carried on by the former general director of the General Directorate for the execution of sentences in the community, Emilio Di Somma, at September 30th, 2013, only 3% of the overall staff of the Penitentiary Administration referred to probation.

The table below shows the exact number of social workers in service in the last years:

2011	1.063
2012	1.051
2013	1.037
2014	1.032

Number of cases followed by each probation agent

The question on the number of cases followed by each probation agent has always constituted a problem, because the average individual workload is very different in the different UEPEs. Official statistics do not calculate these data. However, the already mentioned research carried on by Emilio Di Somma found out that at January 31th, 2014, considering the actual number of staffers and the cases in charge, the average time devoted to each offender or defendant was 28 minutes for week. One concrete case is represented by the UEPE of the city of Udine, where the staff, composed by 5 social service operators, has complained about the situation. Each operator has in charge in the average 130-150 people.

Recruitment procedures

Public competitions based on qualifications and examinations.

Initial qualification required and ongoing training

The initial qualification required is the triennial degree in social service. During the initial training course, the probation agent both attends to classes organized by the Penitentiary Administration and works side by side with expert social service staffers at the assigned working place.

Relationship between the probation service and the prison service

The General Directorate for the execution of sentences in the community – created only in 2005, while before the execution of sentences in the community used to depend on the General Directorate for prisoners – depended on the Penitentiary Administration. Both the management of the staff and of the economic resources was in charge to the latter. In the past, the big problems faced by the prison system (first of all overcrowding) have monopolized the attention of the Penitentiary Administration, leaving a residual space to the execution of sentences in the community. Only very recently a reform has been approved, aiming at the creation of an autonomous Department for juvenile justice and for the execution of sentences in the community. The organization of the new Department is still not clear.

Relationship between the probation service and the judiciary

The judiciary consults the UEPEs in order to decide about the application of alternatives to detention. The UEPEs send to the judiciary individual relations on the offenders or on the defendants, concerning their familiar and social situation. Furthermore, they elaborate individual programs for those alternatives to detention that requires it. During the execution of the alternative to detention, the UEPEs send to the judiciary relations on how the measure is working, coordinating when necessary their work with the public or private organizations involved. At the end of the measure, they elaborate a final relation.

Relationship between the probation service and the general social services

The UEPEs have relations with the general local social services, with the specialized services (like services for drug addiction, services for mental health, services for family counseling), with other local agencies (like centers for labor exchange), both for gathering information on the individual situations and for arranging the individual programs to be followed during the execution of the alternatives to detention. Furthermore, the UEPEs have more and more relations with no-profit organizations in order to identify the unpaid public interest activities that can be accomplished as a restoration in those measures that involve them. The relations between UEPEs and local social services are strategic in order to promote the participation of the community to probation. In this framework, probations agents maintain that the decentralization of UEPEs and the motility of operators should be incentivized.

Is the remuneration of probation officers adequate to their tasks?

The average remuneration of a social worker is around 1.300-1.400 euros per month. A social worker having been working since 25 years ago for a UEPE earns about 1.600 euros per month, to which the Christmas bonus must be added. Considering the hard work of social workers and the importance of giving value to the area of the execution of sentences in the community, it seems to be an inadequate remuneration.

Is the expertise and experience of probation agencies used in developing crime reduction strategies?

There is not a systemic consultation of probation agencies while planning crime reduction strategies. The UEPEs have sporadically attended to the meetings of the Provincial Committee for public security.

PART TWO. SPECIFIC PROGRAMS

Alternatives to pre-trial detention

Alternative measures to pre-trial detention from the legal point of view

Precautionary measures 'in personam' according to the Italian code of criminal procedure (1988) are either coercive measures or interdictive measures. To the first category belong, besides pre-trial detention: home arrest (sometimes with electronic bracelet, sometimes with permissions for going to work), the prohibition to leave the Country, the requirements to report on a periodic basis to the police, the prohibition to frequent the family house or other specified places or the obligation to live in some specified places. To the second category belong: the suspension of parental authority, the suspension from a public office or service, the temporary interdiction from practising given professional or entrepreneurial activities.

The law n. 67 (April 28th, 2014) introduced, in case of crimes punishable with no more than four years of prison, the 'messa alla prova', that can be considered a form of alternative to pre-trial detention which is not a precautionary measure. It results in a suspension of the criminal proceeding.

Judicial authority responsible for the establishment of the measures

The application of a precautionary measure 'in personam' is proposed by the prosecutor and it is disposed by the trial judge.

Alternative measures in detail

Home arrest: the judge orders to the defendant not to leave his/her home or another private house or public place of assistance, imposing if necessary electronic monitoring. The judge can prohibit or limit the communication between the defendant and people not living with him/her or assisting him/her. If the defendant has no other means of support, the judge can permit him/her to leave the established place for the minimum time necessary to provide to his/her needs or to work.

Prohibition to leave the Country: the judge orders to the defendant not to leave the Country without his/her permission, assuring the accomplishment of the provision also with preventing the use of the relevant documents. When applying one of the other coercive measures, the judge always prohibits to leave the Country.

Requirements to report on a periodic basis to the police: the judge establishes when and in which police station the defendant has to go, considering his/her working activities and his/her place of residence.

Prohibition to frequent the family home: the judge orders to the defendant to leave the house where his/her family lives, adding if needed prohibitions to frequent places that are frequented by some members of the family (except if such frequentation is necessary for working reasons) and the obligation of economically contributing to the family life.

Prohibition to frequent places frequented by the victim: the judge orders to the defendant not to frequent some specified places, adding if needed prohibition to frequent places frequented by persons having some kind of emotional connection with the victim.

Prohibition or obligation to live in some specified places: the judge orders to the defendant to refrain from dwelling in a specified place or orders to him/her to dwell in a specified place, having in mind as far as possible the assistance and professional needs of the defendant.

Suspension of parental authority: the judge deprives provisionally, entirely or partially, the defendant of the power deriving from parental authority.

Suspension from a public office or service: the judge prohibits provisionally, entirely or partially, the defendant to carry on the activities connected to a public office or service; the measure cannot be applied to the offices based on popular vote.

Temporary interdiction from performing given professional or entrepreneurial activities: the judge prohibits provisionally, entirely or partially, the defendant to carry on the activities connected the professional or entrepreneurial activities at issue.

‘Messa alla prova’: in case of crimes punishable with no more than four years of detention, the defendant has the possibility of requiring the suspension of the criminal proceeding. If the suspension is conceded, the person is put on probation under the control of the social services and with a program to be followed. The program involves actions directed to the restoration of the damage caused by the offence. The suspension of the criminal proceeding on probation cannot be conceded more than once. The positive ending of the probation extinguishes the crime.

Supervision model adopted (e.g. control-oriented, rehabilitation-oriented...)

For what concerns the precautionary measures, there could not be rehabilitation program at all. The Constitution considers the defendant as innocent until his/her guilt is proved, so that he/she cannot be deemed to be in need of rehabilitation. All the controls are in charge to the law enforcement. However, the law prescribes to the judge who imposes the measure to pay attention to the working and assistance needs of the defendant. For what concerns the suspension of the criminal proceeding on probation, there is a rehabilitation program to be followed under the supervision of the social services.

Relations between the public and the private sector in managing the measures

The management and the controls related to the precautionary measures are entirely public.

Budget allocated and its suitability

It is absolutely impossible identify this datum, as it cannot exist a budget specifically allocated for precautionary measures. Police staff, which is in charge of the control, has also countless other

tasks. The average daily cost of imprisonment for single prisoner has been calculated by the Ministry of Justice as follows:

Year	Average daily cost for single prisoner
2001	131,90
2002	126,71
2003	132,61
2004	131,67
2005	124,94
2006	154,84
2007	190,21
2008	152,05
2009	120,95
2010	116,67
2011	119,01
2012	124,7
2013	123,78

Impact of the measure

on the pre-trial prison population

Because of the lack of data, it is not possible to answer to this question from a quantitative point of view. From a qualitative one, it should be said that often people having been subject to both the precautionary measures of pre-trial detention and home arrest affirm that the latter is even harder than the former for all aspects of daily life – the lack of physical space, of recreational and sporting activities, of relationships with people other than the ones frequenting the family home – but the emotional one (the opportunity of spending much more time with relatives).

on the lives of the subjects involved (work, physical/psychological wellbeing, family and social relationships, goals and life perspectives)

There are not systemic researches available which have followed the life courses of people having in the past been subject to the measures at issue in comparison with those of people having served a period of pre-trial detention. It is not possible to say something general about the physical and psychological well-being or the goals and the life perspectives. For what concerns working as well as familiar and social relationships, alternatives to pre-trial detention explicitly aim at not interrupting valuable working and social relations when not necessary. The provisions established by the judges should pay attention to the individual needs. However, not always it occurs and the situation can be very different from case to case. It happens, for instance, that sometimes people subjected to a precautionary measure alternative to pre-trial detention are bureaucratically not allowed to seize the opportunity of a job.

For what concerns ‘messa alla prova’, it is too recent a measure for having a reliable picture. In any case, this form of probation has been widely employed in the juvenile justice system since 1988 with excellent results. The involvement of the social services in the management of the measure guarantees a greater attention paid to the individual life courses.

Total number of people serving a pre-trial alternative to detention in 2014 and historical series since 2000

We asked three different divisions of the Ministry of Justice, the press office of the Ministry of Interior and the Istat for the data related to precautionary measures but no one of them gave us the figures requested. It should be noted that the data in question lack also from Space II. It is very reasonable to suppose that they are not collected on a national basis.

For what concerns the newborn institution of ‘messa alla prova’, at December 31th, 2014, there were 503 people who have had the suspension of the criminal proceeding and were on probation under the control of the social services.

Total number of people in pre-trial detention in 2014, historical series since 2000 and rate per 100,000 population during this period

Year	Number of pre trial detainees at December 31th (except when differently stated) ⁴	Rate of pre-trial detainees for 100,000 inhabitants at December 31th
2000	14.055 (at January 1th)	
2001	12.907 (at July 1th)	
2002	11.957	20,9
2003		
2004	12.020 (at February 29th)	
2005	12.204	21
2006		
2007		
2008	14.671	24,8
2009	14.367	24,2
2010	14.112	23,7
2011	13.625	22,9
2012	12.484	20,9
2013	11.108	18,2
2014	9.549	15,7

Data from the Ministry of Justice and Istat

Annual flow and the daily rate for the period 2000 to 2014, of: people serving the measure, foreigners, male/female, revocations distinguishing among non respect of conditions / re-offending / other

As explained before, it was not possible to have access to those data except for what concerns ‘messa alla prova’ for the first year of its being in force. During 2014, 511 people have received such a measure (they were 503 at December 31th, 2014). Out of 511, 432 were men and 79 women; 458 were Italians, 40 were non-EU citizens and 13 were foreigners EU citizens.

⁴ This number does not include the prisoners presenting a mixed position – pre-trial in a proceeding and having passed the first instance in another – nor few prisoners for which the relevant documentation was still not available at the moment.

Alternative sanctions⁵

Alternative sanctions from the legal point of view

The Italian penal code, dating back to 1930, provided for financial sanctions ('multa' and 'ammenda') as major punishments besides prison sentences. In 1981 substitutive sanctions have been introduced for very short prison sentences (less than 6 months: prison remains the parameter). In particular, semi-detention (at least 10 hours per day in special prison sections) and supervised liberty (once a day at the law enforcement station) have been introduced. The law states that substitutive sanctions should be chosen according to the social reintegration needs of the offender. The 1998 law on immigration provides for the expulsion of the irregular foreign offender as a substitutive sanction. In 2000, community service has been introduced as an autonomous sanction and in the following years its scope is enlarged. Again, this sanction is applicable only to very minor offences. It should be mentioned that in 2014 a new law has been voted delegating the Government to introduce home detention as a main sanction for crimes punishable up to 5 years of detention (it would be automatic for crimes punishable up to 3 years of detention). However, the Government has not exercised the mandate yet.

Judicial authority responsible for the establishment of the measures

The sanction is established by the trial judge who releases the judgment.

Alternative measures in detail

Financial sanctions: there are two kinds of financial sanctions called 'multa' and 'ammenda', the former related to more serious felonies than the latter. The 'multa' consists in the payment to the State of an amount of money between 50 and 50.000 euros. The 'ammenda' consists in the payment to the State of an amount of money between 20 and 10.000 euros.

Semi-detention: prison sentences considered to be lower than 6 months can be substituted with the obligation to spend at least 10 hours per day in special prison sections. One day of detention is considered equivalent to one day of semi-detention. The number of hours and the location depends on the working or educational needs of the offender. Semi-detention involves also other provisions, as the driver license suspension and the passport withdrawal. If the provisions are not respected, semi-detention is converted into detention.

Supervised liberty: prison sentences considered to be lower than 3 months can be substituted with the prohibition to leave the Municipality in which the offender lives (except in case of authorization granted time by time for working, educational, familiar or health reasons). One day of detention is considered equivalent to two days of supervised liberty. Supervised liberty involves also other provisions, as the obligation to go at least once a day to the law enforcement station, the driver license suspension and the passport withdrawal. The surveillance judge can involve the social services in interventions directed to the social reintegration of the offender. If the provisions are not respected, supervised liberty is converted into detention.

⁵ Those established by the judge as main sanction during the trial

Expulsion of the irregular foreigner: prison sentences for not unintentional crimes considered to be lower than 2 years can be substituted with the offender's expulsion from Italy in case of irregular foreigners.

Community service: this sanction consists in unpaid work in favor of the community, to be accomplished by public bodies or private organizations. Since its introduction in 2000, the scope of its application has been enlarged to several crimes. Community service requests the offender's consent.

Supervision model adopted (e.g. control-oriented, rehabilitation-oriented...)

The question of course does not apply to financial sanctions and expulsion of the irregular foreigners. As to community service, there is an explicit rehabilitative intent and even a restorative one. As to semi-detention and supervised liberty, the police (and also the warden in case of semi-detention) have the task of supervising that the provisions of the sanctions are respected, but the social services play a role in managing the sanctions, not only in those cases of supervised liberty in which they are explicitly involved.

Relations between the public and the private sector in managing the measures

The management of the sanctions is entirely public. Private organizations of social assistance or voluntarism can be involved in the community service.

Budget allocated and its suitability

As explained above, this datum is not available by its own.

Impact of measures:

on the prison population

For what concerns substitutive sanctions, numbers are too low for constituting an effective instrument of prison population reduction.

on the lives of the subjects involved (work, physical/psychological wellbeing, family and social relationships, goals and life perspectives, recidivism rate)

As well as for what concerns pre-trial situation, there are not systemic researches available which have followed the life courses of people having in the past been subject to the sanctions at issue in comparison with those of people having served a period of detention. It is not possible to say something general about the physical and psychological well-being or the goals and the life perspectives. There are not data on recidivism rates. For what concerns working as well as familiar and social relationships, alternative sanctions – without including financial ones and expulsion for foreigners – explicitly aim at not interrupting valuable working and social relations when not necessary.

Total number of people (flow and daily rate) serving alternative sanctions in 2014, historical series since 2000 and rate per 100,000 population for this period

Semi-detention, supervised liberty, community service

Year	Number of people sentenced to semi-detention, supervised liberty and community service	Number of people serving semi-detention, supervised liberty and community service at December 31th	Rate per 100,000 population at December 31th
2004		201	0,34
2005	338	241	0,41
2006	226	128	0,21
2007	99	84	0,14
2008	90	58	0,09
2009	146	136	0,22
2010	204	167	0,28
2011	976	657	1,10
2012	5.484	2.697	4,51
2013	9.202	4.612	7,58
2014	10.365	5.780	9,50

Data from the Ministry of Justice and Istat

Financial sanctions

Year	Number of people sentenced only to a financial sanction
2000	120.785 multa
2001	61.089 multa 66.636 ammenda
2002	70.032 multa
2003	75.014 multa 65.901 ammenda
2004	82.673 multa 72.626 ammenda
2005	77.723 multa 68.704 ammenda
2006	65.434 multa 70.170 ammenda
2007	40.792 multa
2008	50.292 multa
2009	43.444 multa
2010	43.615 multa 56.898 ammenda
2011	46.773 multa 54.045 ammenda
2012	49.257 multa 56.811 ammenda

Data from Istat

Total number of people (flow and daily rate) in prison serving a final sentence in 2014, historical series since 2000 and rate per 100,000 population for this period

Year	Number of people serving a final prison sentence at December 31th	Rate per 100,000 population at December 31th
2000	29.293	51,4
2001	31.024	54,4
2002	32.854	57,5
2003	32.865	57,1
2004	35.033	60,5
2005	36.676	63,1
2006	15.468	26,5
2007	19.029	32,4
2008	26.587	45,0
2009	33.145	55,9
2010	37.432	63,0
2011	38.023	64,0
2012	38.656	64,7
2013	38.471	63,2
2014	34.033	55,9

Data from the Ministry of Justice and Istat

The flow data – that is to say the number of entrances into prison of people having a final sentence – is not available. There are several possibilities of avoiding the entrance into prison when the sentence becomes final. Furthermore, the order of execution of the sentence can arrive much later.

Annual flow and the daily rate for the period 2000 to 2014, of: people serving the measure, foreigners, male/female, revocations distinguishing among non respect of conditions / re-offending / other

The Ministry of Justice answered to our requests related to the number of conversions of substitutive sanctions into detention affirming that the data at issue are not centrally registered.

Semi-detention

Year	Number of people sentenced to semi-detention	Number of people serving semi-detention at December 31th	Number of semi-detentions managed on the whole, according to the requested classifications when available
2004		20	
2005	42	17	62 55 men and 7 women
2006	26	4	43 38 men and 5 women
2007	8	2	12 8 men and 4 women
2008	3	0	5 4 men and 1 woman
2009	8	2	8 8 men and 0 women
2010	11	7	13 3 foreigners (1 not revealed) 12 men and 1 woman
2011	11	8	18 2 foreigners (2 not revealed) 18 men and 0 women
2012	20	8	28 9 foreigners 27 men and 1 woman
2013	18	9	26 4 foreigners 23 men and 3 women
2014	17	6	27 - 10 foreigners -26 men and 1 woman

Data from the Ministry of Justice

Supervised liberty

Year	Number of people sentenced to supervised liberty	Number of people serving supervised liberty at December 31th	Number of supervised liberties managed on the whole, according to the requested classifications when available
2004		181	
2005	296	224	477 429 men and 48 women
2006	240	124	464 416 men and 48 women
2007	91	82	215 200 men and 15 women
2008	87	58	169 159 men and 10 women
2009	138	104	196 183 men and 13 women
2010	161	122	265 33 foreigners (20 not revealed) 244 men and 21 women
2011	173	115	296 32 foreigners (49 not revealed) 279 men and 17 women
2012	256	164	367 54 foreigners 332 men and 35 women
2013	281	194	444 54 foreigners 414 men and 30 women
2014	250	168	444 56 foreigners 407 men and 37 women

Data from the Ministry of Justice

Community service

Year	Number of people sentenced to community service	Number of people serving community service at December 31th	Number of community services managed on the whole, according to the requested classifications when available
2009		30	
2010	32	38	62 9 foreigners (8 not revealed) 56 men and 6 women
2011	792	534	830 46 foreigners (140 not revealed) 752 men and 78 women
2012	5.208	2.525	5.772 379 foreigners 5.226 men and 546 women
2013	8.903	4.409	11.453 1.119 foreigners 10.322 men and 1.131 women
2014	10.098	5.606	14.566 1.491 foreigners 13.214 men and 1.352 women

Data from the Ministry of Justice

Alternatives during execution⁶

Alternatives during execution from the legal point of view

The Italian penitentiary law provides for three main alternatives during execution: to be involved in social service programs (being free and having a program to be followed), semi-liberty (being free during part of the day and spending the night in prison) and home detention (serving the sentence at home). It also provides for the possibility of working outside prison (also for pre-trial prisoners), but the application of such measure is very varied. Finally, it provides for the possibility of spending some days at home (leave) and for the possibility of having a reduction of penalty of 45 days (raised to 75 days during the years of the emergency related to prison overcrowding) for semester if the person behaves according to the prison rules. In 2010 the possibility of serving at home the last year of prison sentence, raised to the last 18 months in 2012, has been introduced. In 2013, community service has been introduced as an alternative measure during execution. The legislation on immigration provides for the expulsion of the foreign prisoner as an alternative measure to detention. The criminal code provides for the possibility of having the sentence suspended if certain conditions are met ('sospensione condizionale della pena'). It also provides for the possibility of being released in advance under specific conditions ('liberazione condizionale').

⁶ Those established during the execution of the sentence as forms of early release from prison.

Judicial authority responsible for the establishment of the measures

Involvement in social service programs, semi-liberty, home detention, leaves, reductions of penalty for good behavior, community service, expulsions for foreigners and home detention for the last part of the sentence are disposed by the surveillance judge. The allowance to work outside prison is disposed by the warden and approved by the surveillance judge (for pre-trial prisoners the authorization of the judicial authority in charge is requested). Suspended sentence is disposed by the trial judge. Conditional release is disposed by the Surveillance Court in charge on the prison facility where the offender is hosted.

Alternative measures in detail

Involvement in social service programs: this alternative measure to detention is served entirely in the community, for a lapse of time equal to that of the prison sentence, under the supervision of the social services and with provisions to be followed. It can be also assigned to drug or alcohol addicted who are willing to be involved in a therapeutic program.

Semi-liberty: the offenders serving semi-liberty can spend part of the day out of prison for attending working, educational or other activities contributing to their social reintegration. They are located in special prison sections.

Home detention: the offenders are allowed to serve their sentence at home or in other private or public dwelling, with electronic surveillance if needed. In 2010, as a reaction to prison overcrowding, the possibility of serving in home detention the last year of the prison sentence, raised to the last 18 months in 2012, has been introduced.

Work outside prison: both offenders and pre-trial prisoners can be allowed by the warden to work outside prison. Such a measure can be applied in very different circumstances, for prisoners having a real daily working program outside the facility as well as for prisoners who barely reach the surrounding wall for accomplishing some gardening or similar tasks.

Community service: in 2013, the article of the penitentiary law providing for the possibility of outside work (see previous point) has been enlarged so to introduce the possibility for prisoners to be allowed to accomplish unpaid and volunteer work in favor of the community. Furthermore, they can be allowed to accomplish unpaid and volunteer work in favor of the families of the victims.

Leaves: offenders who have behaved correctly and who are not socially dangerous can be allowed to spend some days out of prison (no more than 15 days each time and no more than 45 days in a year) in order to cultivate their emotional, cultural or working interests.

Early release: offenders who have behaved according to the prison rules can have a reduction of penalty of 45 days for semester, raised to 75 days during the years of the prison emergency as a measure for contrasting overcrowding.

Expulsion of the foreign prisoner: the foreigner who is in the condition of being administratively expelled and who has no more than two years of detention to serve can be expelled from Italy as an alternative measure to detention.

Suspended sentence: when the offender is sentenced to prison for no more than two years, the judge can suspend the sentence for a given period of time. If during this time the offender does

not commit other crimes and follows the obligations imposed to him/her, the crime is extinguished.

Conditional release: the offender who, while in prison, has behaved in such a way as to show his/her definite repentance can be released earlier from prison if some objective conditions are met. The conditional release is revoked if the person released commits a crime or does not comply with the obligations.

Supervision model adopted (e.g. control-oriented, rehabilitation-oriented...)

Involvement in social service programs, semi-liberty and community service have a clear rehabilitative intent, also proved by the role of social service. All the other measures (but the expulsion of foreigners) are part of a general framework in which theoretically imprisonment should be the last resort and rehabilitation should be pursued within the community. Often, however, control is the main actor of the measure. Home detention is indeed a form of control, without rehabilitation programs.

Relations between the public and the private sector in managing the measures

The management of the measures is entirely public, except for what concerns 'affidamento' for drug or alcohol addicts, where private subjects can be involved in the therapeutic program (accredited private subjects are paid by the Government for providing this service).

Budget allocated and its suitability

As explained above, this datum is not available by its own.

Impact of measures:

on the prison population

Up to 2010, both the number of prisoners and the number of people serving one of the classical alternative measures to detention presented an ascending trend. Only after the declaration of the state of emergency in relation to the penitentiary system, the alternative measures have started to constitute an instrument of prison deflation.

on the lives of the subjects involved (work, physical/psychological wellbeing, family and social relationships, goals and life perspectives, recidivism rate)

As well as for what concerns pre-trial measures and alternative sanctions, there are not systemic researches available which have followed the life courses of people having in the past been subject to the alternatives at issue in comparison with those of people having served the same period of time entirely in detention. It is not possible to say something general about the physical and psychological well-being or the goals and the life perspectives. However, as it has been already mentioned above, the research on recidivism with respect to alternatives to detention published in 2007 by Fabrizio Leonardi (from the Ministry of Justice) told us that 7 convicted out of

10 among those who have been released in 1998 have entered again into prison in the following years, versus 2 recidivists out of 10 among those who have served their sentence in an alternative measure. If this is true, social reintegration is better reached through alternatives to detention than through prison. Finally, the classical alternative measures to detention constitute an instrument for strengthening working as well as familiar and social relationships. The Italian system of alternative measures during execution offers to the offender the opportunity of putting effort into his/her social reintegration. The system has shown its limit in the fact of inducing a certain degree of insincerity in the offenders and in their relations with the institutions. Often they are prepared to indulge the actors involved in the decisions on alternative measures pretending to have interest in activities they are not interested in or servilely and childishly following the prison rules. However, the system itself offers a lot of real opportunities and many valuable experiences can be found all around Italy.

Total number of people (flow and daily rate) serving alternatives during execution in 2014, historical series since 2000 and rate per 100,000 population for this period

All the tables below only refer to the three main alternative measures to detention during execution: involvement in social service programs ('affidamento in prova al servizio sociale'), semi-liberty and home detention. The other measures have been listed for the sake of completeness, but they have not a statistical relevance within this framework (apart from community service as an alternative measure during execution, which has been recently introduced and which is probably included by the Ministry of Justice within the data of community service as an alternative sanction).

Year	Total number of people serving alternative measures during execution followed during the year ⁷	Total number of people serving alternative measures during execution at December 31th	Rate of people serving alternative measures during execution for 100,000 inhabitants at December 31th
2000		17.731	31,1
2001		19.542	34,2
2002		21.062	36,8
2003		22.624	39,3
2004		22.675	39,1
2005	49.943	23.394	40,2
2006	42.290	4.116	7,0
2007	10.389	4.919	8,3
2008	14.477	7.737	13,1
2009	21.122	10.305	17,4
2010	31.422	15.762	26,5
2011	41.375	19.239	32,3
2012	45.978	19.986	33,4
2013	50.673	22.127	36,4
2014	51.492	22.209	36,5

Data from Ministry of Justice and Istat

⁷ People to whom an alternative measure to detention during execution has been granted during the year plus people serving an alternative measure to detention during execution at the beginning of the year.

Annual flow and the daily rate for the period 2000 to 2014, of: people serving the measure, foreigners, male/female, revocations distinguishing among non respect of conditions / re-offending / other

Involvement in social service programs (the figures between brackets refer to drug or alcohol addicted 'affidati'; this number is included in the total number of 'affidati').

Year	Number of people having been involved in social service programs during the year	Number of 'affidati' at December 31th	Total number of 'affidati' followed during the year ⁸	Of which foreigners	Of which women
2000		11.929			
2001		12.861			
2002		13.788			
2003		14.926			
2004		15.170			
2005	16.788 (3.618)	15.604	31.958 (7.061)		2.605 (565)
2006	11.954 (2.930)	1.826	27.558 (6.782)		2.298 (538)
2007	3.300 (1.027)	2.680	5.126 (1.735)		411 (131)
2008	5.436 (1.445)	4.623	8.116 (2.261)		647 (129)
2009	7.269 (2.157)	6.263	11.897 (3.373)	1.490 (193)	999 (212)
2010	10.256 (3.365)	9.118 (2.855)	17.032 (5.537)	2.013 (276) (1.167 not revealed)	1.334 (351)
2011	10.120 (3.057)	9.952 (3.059)	19.229 (5.939)	2.183 (325) (2.669 not revealed)	1.506 (355)
2012	10.902 (3.340)	9.989 (3.150)	20.152 (6.291)	3.054 (546)	1.539 (363)
2013	12.362 (3.377)	11.109 (3.328)	22.357 (6.541)	3.203 (519)	1.710 (370)
2014	13.322 (3.185)	12.011 (3.209)	24.439 (6.524)	3.531 (504)	1.867 (322)

⁸ People to whom 'affidamento' has been granted during the year plus people in 'affidamento' at the beginning of the year.

Revocations ('affidamento')

Year	Total number of 'affidati' followed during the year	Revocations for negative trend	Revocations for new juridical position without the requested requirements	Revocations for having committed crimes during the execution of the measure	Revocations for other reasons	Total
2005	31.958 (7.061)	1.387 (658)	226 (72)	52 (20)	39 (16)	1.704 (766)
2006	27.558 (6.782)	936 (518)	169 (61)	34 (16)	27 (5)	1.166 (600)
2007	5.126 (1.735)	193 (131)	25 (15)	13 (10)	9 (4)	240 (161)
2008	8.116 (2.261)	361 (207)	38 (12)	38 (15)	16 (7)	453 (241)
2009	11.897 (3.373)	533 (291)	60 (18)	42 (9)	25 (12)	660 (330)
2010	17.032 (5.537)	721 (466)	98 (41)	83 (42)	73 (48)	976 (597)
2011	19.229 (5.939)	679 (409)	76 (38)	128 (44)	109 (59)	992 (550)
2012	20.152 (6.291)	733 (439)	99 (42)	168 (72)	126 (71)	1.126 (624)
2013	22.357 (6.541)	744 (440)	121 (51)	153 (70)	117 (65)	1.135 (626)
2014	24.439 (6.524)	689 (432)	117 (44)	165 (61)	108 (58)	1.079 (595)

Semi-liberty

Year	Number of people to whom semi-liberty has been granted during the year	Number of people in semi-liberty at December 31th	Total number of people in semi-liberty followed during the year ⁹	Of which foreigners	Of which women
2000		1.767			
2001		1.895			
2002		1.968			
2003		1.835			
2004		1.673			
2005	1.785	1.793	3.458		107
2006	1.231	648	3.024		92
2007	750	702	1.398		52
2008	808	778	1.506		54
2009	866	837	1.643	230	56
2010	1.008	914	1.851	211 (143 not revealed)	65
2011	912	916	1.832	181 (236 not revealed)	62
2012	826	858	1.714	245	56
2013	763	845	1.616	209	50
2014	692	745	1.530	193	47

⁹ People to whom semi-liberty has been granted during the year plus people in semi-liberty at the beginning of the year

Revocations (semi-liberty)

Year	Total number of people in semi-liberty followed during the year	Revocations for negative trend	Revocations for new juridical position without the requested requirements	Revocations for having committed crimes during the execution of the measure	Revocations for other reasons	Total
2005	3.458	260	236	10	9	515
2006	3.024	178	200	7	6	391
2007	1.398	84	76	5	5	170
2008	1.506	81	43	7	14	145
2009	1.643	97	35	4	9	145
2010	1.851	116	28	10	20	174
2011	1.832	69	11	16	19	115
2012	1.714	99	21	15	39	174
2013	1.616	60	21	24	38	143
2014	1.530	66	12	15	32	125

Home detention

Year	Number of people to whom home detention has been granted during the year	Number of people in home detention at December 31th	Total number of people in home detention followed during the year ¹⁰	Of which foreigners	Of which women
2000		4.035			
2001		4.786			
2002		5.306			
2003		5.863			
2004		5.832			
2005	8.695	5.997	14.527		1.672
2006	5.711	1.642	11.708		1.458
2007	2.223	1.537	3.865		481
2008	3.331	2.336	4.855		601
2009	5.248	3.232	7.582	1.272	867
2010	9.066	5.730	12.539	2.161 (1.469 not revealed)	1.408
2011	14.522	8.371	20.314	3.509 (3.767 not revealed)	1.882
2012	16.598	9.139	24.112	5.462	2.102
2013	17.614	10.173	26.700	5.608	2.307
2014	15.379	9.453	25.523	5.322	2.212

¹⁰ People to whom home detention has been granted during the year plus people in home detention at the beginning of the year

Revocations (home detention)

Year	Total number of people in home detention followed during the year	Revocations for negative trend	Revocations for new juridical position without the requested requirements	Revocations for having committed crimes during the execution of the measure	Revocations for other reasons	Total
2000						
2001						
2002						
2003						
2004						
2005	14.527	908	655	60	26	1.649
2006	11.708	549	417	25	16	1.007
2007	3.865	159	117	14	24	314
2008	4.855	245	92	26	27	390
2009	7.582	329	127	40	59	555
2010	12.539	429	170	57	162	818
2011	20.314	639	250	165	392	1.446
2012	24.112	842	323	202	507	1.874
2013	26.700	852	406	290	518	2.066
2014	25.523	777	336	211	454	1.778