



# **REPORT ABOUT THE SITUATION OF ALTERNATIVE SANCTIONS IN MONTENEGRO**

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# I INTRODUCTORY

The system of alternative criminal sanctions is at the beginning in Montenegro, and its establishing as well as introducing of new institutes will contribute to individualization and humanization of the criminal and legal system. Adopting of the Law on Execution of suspended sentence and the community sentence in July 2014 and signing of the Agreement on execution of community sentence with five municipalities (Podgorica, Cetinje, Kotor, Danilovgrad and Herceg Novi) created basic preconditions for the community sentence or the institute of alternative sanctions to make the first steps in the system of execution of criminal sanctions in Montenegro. Benefits of alternative sanctions are multiple, starting from humanization of punishment, reducing of budget expenditures for execution of imprisonment sentences, reducing of percentage of recidivism, and that the convicted person in a certain way "repays the debt" to the society – by serving community sentence. It is up to the high quality and effective probation service, if judicial system in Montenegro will be efficient.

In the Progress Report 2014, the European Commission indicated on weak capacities of Directorate for probation, in terms of human resources, which can lead to reduction of credibility of the system of alternative sanctions, so this matter has to be treated as the priority. By the Action Plan for the Chapter 23, in the part of improving of the system of alternative sanctions 3.3.23 -3.3.27, Montenegro has committed to improve the system of alternative sanctions, through completing of the legislative framework, strengthening of human resource capacities, until the realization of the media strategy. Although the Action Plan for Chapter 23 has been revised, we have to point out that unfortunately, this institute has not yet taken hold to the extent that it should. We have tried to identify the reasons with this research.

The research had several key objectives, which are:

1. Analysis of the legal framework
2. International Standards
3. Public opinion research
4. Analysis of media coverage on this topic

Monitoring team composed of four members conducted the research, during the period 15 February – 15 April 2015. It was implemented with the support of Rockefeller Brothers Foundation. We also owe great gratitude to the Arhimed Company.

## II Analysis of the legislative framework

### (a) The Criminal Code

Criminal Code has defined the matters of alternative sanctions that have been classified as:

1. Measures to modify the execution of deprivation of liberty
2. Warning measures as alternatives to deprivation of liberty
3. Other penalties as alternatives to deprivation of liberty

#### **1. Measures to modify the execution of deprivation of liberty**

- Prison sentence executed in housing premises (article 36a of the Criminal Code)
- Parole (article 37 of the Criminal Code)

#### **2. Warning measures as alternatives to deprivation of liberty**

- Court warning (article 65 of the Criminal Code)
- Suspended sentence (article 53 of the Criminal Code)

#### **3. Other penalties as alternative to deprivation of liberty**

- Fine (article 39 of the Criminal Code)
- Community sentence (article 41 of the Criminal Code)

### (b) Law on enforcement of criminal sanctions

When the Law on execution of suspended sentence and community sentence came into force, provisions that defined parole, suspended sentence, suspended sentence with surveillance, and community sentence ceased to be valid. In the final stages of drafting is the new Law on execution of imprisonment sentence, fines and security measures, which prescribes the manner of execution of imprisonment sentence in the premises for housing.

### (c) Law on enforcement of suspended sentence and community sentence

The law prescribes the manner of execution of a suspended sentence, a suspended sentence with surveillance imposed in criminal and misdemeanor proceeding (alternative sanctions), and surveillance of paroled convicted persons. Humanization of punishing is reflected in the very first articles of the law where Article 5 says: "Respect of human dignity, fundamental rights and freedoms and privacy of convicted persons have been guaranteed to a person whom was pronounced alternative sanction or paroled convicted person. Punishable acts that would subject a person sentenced to alternative

sanctions or paroled convicted person to any form of torture or violation, or medical and scientific experiments, are prohibited". Parole Directorate is obliged to respect this principle both in their work and through monitoring of treatment of other subjects at the time of execution of certain alternative sanctions.

Parole Directorate makes direct communication with convicted person that has continuous duration and creates conditions for execution of sanctions as the decision of the Court prescribed. Although transitional and final provisions of the Law on execution of suspended sentence and community sentence stipulate that the obligation to adopt regulations for the enforcement of this law within six months from the coming into force, this has not been done yet, so the Rulebook on closer manner of implementing parole, suspended sentence, suspended sentence with surveillance and community sentence from 2012.

### III International standards

#### (a). Standard minimal rules for alternative criminal measures and sanctions (the Tokyo Rules)

Adopting of the Resolution UN 45/110, from 14 December 1990 (The Tokyo Rules) created conditions for developing of national, regional, and international approaches and strategies in the field of outer-institutional treatment of offenders and the need for creating of standard minimal rules, in the view of methods and measures that might be the most effective in preventing of violations and better treatment of offenders. Alternatives to prison sentence may be effective and efficient means for treatment of offenders at the community, for the best interest of offender and the society, aware that limitations of freedom is justified only from the aspect of security of the society, prevention of crime, fair compensations, and that the final goal of punishing and legal system is reintegration of convicted persons in society.

The Tokyo Rules are elaborated through following categories:

- 1) General principles,
- 2) Phases before the trial,
- 3) Phase of the trial and imposing of verdict,
- 4) Implementation of measures of alternative sanctions to institutional treatment,
- 5) Staff,
- 6) Volunteers and other community resources
- 7) Researching, planning and formulating of the policy and assessing.

#### (b) Probation rules of the Council of Europe

The Council of Europe has adopted the Probation Rules in 2010 (Recommendations CM/Rec (2010-1) (comments of the European Board on Crime Problems CDPC-Comments were adopted additionally). They define the probation as implementation of measures and sanctions imposed by law and intended for offenders, which are implemented in the community. The rules also include a range of activities and interventions, but also surveillance, guidance and assistance, and its goals are social integration of the offender and contributing to community safety.

- Basic principles of Probation Rules are:
- - In all cases in which probation services deal with issues related to victims of crime, they will respect their rights and needs
- - Probation Services will fully take into account individual characteristics, circumstances and needs of offenders to ensure that each case is dealt justly and fairly. Interventions of probation service shall be done without discrimination on any ground such as gender, race, color of the skin, language, religion, disability, sexual orientation, religion, political or other opinion, national or social origin, relations with minority ethnic group, property, birth or other status.
- - Each intervention before finally defined guilt will require the consent of perpetrator and will not make any issues on presumption of innocence.

In the part of the content of probation affairs, the Rules prescribe the authorities of the probation services not only in the part on execution of alternative criminal sanctions and measures, but also risk assessment as the previous support to judicial bodies during criminal proceedings and before its beginning. As Probation jobs are also prescribed: organization and surveillance of community sentence, control of behavior of offenders before, during and after the process of imposing criminal sanctions or measures, cooperation with families of offenders, electronic surveillance, reintegration of offenders in the community, providing assistance after serving sentence. Probation rules also prescribe implementation of all the above probation jobs even in cases when offender is foreigner or if a citizen is convicted abroad in terms of transfer of probation measures.



# IV PROBATION IN THE SYSTEM OF ENFORCEMENT OF CRIMINAL SANCTIONS OF MONTENEGRO

## Directorate for Probation

Directorate for probation in Montenegro began its work in 2012. At the time when it was established was called "Department of Probation." The new act on organization and systematization from 2013, this organizational unit was renamed in Directorate for probation. Its establishing created conditions for individualization and humanization of punishing.

Authority of the Directorate has been regulated by the Law on enforcement of suspended sentence and community sentence. In enforcement of alternative sanctions and surveillance of persons on the parole, the unit for probation cooperates with public administration bodies, local self/government units, scientific and other institutions and organizations. The Directorate performs its duties with the aim to implement parole, suspended sentence with and without protective surveillance and community sentence.

### (a) Enforcement of suspended sentence and suspended sentence with surveillance

During execution of suspended sentence, the Unit for probation is doing the following: 1) invites, if necessary, a person who is on suspended sentence on conversation on the use of the probation period; 2) controls enforcing of suspended sentence and provides assistance to suspended sentenced person; 3) takes the insight into the records of the convicted person (judicial decisions, findings and opinions of doctors and other professionals, reports of the Center for Social Welfare, etc.) and collects other important information about the convicted person from other bodies, institutions and organizations; 4) develops reports on execution of a suspended sentence and submits them to the court that made the decision in the first instance; 5) in the case of revoking of suspended sentence, submits the report to the administrative body that is competent for enforcement of criminal sanctions (hereinafter: Institution for enforcement of criminal sanctions) on undertaken activities in execution of suspended sentence and acting of the convicted person during the control period; 6) keeps the record on execution of suspended sentence; 7) informs convicted person on rights and duties during the execution of a suspended sentence and warns it on consequences of non-compliance with obligations; and 8) other activities in accordance with the law. Also, in execution of suspended sentence with protective surveillance, the unit for parole, in addition to activities planned for suspended sentence is obliged to carry out obligatory informative conversation, which is not the case with suspended sentence without protective surveillance. Considering that security measures can be imposed with suspended sentence, and obligations of protective surveillance whose execution is under the competence of the police, it is up to the Directorate to inform the Police without a delay, in case of failure of execution.

### (c) Enforcement of community sentence

Community sentence is imposed as the principal punishment, but it does not change its basic purpose - to be the alternative to imprisonment sentence. It may be imposed for criminal offense for which is prescribed up to five years imprisonment sentence or a fine. For this punishment, it is important that the offender accepts this sanction, because, according to relevant international acts, forced work is

prohibited as criminal sanction. Community sentence in public interest is enforced in legal entity that is dealing with activities of public interest (humanitarian, social, communal, health, agricultural, environmental or other similar activity) or non-profit organization whose activity is related to humanitarian, environmental and other similar activities.

In enforcement community sentence in public interest, Directorate for Probation performs the following: 1) invites convicted person for conversation; 2) refers the convicted person to enforcement of punishment; 3) controls execution of community sentence and provides assistance to convict person; 4) makes the insight into the records on convicted person (court decisions, findings and opinions of doctors and other professionals, reports of the Center for Social Welfare, etc.) and collects other necessary information about the convicted person from other bodies, institutions and organizations; 5) if necessary, monitors performing of activities of convicted persons; 6) prepares the report on completion of community sentence and submits them to the court that made the decision in the first instance; 7) in case if the court replaces community sentence with the imprisonment sentence, it submits the report to the Institution for Enforcement of criminal sanctions on undertaken activities in enforcement of community sentence and behavior of convicted person during the execution of sentence; 8) keeps the record on execution of community sentence in the public interest; and 9) other obligations, in accordance with the law.

Directorate for Probation submits the report about the course of enforcement of community sentence to the court that made the decision in the first instance at least twice, but the last report submits within 15 days from the day of enforcement of the sentence.

If the convicted person does not fulfill its work duties or roughly neglects them, legal entity or organization shall, within three days, inform the Directorate about this. If the Directorate for Probation defines that convicted person does not meet or cruelly neglects its duties, according to information from the legal entity, the Directorate shall talk to convicted person and warn it on consequences of such behavior.

### (c) Parole

New Law on execution of imprisonment sentence, fines and security measures is in the final phase of development, which will leave the current model that the Commission for parole, established by Minister of Justice, imposes parole. About the application for the parole, shall decide the court, which made the decision in the first instance in the panel of three judges, in accordance with Article 24, paragraph 7 of the Code of Criminal Proceeding.

Law on Enforcement of Criminal Sanctions prescribes that the Commission for parole shall decide on parole of convicted persons, established by Minister of Justice. The Commission has a president and six members and is composed of representatives of the Supreme Court of the Republic of Montenegro, the Public Prosecutor, Ministry of Interior, Ministry of Health, Minister of Justice and Director of Institution for execution of criminal sanctions. Commission for parole may determine the fulfillment of one or more obligations referred to in Article 66a, paragraph 2 as follows:

- 1) restraining of contacts with a particular person;
- 2) restraining of contacts with a certain category of persons;
- 3) restraining from the use of drugs and alcohol;
- 4) restraining from visiting specific places, bars, premises and public meetings;
- 5) continuation of treatment;
- 6) attending particular professional and other counseling centers or institutions and acting upon their instructions;

- 7) professional development for specific profession;
- 8) searching and accepting a job that suits skills and preferences of convicted person;
- 9) supporting families, taking care of children and their behavior and doing other family obligations.

## **V Analysis of the level of implementation of alternative sanctions**

The Annual Report on work of courts 2014 said that all courts imposed 95 community sentences, 2037 suspended sentences and 220 fines. Here are figures for each court:

Basic court	Number of fines		Number of suspended sentences		Community sentence	
	2013	2014	2013	2014	2013	2014
Bar	11	15	237	249	0	1
Berana	42	28	88	94	0	0
Bijelo Polje	31	22	132	109	0	17
Cetinje	18	6	127	107	19	24
Danilovgrad	0	0	40	7	0	0
Herceg Novi	14	9	86	98	1	9
Kolašin	4	11	44	73	0	0
Kotor	20	8	245	161	0	9
Nikšić	28	16	387	292	0	11
Plav	13	12	17	30	0	0
Pljevlja	28	15	79	65	0	0
Podgorica	40	37	613	521	3	20
Rožaje	30	30	110	77	0	0
Ulcinj	6	5	106	122	1	4
Žabljak	9	6	20	28	0	0
Total	29	220	2331	2033	24	95
<b>Higher court</b>						
Podgorica	0	0	12	4	0	0
Bijelo Polje	0	0	0	0	0	0
Total	294	220	2343	2037	24	95

As can be seen from the table, only in 2014, 2037 suspended sentences were rendered and 95 community sentences. Although statistics show that the number of community sentences rose in comparison with 2013, it does not mean that the progress was made, because we do not have their realization. Example of this is the Basic court in Podgorica, where the President of the court told to Civic Alliance researcher that 20 such penalties were imposed in 2014, and only one from 2012 was carried

out. For that reason, there is no communication with the Directorate for the probation. Directorate that is obliged to accept each case of a suspended sentence and community sentence and to conduct all activities previously described with two officers of the Directorate for probation is more than unrealistic. In terms of fines, as an alternative to short prison sentences at the level of Basic courts, there was less fines than in 2013. Reduced number of imposed punishments indicates that the fine was not used as an alternative to imprisonment. For this to be the case, reducing of imprisonment sentences of up to six months should result in increase of the number of imposed fines, in certain percentage. Suspended sentence with increased surveillance were not pronounced.

*Slavica Rabrenovic, Director General of the Directorate for Execution of Criminal Sanctions* said that two community sentences imposed in 2012, were executed during 2014, but currently, three community sentences are at force – imposed in 2013 and 2014. All these punishments were imposed and have been enforced at the territory of the Capital City.

On our question about the number of officers who work at the Directorate for Probation and their profiles, Ms Rabrenovic said that the Directorate had two officers who were lawyers and passed judicial exam and a chief, whose professional vocation is also lawyer who passed judicial exam. Procedure based on public call for two systematized job positions, according to the Rulebook on systematization of Ministry of justice, is in course.

As per number of interviews and risk assesment in 2014, we were informed that officers of Directorate for Probation had 49 interviews aiming at contract signing for execution of community sentence. Out of this number, ten interviews took place in Herceg Novi, 17 in Cetinje, eight in Danilovgrad, and 14 at the territory of Capital City Podgorica. It was also mentioned that community sentences would soon be executed in mentioned municipalities, because ten job positions were offered in Podgorica at the Marketplace, twenty iat the Housing Agency, funeral service and agency for green areas. Two persons will be engaged at the Rescue Service. We also point out that the community sentence is executed according to the place of residence of a sentenced person, not according to the court that pronounced the punishemnt.

Directorate for Probation filed the report to the first instance courts for community services that were executed, and for community services that are in course, reports will be submitted to the court that made the decision in the first instance, pursuant to Article 32 of the Law on the execution of suspended sentence and community sentence.

We were also told that the Directorate for Probation has not informed until nowadays about neglecting of the duties of convicted person, who serve community sentence. In these cases, officials of the Directorate would act primarily according to Article 30 of the Law on execution of the suspended sentence and community sentence, which prescribes conversations with convicted person and warning on consequences of such behavior; but only after a warning, pursuant to Article 31 of the mentioned law without a delay, the court that made the first instance decision would be informed.

### (a) Risk assesment

Although probation implies all phases of criminal proceedings (before, during and after the execution of sentence) in the Montenegrin legislation, it has jurisdiction only in the part of the execution. So, not in the part of sentencing, and this is the crucial stage of criminal proceeding for the individualization of criminal sanctions. The individualization of punishment is carried out through risk assessment. This institute refers to the assessment of capacities for implementation of individual needs of the accused and convicted as an instrument for directing of criminal proceedings and the individualization of punishment. Risk assessment is carried out through two methods: assessment and evaluation, as continuous processes, and are referred to the risk and progress of offenders.

The assessment is recommended:

1. at the time of determining of adequate sanction or measure or when when departing from the formal criminal proceedings is considering;
2. at the beginning of surveillance period;
3. whenever significant changes occur in the life of offender;
4. when a change of nature or level of surveillance is considering;
5. at the end of the control measures

Evaluation is the part of the case file and, when it is necessary, the supplement to the report to the competent authority. The evaluation also includes the level of defining and implementation of agreed work plan, and up to which extent it has produced desired effects. Opinions of offenders related to importance of surveillance is also included in evaluation. After expiration of surveillance period, final evaluation is prepared. What should be make clear to offenders is that this evaluation will remain in their personal files so it could be used in the future. From the above mentioned can be seen how probation service is important and full implementation of its powers, when it comes to risk assessment.

## VI QUESTIONNAIRE WITH CITIZENS

Civic Alliance conducted the research in five Montenegrin municipalities where it is possible to implement community sentence (Podgorica, Cetinje, Herceg Novi, Danilovgrad and Kotor). In this research participated 54,3% of men and 45,7% women, 20 to 63 years old.

1. On question if they or members of their families had personal experience with courts in previous two years, 74,3% respondents gave negative answer while 25,7% responded positively.

2. On question if they heard for alternative sanctions, concerning number of respondents or 71,4% said they did not, 25,7% said they had heard and 2,9% did not respond.

3. On question about the types of alternative sanctions that existed, 63% of citizens said they did not know, 25,7% were not sure and only 11,3% knew about types of alternative sanctions.

4. On question what was their general standpoint towards this institute, citizens largely did not have opinion on this matter or 62,9% of them, 25,7% had positive opinion while 5,7% were negative opinions.

	Percent
Very positive	2,9
Mostly positive	25,7
Mostly negative	2,9
Very negative	5,7
No attitude	62,9
Total	100,0

5. When it comes to Probation service, 62,9% citizens did not hear for it, 22,9% knew about the service, while 14,3% were not sure.

	Procentat
Yes	22,9
No	62,9
Not sure	14,3
Total	100,0



6. Largest number of respondents or 90% did not know or were not sure about functions Probation service had, and only 10% of respondents knew, which shows that the country should urgently rise awareness about this important topic through an active campaign.

7. On question where community sentence has been implemented, again, large number of citizens or 82% did not know, while 6% of people who said they knew, gave wrong answers, such as courts or private companies.

8. If they would violate the law, instead of imprisonment sentence would they accept community sentence, citizens said:

	Percent
Yes	74,3
No	8,6
Do not know	17,1
Total	100,0

## VII MEDIA ANALYSIS

Analysis of media reports about alternative sanctions covers the period from 1 April 2014 – 1 April 2015, in 15 Montenegrin media.

Topic of this analysis were reports in eight print media: **Vijesti, Dan, Pobjeda, Dnevne novine, Blic Crna Gora, Večernje Novosti, Informer and Monitor.**

Besides print media, main informative program of six TV stations were monitored: **RTCG1, Vijesti, Atlas, PinkM, Prva and Montena.**

What analysis includes:

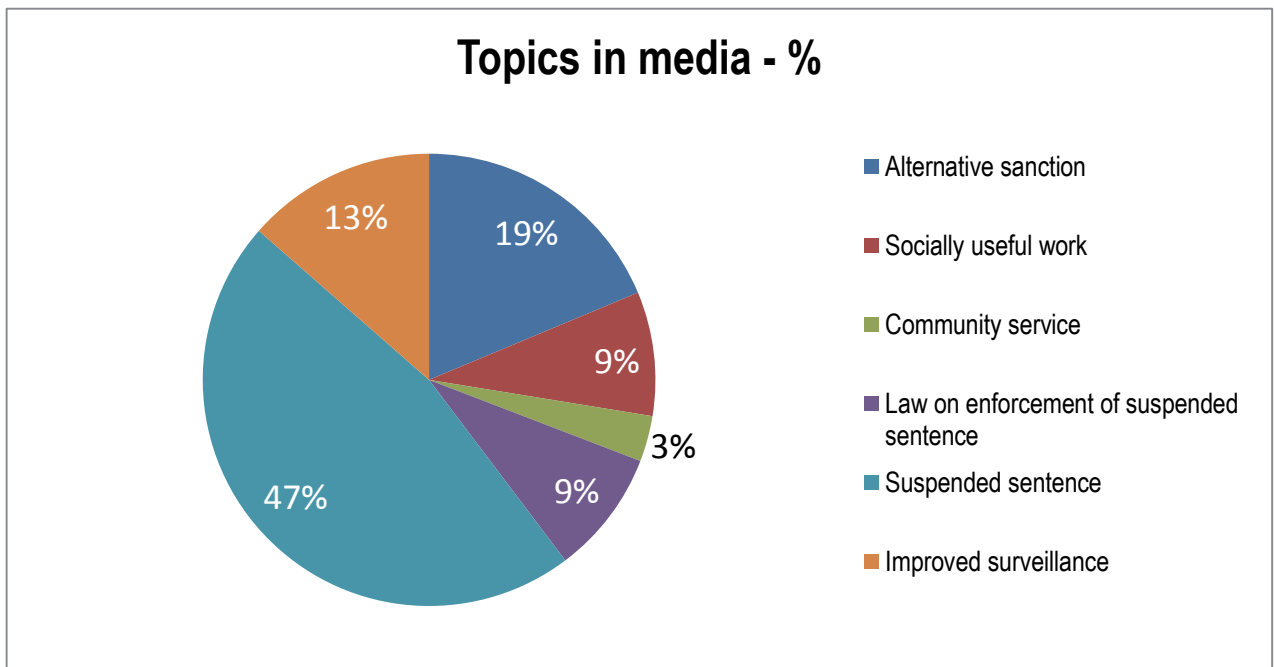
- Analysis includes number of reports published in media about activities related to alternative sanctions in the given period. The analysis does not include media representation out of main informative programs (news) whose content is included in analysis..
- Quantitative analysis includes number of reports about the given topic and its categories, coverage by the type of media and individual media.

### MAIN DATA

In the period from 1 April 2014 – 1 April 2015, monitoring of media program selected 214 information where the institute „alternative sanctions“ was mentioned.

Due to the specific manner of monitoring of types of institute alternative sanction, we conducted monitoring of Montenegrin media through several topics:

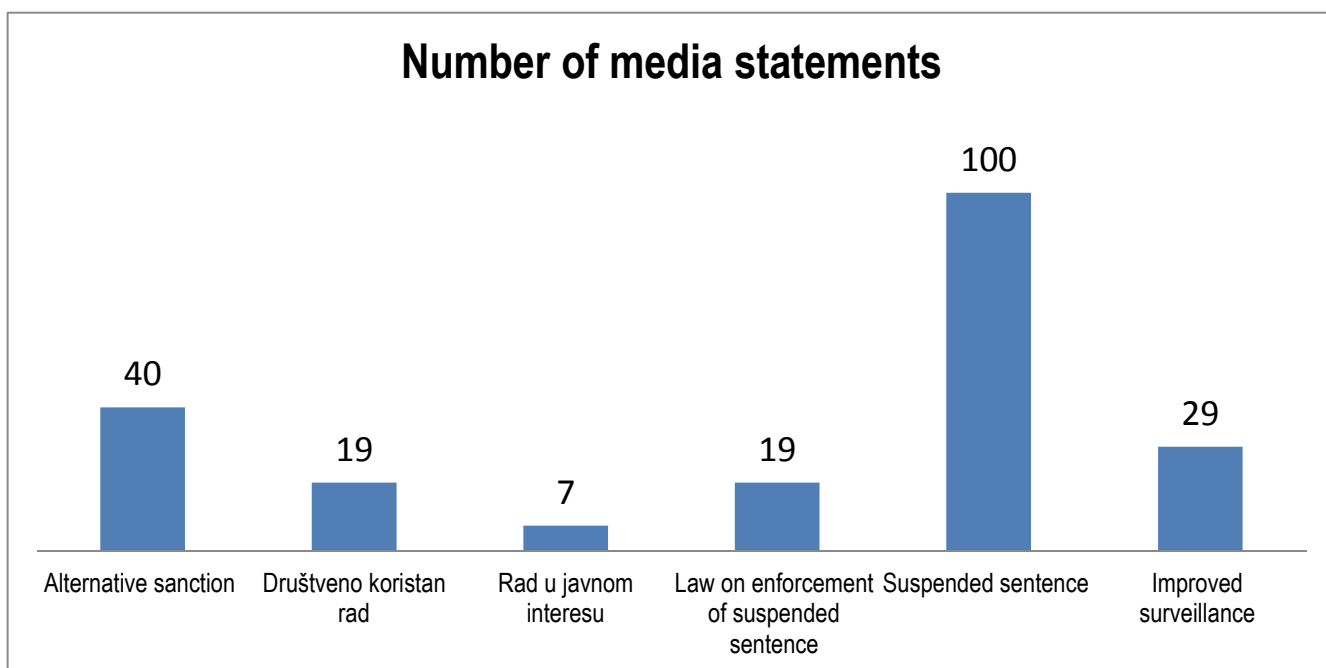
- Alternative sanction (as the “umbrella“ term)
- Community service, suspended sentence, suspended sentence with intensive surveillance (as types of alternative sanctions)
- Socially useful work
- Law on enforcement of suspended sentence and community sentence



Term „alternative sanction“ as the „umbrella“ term was used by media in 40 media statements, while socially useful work was used in 19 cases, as well as Law on enforcement of suspended sentence and community sentence (19 statements).

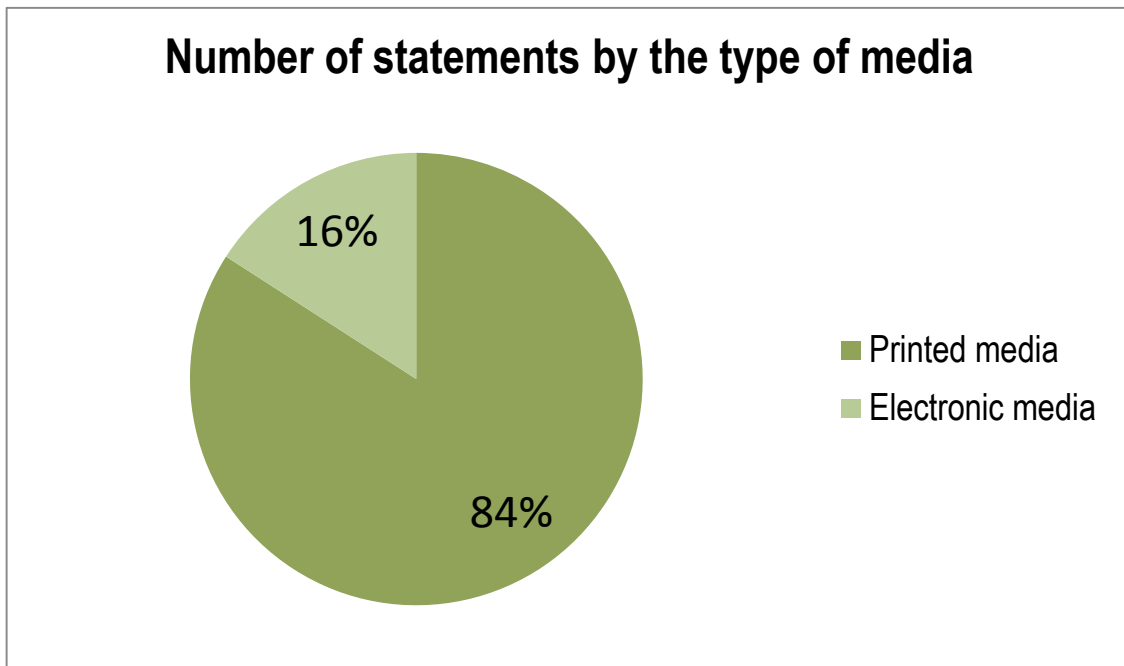
Community service mentioned separately in seven media statements, while the most statements were about suspended sentence as the institute of sanctions, even 100. Suspended sentence with intensive surveillance was mentioned in 29 statements.

It is important to mention that some statements mentioned more than one of the above mentioned terms, but such statement was only once included in analysis (for example, statement contained the sentence „imposed disciplinary measure of socially useful work or humanitarian work that lasts 120 hours during six months. Disciplinary measure of intensive surveillance lasting six months to two years, has been abolished to E.C.(17) FROM Rozaje“. This statement has been counted in statements about socially useful work, but was not in statements on intensive surveillance.)

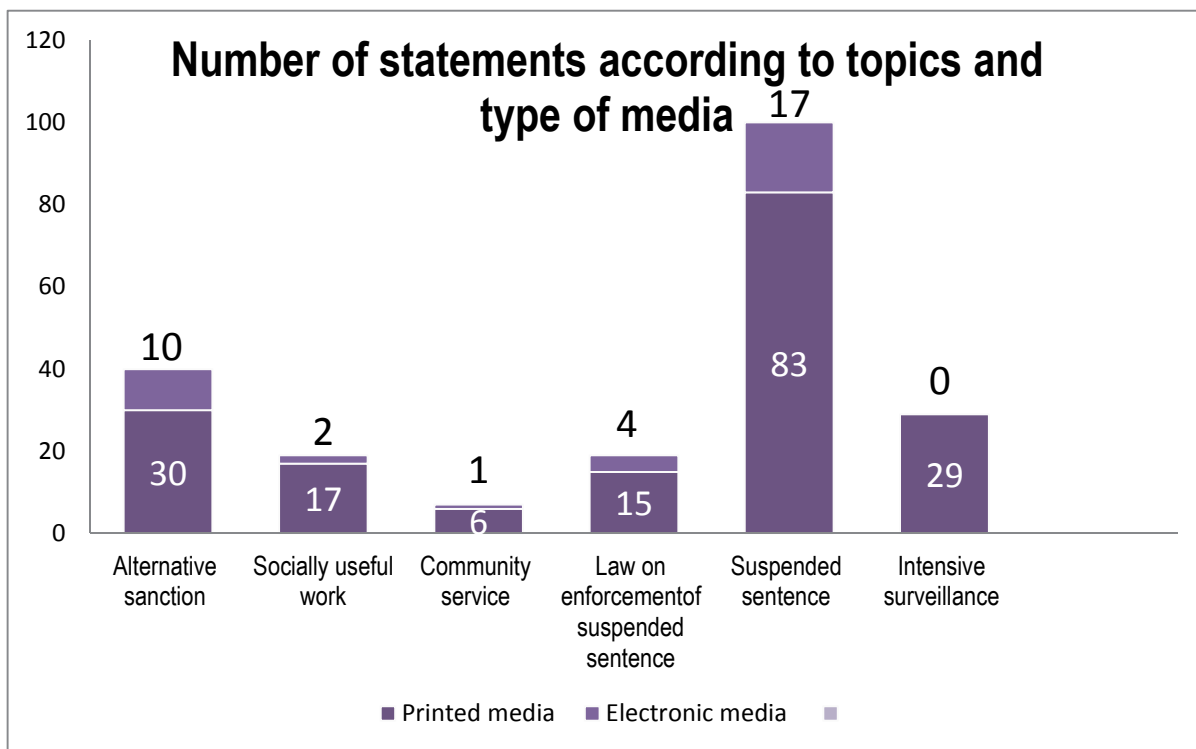


Proposal of Law on execution of suspended sentence and community sentence has been adopted on 16 July 2014, but comparative period of monitoring of media statements started on 1 April, so the analysis included statements related to debates on Boards, media comments on proposed Law, etc., or preparatory part before adopting of the Law and public debates on it.

(a) Media

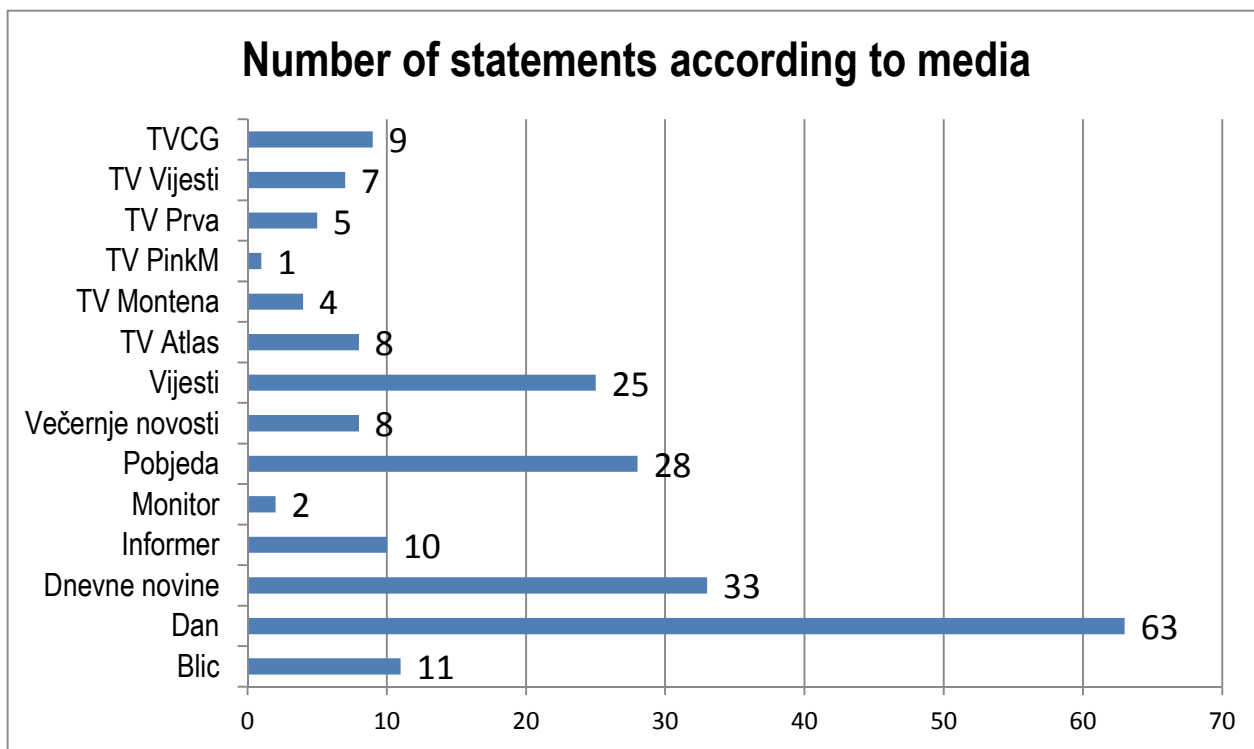


When it comes to printed media, we have noticed better representation of the institute of „alternative sanction“ than in electronic media, because 180 statements were published in eight printed media (or **84%** of the overall media coverage), while 34 statements were published by six TV stations (**16%** of all media statements).



Topic related to the institute of „alternative sanction“ was mostly visible in daily DAN, which had almost 63 statements on this topic during a year, (34 on suspended sentence, 11 on intensive surveillance, nine on alternative sanctions, four about socially useful work and community service, and one about the Law on enforcement of suspended sentence).

In terms of the number of statements the most dominant were **Dnevne novine** (33 statements), **Pobjeda** (28 statements), and **Vijesti** (25 statements) in comparison with other media in the concrete case.



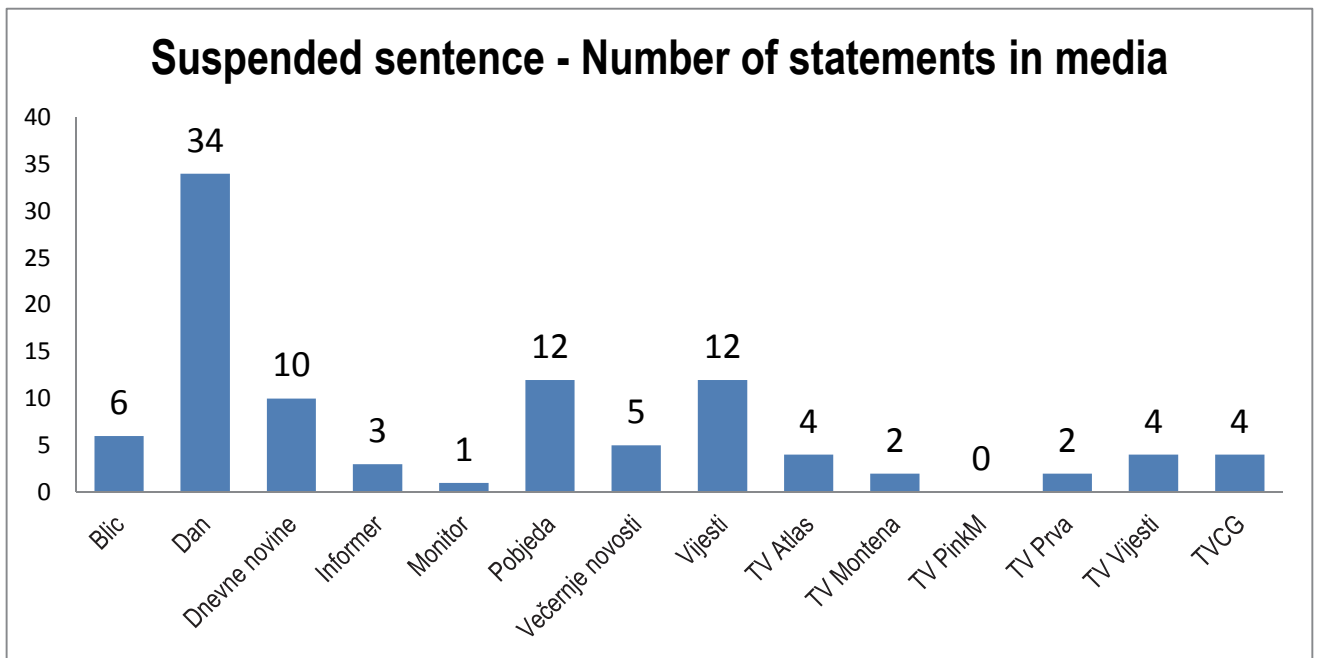
It is interesting that **RTCG**, public service of Montenegrin citizens, had only **nine information** about this topic during one year monitoring, in its informative program (five statements were about suspended sentence, four were related to alternative sanctions), while private television Vijesti had similar number of information (**7**).

Besides, daily Pobjeda published 28 statements on these topics, or 12 about suspended sentences, ten information were about alternative sanctions, two information about the Law, socially useful work and intensive surveillance.

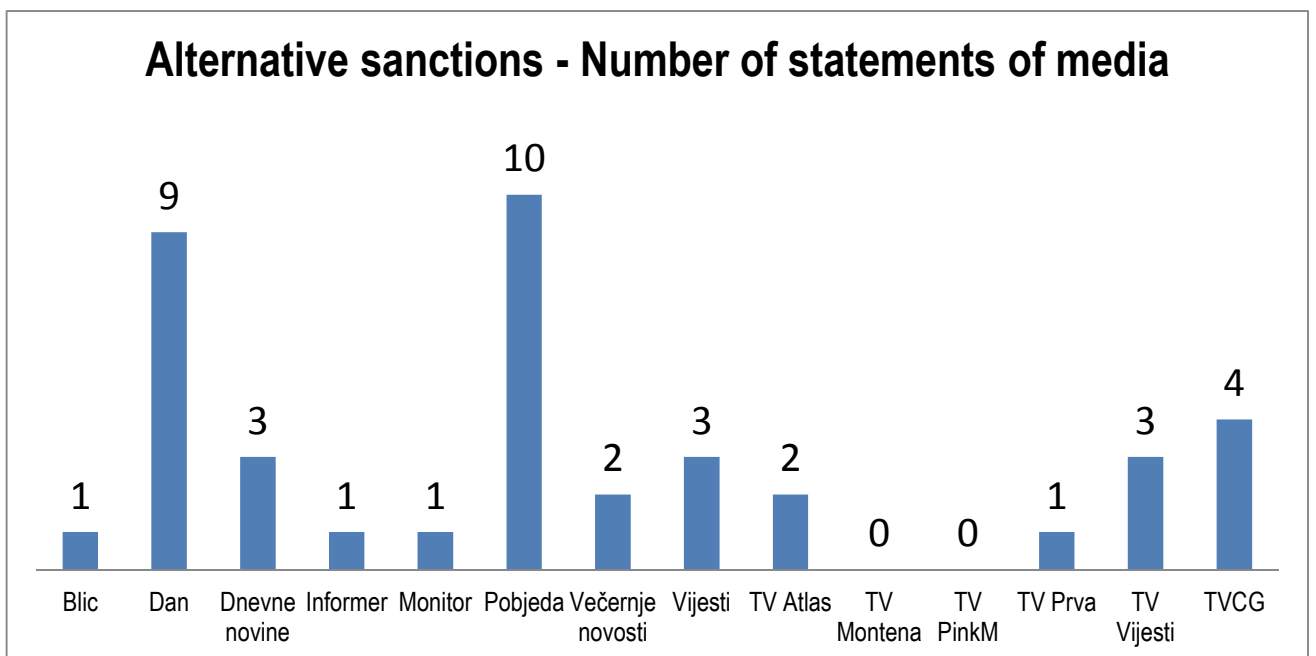
## (b) Topics

For the needs of analysis of media coverage of the institute „alternative sanctions“, we have categorized statements in relation to the topics that were processed in media, or topics that dominated over other information in the concrete cases.

During one year period, media mostly mentioned the **suspended sentence institute**.

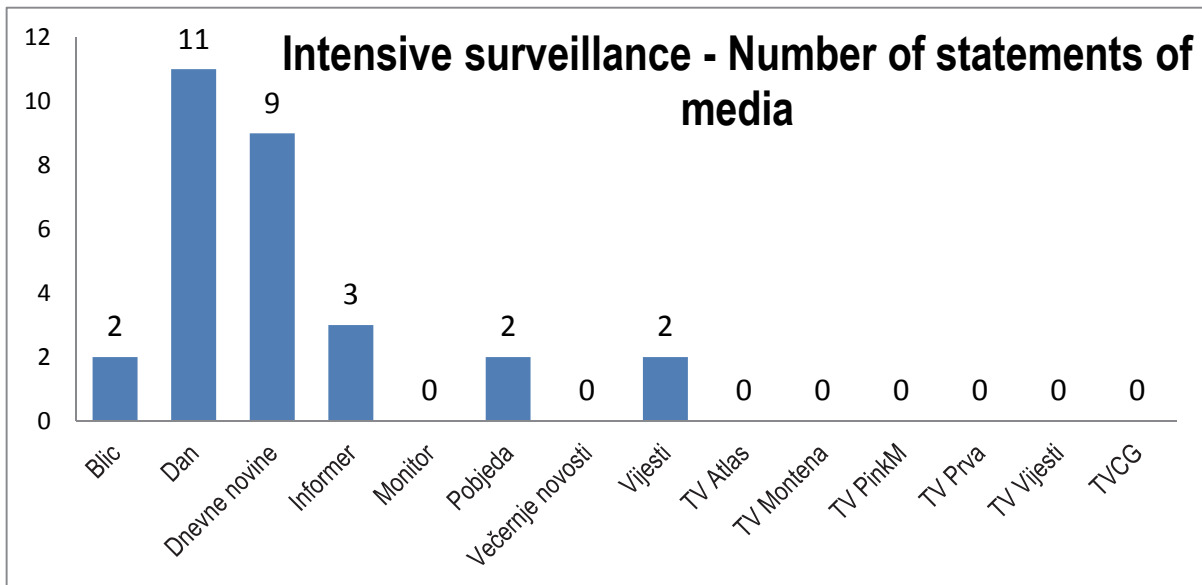


Statements related to this topic make 58% of the overall publicity of „alternative sanctions“ institute. Most statements published Dam, almost **34** (34% of all statements on suspended statements).



Statements that contain information on alternative sanctions are at the second place.





Statements on suspended sentence with intensive surveillance are at the third place.

Analysis of media showed that the country did not have adequate media strategy, which explains lack of knowledge of citizens on this topic. In the following period, it is important to raise awareness of citizens that the work of Directorate for suspended sentence is directly related to the quality of life of the overall community and that the most benefit of it will have citizens.

## VIII RECOMMENDATIONS

- Alternative sanctions and measures, except suspended sentence, which is mostly imposed for this type of crimes, are still insufficiently used. It is important to impose them largely, of course using the principle of adequacy of criminal sanction or measures in each concrete case. Besides imposing, it is important to rise the level of implementation that is currently at very low level.
- To adopt new Rulebook about closer manner of implementing of parole, suspended sentence, suspended sentence with protecting surveillance, and community sentence. Transitive and final provisions of Law on enforcement of suspended sentence and community sentence prescribes obligation of adopting of provisions for up to six months since coming into force. Deadline for adopting of the Rulebook in accordance with the law expired on 8 February 2015, which is obligatory even according to the Action Plan (3.3.25).
- As the risk assesment has not been established at the level of international standards and probation officers competences, their authorities are limited only to enforcement of alternative criminal sanctions, whose implementation still has not reached satisfying level. It is important to act normatively and spread the competences of the Directorate in the criminal proceeding.
- Directorate for Probation needs better suport that implies employment of larger number of officers in compariosn with the two existing. Officers should be engaged from different professional profiles (lawyers, psichologists, sociologists). Each officer should pass continuous and specific training that will result in good quality of job under their authority. Besides human, technical support is important also, which implies opening of the office in other towns in Montenegro.
- Directorate for Probation should create data base, which will help in monitoring of implementation of alternative sanctions. Also, Directorate should, at least once in a year, publish the report about its work.
- It is important to rise the number of institutions where community service could be carried out. In accordance with this, it is important to undertake amending of legal solutions and spread community service, besides legal entities dealing with activities that are of public interest (humanitarian, social, communal, health, agricultural), on nongovernmental organizations, as they are non profit by their nature.
- Ministry of justice should conclude Agreement with other units of local self government.
- Analysis of the questionnaire with citizens clearly indicates that the strategy of informing citizens, implemented by Ministry of Justice, did not give any results. For that reason, communication mechanisms should be established in the following period, and create activities that should contribute to better informing and interest of citizens, but also for accomplishing of the general goal – better understanding of establishing of mechanisms of the probation service.

Ministry of justice should have continuous cooperation with civil society and with harmonizing of activities, in order to send message to citizens in appropriate manner.

- Center for education of bearers of judicial functions should organize trainings, which would include lecturers – judges from the countries where this institute is defined in good manner (Germany, Netherlands). Besides judges, prosecutors should be included in education more actively. When it comes to this topic, Bar Association and its members should be more engaged, as well.
- Ministry of justice should make additional efforts and resources in promoting of probation, which implies Ministerstvo training programs for journalists and editors in chief, in order to provide better informing of citizens and different target groups.