



Detention: Framework Decisions 829 and 947 and their Impact on Alternatives in the EU

Bucharest, 4-5 May 2020

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Speakers

Torben Adams*, Head of Division for International Cooperation (Corrections), EU-Programmes and Advanced Training, Ministry of Justice and Constitutional Affairs, Bremen

Irina Cambrea, Deputy Director for Initial Training, National Institute of Magistracy (NIM), Bucharest

Iuliana Elena Cărbunaru, Probation Inspector, National Probation Directorate, Ministry of Justice, Bucharest

Tim Chapman, Chair of the European Forum for Restorative Justice (EFRJ) Board, Belfast

Gabriela-Nicoleta Chihaia, President, Juvenile and Family County Court, Braşov

Dr Ioan Durnescu, Professor, Faculty of Sociology and Social Work, University of Bucharest; Confederation of European Probation (CEP) Member

Ramin Farinpour, Senior Lawyer, European Criminal Law Section, ERA, Trier

Pedro Ferreira Marum, Deputy Director General, *Maison de la Justice*, Brussels

Vivian Geiran, former Director General, Irish Probation Service, Dublin

Dr Esther Montero Pérez de Tudela*, Professor, Law Department, Loyola University, Seville

Cristina Teoroc, Chief Commissioner, Deputy Director for Education and Social Assistance, Jilava Prison, Bucharest

* invited

Key topics

- Best practice in relation to alternatives to detention
- Viable alternatives, including probationary measures, electronic monitoring and restorative justice
- The application and correct use of Framework Decision 2009/829/JHA on supervision measures as an alternative to provisional detention and Framework Decision 2008/947/JHA on probation and alternative sanctions and, also as an alternative to the European Arrest Warrant

Languages

English, Romanian (simultaneous interpretation)

Event number

320DT129

Organisers

ERA (Ramin Farinpour) in cooperation with the National Institute of Magistracy (NIM), the Council of Europe, the Confederation of European Probation (CEPS) and the European Forum for Restorative Justice (EFRJ).



With financial support from the European Union's Justice Programme 2014-2020

Detention: Framework Decisions 829 and 947 and their Impact on Alternatives in the EU

Monday, 4 May 2020

08:30 Arrival and registration of participants

09:00 **Welcome and introduction**
Irina Cambrea, Ramin Farinpour

I. FRAMEWORK DECISIONS 829 and 947 AND THEIR IMPACT ON ALTERNATIVES TO DETENTION IN THE EU

09:10 **Alternatives to detention: the big picture and the various means that constitute actual alternatives within the context of Framework Decisions 829 and 947**
Esther Montero Pérez de Tudela

09:45 **How the main elements of Framework Decisions 829 and 947 work in practice**

- Framework Decision 829: recognition and monitoring of supervision measure, required form, transfer procedure, role of judicial authorities and lawyers in the process
- Framework Decision 947: transfer procedure, required form, issuing and executing measures, supervision of probation, role of judicial authorities and lawyers in the process

Torben Adams

10:30 Discussion

10:45 Coffee break

11:15 **Framework Decisions 829 and 947 and their use**

- State of play, overcoming legal and practical problems and good practices
- Findings from the Probation Network. Training and Network's (PONT) literature and training gap analysis

Ioan Durnescu

12:00 **Legislative reform to enhance the role of alternatives to detention and the effects of Framework Decisions 829 and 947: the example of Romania**
Gabriela-Nicoleta Chihaial, Iuliana Elena Cărbunaru

12:30 **The role of probation services and officers in preventing (re)incarceration: help on release, conflict resolution and working together with the authorities**
Vivian Geiran

13:00 Discussion

13:15 Lunch and coffee break

II. PRISON VISIT

14:15 Pick-up by bus in front of NIM

15:15 Arrival at Jilava Prison

An introduction to the Romanian penitentiary system and Jilava Prison
Cristina Teoroc

Objective

This first seminar in a series of five co-funded by the European Commission on enhancing cross-border mutual legal assistance and recognition of decisions within the context of detention will focus on alternatives to detention, also within the context of the European Arrest Warrant, as well as issues surrounding the proper use of Framework Decision 2008/947/JHA on probation and alternative sanctions and Framework Decision 2009/829/JHA on supervision measures as an alternative to provisional detention.

Who should attend?

Judges, prosecutors, probation officers and lawyers in private practice from eligible EU Member States (UK and Denmark do not participate in the Justice Programme 2014-2020) and eligible Candidate Countries (Albania and Montenegro).

About the project

This seminar is part of a project co-financed by the Justice Programme of the European Union. For more information, see:
www.era-comm.eu

Venue

National Institute of Magistracy (NIM)
53 Regina Elisabeta Blvd, Sector 5
Bucharest
Romania

Participation fee and reimbursement of costs

Participation fee: No fee for judges, prosecutors and probation officers, €200 for lawyers in private practice

Travel costs up to €300 will be reimbursed by ERA for judges, prosecutors and probation officers upon presentation of the original receipts, tickets, boarding passes or invoices after the seminar.

Two nights' hotel accommodation up to €105/night will be reimbursed by ERA for judges, prosecutors, probation officers and lawyers in private practice upon receipt of the original invoice.

15:45 **Prison visit**

Split into three groups and rotate (30 minutes for each location including transfer):
Group 1 – therapeutic community/reinsertion centre
Group 2 – section no.1
Group 3 – 13st fort

17:15 Concluding remarks

17:30 Departure back to NIM

18:30 Arrival back at NIM and end of first day

20:00 Dinner

Tuesday, 5 May 2020

III. ALTERNATIVES TO DETENTION IN THE EU WITHIN THE CONTEXT OF FRAMEWORK DECISIONS 829 AND 947

09:00 **Restorative justice as a viable alternative: victim-offender-community mediation within and outside prisons**
Tim Chapman

09:30 **Alternative sanctions for drug offenders and those with mental health issues**

10:00 **Technology as part of a viable alternative to detention: the use of electronic monitoring in practice and future outlook**
Pedro Ferreira Marum

10:30 Discussion

11:00 Coffee break

11:30 **Simultaneous workshops**

- Applying the Framework Decision on Probation and Alternative Sanctions in practice (*Ioan Durnescu*)
- Applying the Framework Decision on Supervision Measures as an Alternative to Provisional Detention in practice (*Esther Montero Pérez de Tudela*)
- Probation services and their work with judicial and other authorities: effective means and methods (*Vivian Geiran*)
- Effective implementation and application of restorative justice (*Tim Chapman*)

13:00 Workshop reports and participant discussion

13:30 End of the seminar and lunch

For programme updates: www.era.int

Programme may be subject to amendment.

Apply online for this seminar:
www.era.int/?129234&en

Your contact person



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CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). This event corresponds to **10 CPD hours**.



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Apply online for

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Terms and conditions of participation

Selection

1. Participation is open to judges, prosecutors, probation officers and lawyers in private practice from eligible EU Member States (the UK and Denmark do not participate in the Justice Programme 2014-2020) and EU Candidate Countries (Albania and Montenegro).
2. The number of places available is limited (50 places). Participation will be subject to a selection procedure. Romanian applicants who work for the judicial and prosecution services must apply for this event through NIM.
3. Applications should be submitted by **8 March 2020**.
4. A response will be sent to every applicant after the deadline. Participation is subject to a selection procedure.

We advise you not to book any travel or hotel before you receive our confirmation.

Registration fee

5. No registration fee for judges, prosecutors and probation officers. Documentation, lunches and a joint dinner provided for.
6. €200 for lawyers, including documentation, lunches and a joint dinner.

Travel expenses

7. Travel costs up to €300 will be reimbursed for judges prosecutors and probation officers by ERA upon receipt of the original receipts, tickets, boarding passes, invoices after the seminar. €150 will be reimbursed for Romanian judges, prosecutors and probation officers.

Participants are asked to book their own travel. Participants are advised of the obligation to use the most cost-efficient mode of transport available and to read the travel reimbursement information sheet carefully.

Accommodation

8. Two nights' hotel accommodation up to €120 per night will be reimbursed by ERA for judges, prosecutors, probation officers and lawyers in private practice upon receipt of the original receipts and invoices after the seminar if they have to travel more than 100km to Bucharest.

Other services

9. Two lunches, beverages consumed during the coffee breaks and the seminar documents are offered by ERA. One joint dinner is also included.

Participation

10. Participation at the whole seminar is required and your presence will be recorded.
11. A list of participants including each participant's address will be made available to all participants unless ERA receives written objection from the participant no later than one week prior to the beginning of the event.
12. The participant's address and other relevant information will be stored in ERA's database in order to provide information about future ERA events, publications and/or other developments in the participant's area of interest unless the participant indicates that he or she does not wish ERA to do so.

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