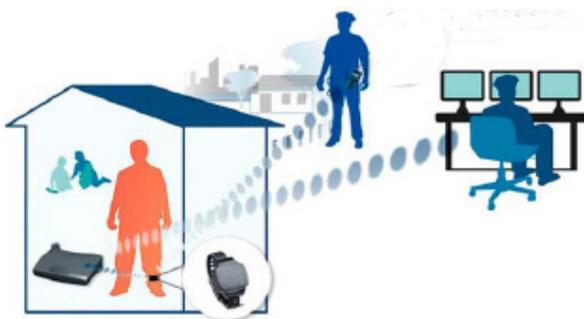


of intoxicating substances, usually leads to the sentence being converted into unconditional imprisonment.

Positive effects of monitoring sentence

One of the preconditions of sentencing to the monitoring sentence is that it maintains or promotes the social abilities of the offender. The monitoring sentence has many positive effects on the life of the offender and his or her family. Functioning as a member of society is easier when the offender can keep his or her work or study place and home. The requirement to abstain from substances reduces the risk of social exclusion and it is also possible to include rehabilitating activities in the monitoring sentence. The maintenance of social ties with the family and other close people is also easier from home than from prison.

If the person serving a monitoring sentence works, his or her financial situation will not deteriorate as much as it would in prison. The monitoring sentence is also inexpensive for society: the monitoring sentence costs about EUR 60 per day whereas imprisonment costs about EUR 180-200 per day.



Criminal Sanctions Agency

The Criminal Sanctions Agency is a government authority, which enforces prison sentences and community sanctions under the direction of the Ministry of Justice. The goal of the Criminal Sanctions Agency is to contribute to the prevention of recidivism and the safety of society.

Monitoring sentence



Community sanctions office:

Contact person:



MONITORING SENTENCE



Monitoring sentence is a new criminal sanction

Monitoring sentence is a community sanction, which is placed between community service and unconditional imprisonment in severity.

A monitoring sentence can be six months long at most and it can be used instead of an unconditional prison sentence. The sentence can be imposed if there is an obstacle to sentencing to community service. Prior unconditional prison sentences and monitoring sentences may prevent the passing of a monitoring sentence.

The nature of the offence, such as assaulting a cohabitant, can also rule out the use of the monitoring sentence. Another limit to sentencing

ing to the monitoring sentence arises if it is easy to continue to commit offences at home or the place of residence. Narcotics offences and certain data or communication offences are examples of that.

The monitoring sentence is not used in aggravated violent offences because the sentences for those offences exceed the maximum amount of the monitoring sentence, which is six months. In practice, the target group of the new monitoring sentence consist mainly of those who have been found guilty of drunken driving or offences against property. The monitoring sentence can also be used in cases of petty assaults if the victim is not a cohabitant or close relative of the offender.

Monitoring sentence in practice

When the prosecutor has decided to bring charges for an offence, which is eligible for the monitoring sentence, he or she has to request the Criminal Sanctions Agency to prepare a report on the factors relevant the monitoring sentence. The factors include, among others, the suspect's personal circumstances and other preconditions of sentencing to the monitoring sentence.

The offender sentenced to a monitoring sentence lives at his or her own home. Therefore, the monitoring sentence requires that the accommodation of the sentenced offender is suitable for the enforcement of the sentence and that the people living in the same place give their consent to it. The sentenced offender receives an enforcement plan, which includes the obligation to participate in activities and the daily programme. The obligation to participate in activities can consist of work, education or

other activities improving the abilities of the offender and it can last 10-40 hours a week.

The monitoring sentence requires the offender to fully abstain from intoxicating substances, which is supervised with the help of breath, blood and urine tests. The daily programme determines precisely where the offender has to be and when. The offender has to stay at home if he or she does not have a reason approved in the programme to leave. He or she is allowed to move outside the home only for a predetermined purpose. For example, the times and places approved in the daily programme for shopping and running other errands as well as for sport activities have to be followed.

Supervision

The supervision of the sentence is based on radio frequency (RF) technology. An offender serving a monitoring sentence gets an ankle transmitter, which is connected to a monitoring device placed at the home of the supervised offender. The ankle transmitter sends signals to which the monitoring device reacts and, thus,



monitors if the offender stays at home and follows the schedule determined in the daily programme. The monitoring device is connected to the control centre and the supervision patrols working in the field via a telephone or mobile telephone network.

An official appointed by the Criminal Sanctions Agency is responsible for the enforcement of an individual monitoring sentence. The supervisor's task is to plan the content and the enforcement of the sentence together with the supervision patrol. It is important to keep contact with the sentenced offender and support him or her. The home and work or other activity place of the supervised offender can be visited without informing the offender about the visit beforehand. Furthermore, the supervision patrols supervise the abstinence from substances and the compliance with the other obligations stated in the enforcement plan. If the supervised offender arrives late at home or leaves outside the times determined in the daily programme, the control centre receives an alarm immediately.

A continuous or serious breach of the conditions of the monitoring sentence, such as neglecting to follow the schedules defined in the daily programme or being under the influence