

# Georgian Journal



## National Probation Agency introduces house arrest

House arrest, a punitive measure representing an alternative to common imprisonment, has been implemented in Georgia in accordance with the new Justice Code. An electronic monitoring system to complement and support the new measure has also been introduced, allowing supervision of the convicts' movements. Teimuraz Maghradze, Deputy Head of the National Probation Agency of Georgia, has shared details of the new law and usage of the associated new technology with *Georgian Journal*:

– On the basis of Juvenile Justice Code, a new non-custodial sanction – house arrest – is launched, and it will be executed by the National Probation Agency via the Electronic Monitoring System. Implementation of this new alternative sanction serves liberalization of the criminal justice system. Following the world practice, the imprisonment must be considered the most extreme penalizing measure; in every other case, alternative sanction is provided. These rules are particularly important in cases of juveniles. So, step by step, we started implementation of the new Juvenile Justice Code requirements. National Probation Agency is now fully equipped to launch the Electronic Monitoring center. It is located in the central office of the Agency and is ready to begin its function. We have all the necessary bracelets, equipments and technical support to execute this new sanction.

### – Which category of offenders will be sentenced to house arrest?

– For now, this kind of sanction only applies to juveniles. In the new code, there is a reservation saying that the offender's best interests must be considered. This means that the goal must be rehabilitation, not punishment. The most important aim is to separate the juvenile from the penitentiary establishment. House arrest is an alternative form of sanction and it doesn't mean that the offender has to be at home 24/7. The judge takes the everyday life routine of the juvenile into consideration and determines the time for which the offender has to stay inside his house. For the rest of the time, the juvenile is free to go to school or sports classes and communicate with the society. The social worker plays an important role in re-socialization of the juvenile.

**– Who controls this sanction's execution?**

– Control over it was entrusted to the National Probation Agency. According to law, electronic bracelets can be used to carry it out. These bracelets allow monitoring a person's movements, with the software in them constantly providing information on where the bracelet is, who installed it and who is wearing it. They also allow adjusting the area within which the offender is allowed to freely move. It can include a garden or the house's premises. Our employee sets the range according to specifics of a particular house and its surroundings. The bracelet, as a rule, is installed on the offender's leg, to defend him/her from the discrediting and violating of rights. It's comfortable, waterproof and easy to wear. Every impact or otherwise meddling with the bracelet or the equipment we install in the culprit's house is reflected in the monitoring centre. There is a record in the law which says that the Agency is obliged to periodically check the offender's location in areas where it is not possible to utilize bracelets for house arrest.

**– If a culprit violates the rules of home arrest, can it be changed to another form of penalizing sanction?**

– Yes. In case of a violation, we inform the court and it makes a decision on whether to change the sanction or not.