

## THE IMPACT OF PROBATION ON MINORS IN ROMANIA: A COUNSELORS' PERSPECTIVE

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**Abstract:** *The present study aims to analyze the impact of probation on juvenile delinquents in Romania, considering both the effects on the social reintegration process and the challenges faced by probation counselors. The research method used was the semi-structured interview, applied to a number of 12 probation counselors from the counties of Vâlcea, Sibiu and the city of Bucharest. This qualitative approach allowed for the exploration of the perspectives of professionals directly involved in the case management of juveniles under supervision. Results suggest that probation can have a significant positive impact on reducing juvenile delinquent behaviors, particularly when interventions are tailored to their individual needs. Factors determining success include the active involvement of counselors, family support, and access to educational or psychological counseling resources. However, the study also highlights obstacles such as the high number of cases handled by counsellors, insufficient resources and difficulties in collaborating with the institutions involved. The conclusions indicate the need for a better allocation of resources and policies better oriented towards supporting juvenile delinquents, in order to maximize the positive effects of probation. The study aims to contribute to a deeper understanding of this field and to the improvement of existing practices.*

**Keywords:** probation, probation officer, juvenile delinquents, reintegration, rehabilitation

### 1. Introduction

Juvenile delinquency represents a major challenge for contemporary society, not only in terms of the negative impact on young people involved in crimes, but also from the perspective of the social and economic consequences it generates. In Romania, as in many other countries, the justice system has faced in recent decades an increase in crimes committed by minors, and traditional punitive measures, such as incarceration, have shown serious limits in the rehabilitation of these young people. In this context, probation has gained increased attention as a viable alternative to detention, being perceived as a more humane and effective solution for the reintegration of juvenile delinquents into society.

Probation, as an alternative measure to custodial punishment, aims to support the social reintegration of criminals through carefully coordinated supervision and assistance, with rehabilitation and recidivism prevention in mind. For delinquent minors, this measure offers a real chance to correct themselves without being exposed to the negative influences of the prison environment, which can contribute to the strengthening of the criminal identity. According to statistical data, probation-based interventions tend to significantly reduce the rate of recidivism compared to incarceration, which indicates the considerable potential of this approach in transforming the lives of young offenders (Carl & Lösel et al., 2012).

In Romania, the probation system has constantly evolved since its official introduction into national legislation in the 90s, gradually adapting to international standards and modern restorative justice requirements. This transition reflects a paradigm shift in the treatment of juvenile delinquents, emphasizing not only the sanctioning of criminal behavior, but also the identification and correction of its underlying causes. Therefore, probation becomes a basic tool in the holistic approach to juvenile delinquency, which includes psychological, educational and professional assistance to support the social reintegration of young people.

In a constantly changing society, where the phenomenon of juvenile delinquency is influenced by variable factors such as poverty, family disorganization, negative peer group influences and access to technologies that can amplify deviant tendencies, an approach based on prevention and rehabilitation is essential. In this context, probation not only offers an alternative to detention, but also a way of early intervention that can prevent the worsening of deviant behaviors and recidivism.

However, the effective implementation of juvenile probation is not without its challenges. The juvenile justice system in Romania constantly faces challenges related to limited human and financial resources, insufficiently developed infrastructure, as well as poor inter-institutional cooperation between the various structures that have a role in the supervision and rehabilitation of minors. In addition, social stigma and limited access to education and training continue to be significant obstacles to the success of probation programs.

Analysis of the impact of probation on juvenile delinquents thus becomes particularly important in understanding the potential of this measure to reduce recidivism and facilitate the social reintegration of young people. Studies show that active family and community involvement in juvenile rehabilitation plays a crucial role in the success of probation (Hussain & Sajid 2024). In this regard, the probation program should include not only behavioral supervision of the minor, but also psychological and social assistance, vocational training and support for personal development.

This paper aims to explore in depth the role and impact of probation on juvenile delinquents in Romania, to analyze the challenges and opportunities of this system, as well as to identify good practices that could contribute to improving the efficiency of probation programs. The research will attempt to provide an integrated perspective on how probation can contribute to the reduction of recidivism and the social reintegration of minors. Particular attention will be paid to the importance of the family and social context in the success of these measures, as well as the role of probation officers in ensuring effective supervision and intervention tailored to the needs of each juvenile.

## **2. Research design and methodology**

The present research aims to achieve the following general objectives: evaluating the perceptions of probation counselors on the effectiveness of reintegration programs for delinquent minors; identifying the challenges encountered by probation counselors in managing juvenile delinquent cases; exploring the impact of methods and strategies used by probation counselors on juvenile reintegration.

In this research, the main method used was the interview method and it was chosen because of its flexibility, which allows for an in-depth exploration of the professional experiences and perspectives of probation counsellors. A number of 12 interviews were carried out, each with an average duration of 60 minutes. As I was not allowed to record, they were written down manually during the discussions to respect confidentiality and ensure a comfortable environment for the respondents. Each interview was reviewed and completed immediately after the discussions were completed, in order to preserve as faithfully as possible the information provided.

Thus, the interview method allowed obtaining some valuable qualitative data, providing a detailed picture of how counselors perceive and apply reintegration strategies. It also favored the identification of solutions and recommendations regarding the improvement of probation interventions, starting from the direct experiences of those involved.

The research sample consisted of 12 probation counselors, selected from the counties of Vâlcea and Sibiu, as well as from the municipality of Bucharest. These counselors were chosen based on their experience working with juvenile delinquents and active involvement in social reintegration programs. The geographical distribution was also carried out to compare the perceptions and practices of councilors in counties with different socio-economic characteristics. To protect the confidentiality of the participants, the names of the probation counselors will be coded with their initials in the data interpretation section. This approach will ensure the anonymity of each advisor while allowing for a clear and consistent interpretation of responses. Each advisor will be identified by a unique code based on initials, and these codes will be used throughout the analysis to correlate individual responses with the perspectives expressed. This complies with the ethical standards of research, guaranteeing the integrity of the data collected.

Data collection was carried out between July and September 2024 based on an interview guide, with an emphasis on the following topics: the role of the probation counselor in working with delinquent minors, the impact of probation on minors, the main needs and challenges of the probation system in Romania. The guide combined open questions to allow participants to express themselves freely, but also guiding questions to ensure coverage of all relevant topics.

## **3. Results**

- The role of the probation counselor in working with minors

The probation counselor plays an essential role in the process of rehabilitation and social reintegration of minors who have committed crimes. This position is described by counselors as a complex

one, involving a wide range of responsibilities that go beyond simply monitoring compliance with probation conditions.

Most of the interviewees emphasized the fact that a probation counselor is not just an observer of the behavior of minors, but an active factor in their rehabilitation, having supporting, mentoring and intermediary roles between the various institutions that contribute to the minor's reintegration. RC described the counselor's role as a catalyst for change: *"The counselor is more than a person who checks that the minor is complying with the conditions imposed by the court. We are there to guide, listen and offer solutions. Many of these children have not had a trusted adult in their lives, and we take on that role. Without a relationship of trust, we cannot talk about real rehabilitation."*

This aspect of guidance and mentoring is vital in the context of multiple vulnerabilities that minors present, such as family trauma, social exclusion and lack of educational support. Therefore, counselors must be able to build trusting relationships and create an environment where minors feel supported and encouraged to change their behavior.

At the same time, some counselors emphasized the complexity of their role, often having to assume a series of additional responsibilities compared to the traditional ones. AZ explained: *"We are often psychologists, mediators, and negotiators. In many cases, we are the person who stands between the court system and the juvenile, between the family and the school, trying to get all parties to work together for the good of the child."*

Thus, the role of the probation counselor is a multifaceted one, and the success of the minor's rehabilitation largely depends on the counselor's ability to adapt his intervention methods to the specifics of each case and to build a functional partnership with the minor and with the institutions involved in the rehabilitation process.

- The impact of probation on minors

Probation has a profound and often transformative impact on juveniles entering the system, particularly by addressing behavioral and emotional issues, educating and supporting them in the process of social reintegration. This process gives juveniles a chance to avoid detention, learn new skills, and rebuild their lives in a supervised and supportive environment. Counselors interviewed repeatedly emphasized that probation can become a catalyst for positive change, but success is highly dependent on the juvenile's involvement and support from family and institutions.

One of the main advantages of probation is to avoid detention and, implicitly, to avoid the negative impact that the prison environment could have on minors. They remain in the community, thus being exposed to opportunities for development and social reintegration, without suffering from the stigma associated with detention. RM emphasized this aspect: *"Avoiding detention is crucial. These kids are still moldable. Detention can have devastating effects on them, both psychologically and socially. Instead, through probation, we give them a chance to reintegrate without being labeled for the rest of their lives."*

Another major benefit is the educational and vocational support provided in probationary programs. Minors are encouraged to return to school or participate in vocational training, which provides them with a path to independence and a more stable future. AZ noted that *"many of these young people had no direction in life. Probation gives them access to education and vocational training, which can completely change their future prospects. It's important to show them that there are alternatives to criminal behaviour."*

Psychological counseling and emotional support is another significant benefit. Many of the minors have suffered trauma or been exposed to dysfunctional environments. Probation gives them access to specialized counselors who help them develop emotional management skills and overcome trauma. CP explained: *"Psychological counseling is essential for many of these children. Without the help of a specialist, they would not know how to manage their anger, sadness or frustration, which makes them vulnerable to relapse."*

Another benefit of probation is the opportunity to develop healthy relationships with counselors, who often become support figures and positive role models for these youth. Counselors guide them and give them resources to rebuild their lives in a positive way. MR said: *"The fact that minors have an adult who cares about them and supports them makes a huge difference. Many of them have never had a relationship like this with someone who showed them that they cared."*

Thus, probation plays an essential role in facilitating behavioral changes in minors. From improving emotion management to reducing impulsive behaviors, counselors often see significant changes during probation. However, they emphasized that the changes do not appear suddenly, but are a gradual process influenced by several factors.

Among the factors influencing behavioral changes is access to psychological counseling. Many deviant behaviors are related to trauma or emotional dysfunction. Counseling helps minors become aware

of the sources of their problems and learn effective ways to manage them. IS noted that *“many of these children do not know how to control their impulses. He learns, through counseling, to identify his emotions and react more rationally. It’s a long process, but with the right support, many manage to improve their behavior.”*

Family relationships and family support, respectively, also play a crucial role in the success of probation. Counselors note that juveniles who benefit from a supportive family environment tend to show faster progress in their behavior. AZ pointed out: *“When the family is involved and provides support, behavioral changes are much more visible. These children need stability and security, and the family can provide these things when they work with us.”*

Involvement of minors in recreational activities or positive social groups contributes to the development of healthier behaviors, helping them develop social skills and improve their self-esteem. EG said: *“Getting them involved in social or group activities helps them build healthy relationships and feel included. A lot of them have been isolated or just had negative relationships, so it helps them redefine their identity.”*

Probation counselors have observed that most juveniles go through certain developmental stages during probation. These stages are not necessarily rigid or universal, but can provide a general picture of how juvenile behaviors develop during the period of supervision.

In the early stages of probation, many juveniles show resistance or denial about their actions or the need for behavioral change. This phase is marked by distrust of counselors and a refusal to fully cooperate with the intervention plan. CP said: *“In the beginning, many of them refuse to accept responsibility for their actions. They either blame external circumstances or completely deny that they need help. It is a barrier that we must overcome with patience.”*

After a period of denial, most juveniles enter a phase where they begin to reevaluate their behaviors and explore alternatives offered by probation counselors. This phase may be marked by awareness of issues and a greater openness to cooperation. BI explained: *“After a few weeks or months, they begin to realize that probation is not an adversary but an opportunity. Little by little, they are becoming more receptive to our discussions and the alternatives we propose.”*

Once juveniles move past the exploratory phase, many of them begin to show a more serious commitment to the probation plan. At this stage, clear positive changes can be seen, such as improved behavior at school or the development of better relationships with family and friends. LD said: *“It’s very satisfying to see these children start to take their lives seriously. In this phase, they become much more involved and responsible for their own actions.”*

Probation success is therefore largely defined by prevention of recidivism, and counselors have identified several critical factors that contribute to this.

One of the most important factors that contribute to the prevention of recidivism is the development of a trusting relationship between the minor and the counselor. A relationship based on mutual respect and emotional support helps juveniles maintain positive behavior even after probation is completed. MR pointed out: *“Without trust, nothing works. When you succeed in gaining the child’s trust, he starts to want to make real changes in his life.”*

Another important element is the provision of ongoing support after the probationary period ends. This may include regular counseling, involvement in community activities or mentoring programs. EB explained: *“Many of them need support even after their probationary period is over. If they don’t have a solid support system, the risk of recidivism increases greatly.”*

Another essential component in the prevention of recidivism is the social and economic integration of minors, either by returning to school or by obtaining a job. These opportunities help them regain their self-confidence and set long-term goals. AZ pointed out that *“when children see that they have a future – either through education or a job – they are much less likely to reoffend. They begin to want nothing more than to be trapped again in the vicious circle of criminality.”*

- The main needs and challenges of the probation system for minors in Romania

A central aspect discussed by most of the counselors interviewed is the lack of resources and specialized programs for minors. They indicated that, although the legislative framework is generally well structured, implementation at the local level suffers from the lack of the necessary infrastructure. RC, for example, emphasized that *“we need more resources, more counseling centers and programs that are adapted to minors. You can’t apply the same methods as for adults.”* It raised the issue of the lack of individualized approaches to the unique needs of minors, especially those from dysfunctional families or vulnerable backgrounds.

Another councillor, AZ, drew attention to the difficulties of finding effective inter-institutional collaborations: *“There is not enough collaboration between the education system, local authorities and probation services. Everyone is minding their own business and we find ourselves the only ones trying to help these young people”*. This problem highlighted by AZ is a structural one, suggesting the need for a better integration of the efforts of different institutions that can contribute to the rehabilitation of minors.

Equally important is the lack of ongoing training for counsellors, a problem mentioned by several interview participants. MR mentioned that *“the training we have is insufficient. The needs of young people are changing, we must always be aware of new methods of intervention, but we have neither time nor resources”*. Thus, it was emphasized the need for continuous training programs for probation counselors, which would allow them to adapt to the socio-cultural realities of the young people they work with.

The constraints identified by the advisers are multiple and cover a wide range of issues, from poor infrastructure to staff shortages. The IP described the problem in simple terms: *“We are too few for how many minors we have to manage. Each case takes a lot of time, but we can't give everyone the attention they need.”* In this way, a systemic problem of the undersizing of probation teams, which often end up being overwhelmed by the number of cases handled, has been highlighted.

In addition, IS pointed out that in many cases there are difficulties in finding local specialized services: *“In many areas of the country, we simply do not have enough rehabilitation centers or programs that are geared towards the needs of minors. Most of the activities are concentrated in big cities”*. This centralization of resources reduces access to services for youth living in rural or less developed areas, making probation much more difficult to implement.

Another major obstacle identified by the counselors interviewed was the lack of a clear framework for evaluating the progress of minors. EG stated that *“it is difficult to measure the success of our interventions. We have some general indicators, but they are not specific to minors and do not reflect the reality we are facing”*. This lack of standardization in assessment makes it difficult to monitor progress and adjust interventions according to the actual needs of minors.

Councillors agreed that a structural overhaul of the way the juvenile probation system works, with a stronger focus on the needs of juveniles, is needed. The CP emphasized that *“we should focus more on prevention. If we could work better with schools and families early, many cases could be prevented.”* This opinion reflected the desire of many counselors to emphasize early interventions and education so that the escalation of criminal behavior is avoided.

In addition, the interviewed counselors appreciated that a modernization of educational and vocational training programs is necessary. LD suggested that *“we need to give young people concrete skills for the future. A professional training adapted to the needs of the labor market would give them a direction, a purpose”*. Through this, the counselors highlighted that the rehabilitation of minors must not be limited to correcting criminal behavior, but must also include personal and professional development, offering them a viable alternative for the future.

Also, another aspect mentioned was the need for more effective collaboration between the authorities and other organizations. BI stated that *“we need to have an integrated system, where all actors - the police, schools, social services - collaborate in real, not just on paper”*. Such collaboration would allow for faster and more effective intervention, providing integrated support to minors and their families.

Thus, the counselors interviewed emphasized that the future of the juvenile probation system should be marked by better inter-institutional collaboration, investment in educational and professional resources, but also by an increased focus on preventing criminal behavior through early interventions and support family.

#### **4. Discussions**

The probation officer plays an essential role in the success of the social reintegration process of minors who have come into conflict with the law, being a main actor within the juvenile justice system. It ensures that alternative sanctioning measures are effectively implemented and tracked, thus contributing to the prevention of recidivism and facilitating the social reintegration of minors. The probation counselor's mission is complex and involves a multidisciplinary approach, focused on risk assessment and management, as well as implementing a personalized intervention plan.

Intervention skills are fundamental to probation counselors. Techniques such as cognitive behavioral therapy and motivational therapy are essential for changing dysfunctional thoughts and behaviors and increasing the minor's motivation for change (Miller & Rollnick, 2013). These methods are used to develop coping strategies and to promote pro-social behaviours, thus contributing to reducing the risk of recidivism and facilitating the social reintegration of people under probation.

In addition, communication and relationship skills are critical to the success of probation interventions. Counselors must develop advanced skills in active listening, empathy, and negotiation, which are essential for building a trusting relationship with beneficiaries and facilitating collaboration in implementing intervention plans (Miller & Rollnick, 2013). Conflict management and mediation skills are also important for resolving disputes between offenders and other parties involved, such as victims or families, and for preventing problems from escalating (Deutsch & Goldman, 2006).

Continuing professional education is crucial to keeping skills up-to-date and adapting to changes in the field. Probation counselors must participate in continuing education programs that cover recent developments in criminology, criminal law, intervention techniques, and case management (Taxman, 2018). Continuing education allows advisors to apply best practices and stay informed of recent research and innovations in the field.

Professional supervision also plays a critical role in the continuing development of probation counselors. Supervision provides opportunities for feedback and reflection, facilitating the identification and addressing of challenges encountered in day-to-day work (White et al., 2015). Professional and peer support groups are also important for maintaining motivation and preventing burnout, thus helping to improve performance and ensure adequate support for beneficiaries.

In terms of community resources, probation officers need to develop networks of resources in the community to provide adequate support to beneficiaries. Collaboration with non-profit organizations, educational institutions and employers is essential for access to education services, vocational training and work opportunities. These collaborations contribute to the creation of personalized reintegration plans and to ensuring comprehensive support for beneficiaries. Building partnerships with other institutions, such as rehabilitation centers and youth support organizations, is essential for implementing integrated reintegration plans and ensuring comprehensive support (Taxman, 2018). These partnerships facilitate access to resources and services necessary for successful reintegration and help prevent recidivism.

Studies have shown that juveniles who receive constant support from probation counselors and tailored interventions have a significantly higher chance of avoiding recidivism and successfully reintegrating into the community (Botescu & Miu, 2016). Thus, the probation counselor becomes a key factor in the social reintegration process, having a direct impact on the rehabilitation and prevention of future criminal behavior.

The probation counselor thus plays an essential role in the successful reintegration of minors into society. Through assessment, monitoring, emotional and social support, inter-institutional collaboration and prevention of recidivism, the counselor contributes significantly to the rehabilitation of minors. Collaboration with the family and other institutions is crucial in this process, ensuring an integrated and successful intervention. Thus, the probation counselor is not only a monitor of compliance with legal conditions, but also a mentor who actively supports the behavioral change and social reintegration of minors.

## **5. Conclusions**

Probation is an essential pillar of the criminal justice system, with the role of facilitating the rehabilitation of criminals and providing an alternative to incarceration, especially for minors, where the risk of recidivism can be significantly reduced through specialized interventions. In Romania, juvenile probation is based on the work of probation counselors, who play a crucial role in monitoring and supporting young people under supervision, in collaboration with local social and educational institutions. The process of juvenile reintegration involves a complex approach, where factors such as access to resources, family support and the community setting directly influence the success of this intervention.

A key issue emerging from interviews with probation officers is the lack of adequate resources to effectively support the rehabilitation process. Counselors in Bucharest have indicated that, although the capital offers wider access to education and therapy programs, the high number of cases prevents them from giving the necessary attention to each minor. The overloading of the probation system in Bucharest creates difficulties in the personalized monitoring of each case, so counselors often have to resort to standardized solutions, at the expense of individualized approaches. Instead, in Vâlcea and Sibiu, counselors face other major challenges — resources are limited, and in many cases, local institutions lack the necessary infrastructure to provide minors with adequate psychological or educational support. In Vâlcea, for example, the councilors pointed out the lack of vocational training programs for young people, which makes their reintegration more difficult, especially for those from disadvantaged backgrounds.

The efficiency of probation is directly influenced by the allocated resources, but also by the ability of counselors to coordinate the necessary interventions. Probation counselors highlighted that although the working methods are well structured, the efficiency of the process is affected by the lack of collaboration between probation institutions, schools and mental health services. Such coordination would facilitate a multidisciplinary intervention that better meets the complex needs of minors. In many cases, these institutions work separately, which can lead to fragmentation of support for minors and loss of continuity in rehabilitation interventions.

In conclusion, the present research highlights the complexity of the juvenile probation reintegration process, highlighting the major challenges that probation counselors face. Lack of resources, insufficient inter-institutional collaboration and family difficulties are factors that significantly influence the effectiveness of probation. A more coordinated approach, more developed local resources and more consistent family support could contribute to improving reintegration outcomes and reducing juvenile recidivism

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