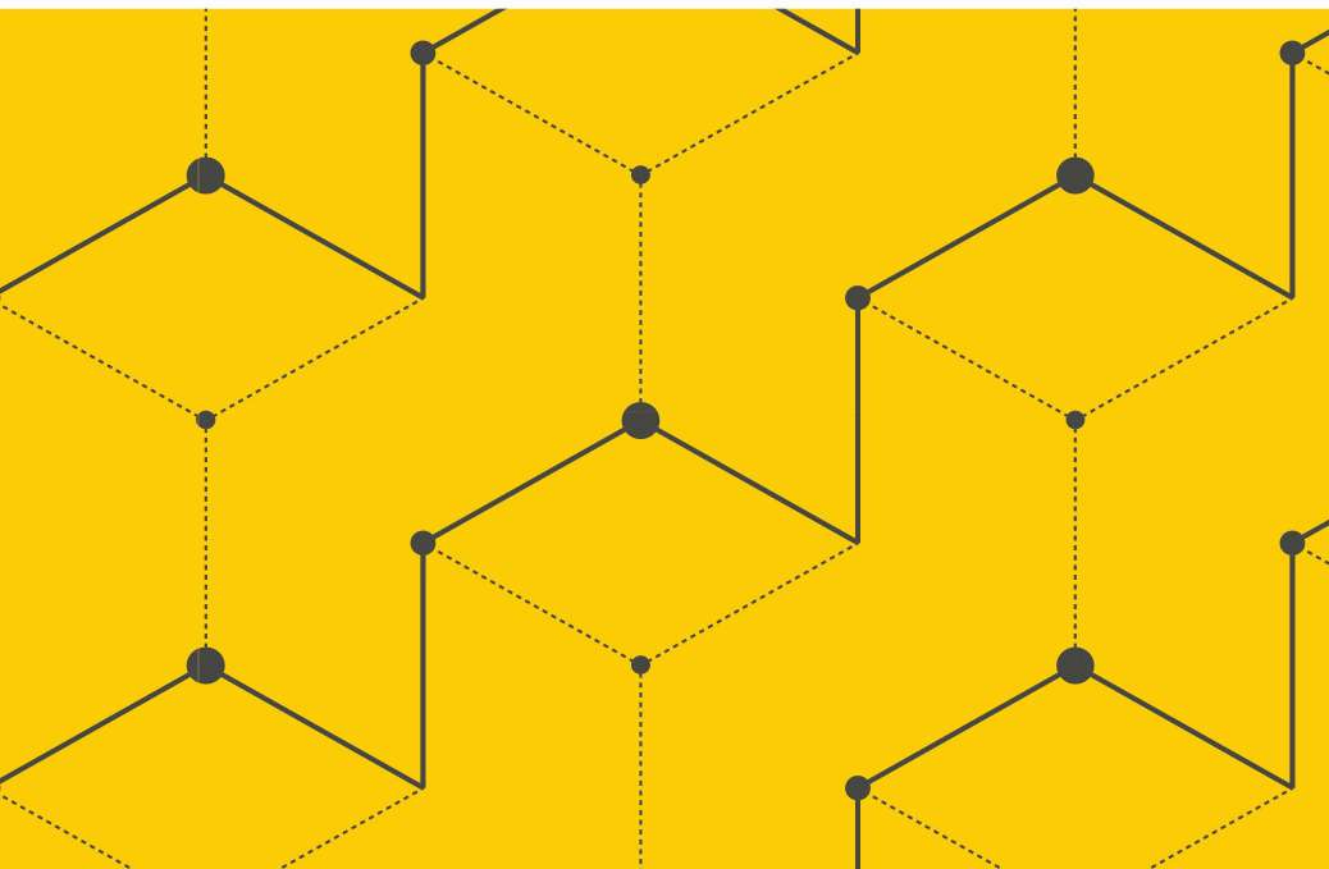


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PRISON ENVIRONMENT

A FEMALE PERSPECTIVE

*Edited by
Sanja Ćopić & Ana Batrićević*



Prison Environment: A Female Perspective

Edited by

Sanja Ćopić, PhD

Ana Batrićević, PhD

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Belgrade, 2024

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Prison Environment: A Female Perspective

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Introduction

Female crime, the position of women in criminal proceedings, and especially in prison, have long been neglected topics, remaining on the peripheries of discussion, both in theory and practice. This has always been justified by the fact that women constitute a small portion of the convicted population, and an even smaller share of the total prison population worldwide (Aebi et al., 2022; Fair & Walmsley, 2022). As a result, there has been insufficient focus on the specificities of female crime compared to male crime, inadequate understanding of the pathways that lead women into criminal behaviour, and neglect of the specific needs and requirement of female convicts once they find themselves behind the bars.

An important step in shedding light on these issues was taken by feminist-oriented criminologists during the 1980s, who brought to the fore issues of female crime on one hand and violence against women on the other, also pointing to their interconnection (Gehring, 2016; Barberet & Jackson, 2017; Nikolić-Ristanović & Konstantinović Vilić, 2018; Russel et al, 2020; Quiroga-Carrillo, Ferraces Otero, Lorenzo Moledo, 2024). They highlighted, and later research confirmed, that women in prison constitute a particularly vulnerable social group (Nuytiens & Christiaens, 2012; Pavićević, 2020). Their vulnerability delves from the unique pathways women take to crime and their broader societal roles, which includes four key dimensions: the history of violent victimization, relationship issues, mental health problems, and substance abuse (Bloom, Owen, & Covington, 2003).

However, as pointed out in the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders, prison facilities are designed primarily to address the needs of male prisoners, leaving needs of female convicts unmet, which negatively impacts women's mental and physical health, well-being, and welfare; consequently, decreasing the quality of prison life for incarcerated women. Nevertheless, during the past three decades there has been an increasing interest in female crime and the position of imprisoned women. We believe that this edited volume will present a valuable contribution to the emerging literature that focuses on female perspectives on incarceration, tracing further paths to go beyond traditional, male-centred approaches in correctional institutions.

The idea behind this edited volume, which originated within the framework of the PrisonLIFE project, was to address the position, treatment, rights, and quality of life of female prisoners in Serbia and globally. We wanted to explore the impact of imprisonment on women, their perception of the prison environment, living conditions, and treatment programs within female prisons. Additionally, we intended to examine potential variations in the perception of the quality of prison life and other factors between male and female inmates. In general, contributors to this volume explore specificities of female criminality and imprisonment; provide insights into the adverse effects of imprisonment on women, exploring the unique challenges they face while incarcerated, and delve into how female

inmates adapt to the prison environment and treatment programs, shedding light on their experiences and needs.

The contributions in this volume draw on the narrative, systematic, and state-of-the-art literature reviews, on the one hand, and the original empirical research that explore how women in different countries perceive the prison environment and the quality of life behind the bars, on the other. Contributors examine various dimensions of the quality of prison life, which affects not only women's life in prison, but also their lives after release. The quality of prison life is one of the latest concepts of prison research, which unambiguously distinguishes between the prison system as an exclusive means of punishment and as a resocialization resource (Ilijić, Milićević, Pavićević, 2022; Ćopić, Stevanović, Vujičić, 2024; Pavićević, Ilijić, Batrićević, 2024). Additionally, the quality of prison life is one of the decisive factors in the effectiveness of the custodial sentence and educational and correctional treatment in prison. It includes several key dimensions: professionalism, living conditions, family contacts, personal well-being and development, harmony, and security within prison settings, some of them being explored in the contributions to this volume.

The volume is divided into three thematic parts. Part I delves into the global perspectives on diverse issues related to the female prison life. It starts with a thorough literature review written by Milena Milićević, who focuses on exploring prison systems for female convicts in the East and the West, focusing on understanding the complex aspects of women's lives in prisons globally and the unique challenges they face, trying to explain similarities and differences in female experiences of imprisonment in developed and developing countries. Although differences in female experiences of imprisonment between developed and developing nations are visible, particularly in respect to living conditions, healthcare access, and rehabilitation programs, and women in prisons in general face mental health problems, the author points out a growing international recognition of the need for gender-responsive prison systems and collaboration with community support systems. This is estimated as a positive development, which contributes to better reintegration of female convicts, while examples of good practice discussed in the chapter are valuable sources for further work on the improvement of women's position in prisons, particularly in developing countries.

Sanja Petkovska brings an interesting insight into the perception of prisons in the writings of women political prisoners. She demonstrates the reasons why prison writings produced by the women imprisoned for political reasons are a useful source for understanding both short- and long-term impact that prison has on the lives of the current and former inmates. This chapter also demonstrates how materials produced in prisons are beneficial research material and a source of information about how imprisoned individuals process the experience of incarceration and the prisons themselves, which is also useful for better understanding of perceived quality of prison life and social climate in prisons. The author first classified writings of imprisoned women into the two main historical periods, with taking the World War II as a demarcation line, and then delved into criminological and penological analysis of perspectives of prison on the one hand, and the perceptions of imprisonment, on the other, trying to point out how the imprisonment affected consequent wellbeing and political career and engagement of women imprisoned for political crimes.

Two chapters bring to the fore two sides of the maternity deprivation coin: the motherhood of imprisoned female convicts and trauma prison brings in this respect, on one side, and the position of children of incarcerated mothers, who are particularly vulnerable, on the other. Based on a rapid systematic review, Milica Kovačević, Marina Kovačević-Lepojević, Branislava Popović-Čitić and Lidija Bukvić explore the status of children of incarcerated parents, primarily mothers, who are often referred to as 'orphans of justice' and 'forgotten victims' of crime, not only in policy and practice, but also in research and academic writings. The authors point out to a bulk of adverse effects of parents' incarceration and significant and far-reaching consequences for children, who often belonged to disadvantaged groups even before their parents were incarcerated, while the negative consequences of imprisoning a mother are more profound compared to the consequences of imprisoning a father. In order to reduce negative impact of parental incarceration on the child's welfare, different programs and strategies could be undertaken. Some examples of good practice and parenting in prisons are discussed in the chapter.

Violeta Tadić and Boris Kordić continue the discussion on the same topic, emphasizing how early traumatic experiences and problems in the life of mothers can change the quality of mother-child attachment and affect later growth and development. They explore the two sides of the same coin: negative effect of incarceration on women's maternal role, since deprivation of maternity is seen as one of the strongest deprivations female convicts face behind the bars. On the other side, imprisonment of mothers can disrupt the early mother-child relationship and negatively affect the quality of attachment, which is a significant source of trauma for children and has a negative impact on their upbringing and future socio-emotional and psychological development. Consequently, as the authors discuss, there is a need for more responsive programs that will offer support to mothers, both during imprisonment and after release, in order to make them to be good enough mothers and provide the child with conditions for optimal growth and development.

The last chapter in the first part of the book is written by Zorica Mršević, who explores systematic violation of women's human rights in prisons, which is based on four cases studies: rebellion in the Northern Irish prison of Armagh, Honduras - riots in women's prisons with several killed inmates, China – Sinkiang prison for Ujgur women, and Transgender (trans women) persons in prisons. These examples present drastic cases of systematic violations of women's human rights, which are discussed against general social and political situation in the countries where they were located. Imprisoned women face a multitude of challenges globally, many of which are deeply rooted in gender inequality, poverty, discrimination, and inadequate social support systems. Gender-specific risks and vulnerabilities are mentioned in all analysed cases, while, as the author points, transgender and gender non-conforming individuals may face additional challenges and risks related to their gender identity.

Part II of the volume brings regional perspectives and insights in the status of women in prisons, turning our attention to the situation in Slovenian, Croatian and North Macedonian prisons for female convicts. This part starts with insights into the position of female convicts in Slovenia. The chapter written by Eva Bertok brings an overview of the position of women in prison in Slovenia through the last 80 years - the Ig Prison, which is the only prison for

convicted adult women, regardless of the length of imprisonment. After providing a brief history of the Ig prison and an overview of the so far conducted research on the position of female convicts in Slovenia, she turns to the results of the longitudinal research on social climate in Slovenian prisons, focusing on the Ig prison, which stated in 1980 providing comparable data. The author argues on the relevance of such research since favourable social climate created in prisons by both employees and convicts is a pre-condition for the well-being of both, which on the other hand impacts positive effects of the treatment program and increases feasibility of reintegration and reduction of recidivism.

Gorazd Meško and Rok Hacin focus on the comparison of perceived legitimacy and relations between female and male prisoners in prisons in Slovenia. Based on the findings of the empirical study conducted on a national sample of prisoners in Slovenia, the authors analyse differences between female and male prisoners' perceptions of legitimacy, arguing that it exists, but that it is not profound. As pointed out, imprisoned men are less willing to obey prison workers, which can be seen as a consequence of more intense internalisation of subcultural norms. On the other hand, female prisoners are more willing to obey prison workers, and are less inclined towards prison subculture. The authors conclude that the quality of treatment of prisoners is invariant in all Slovenian prisons, but it would be important to further explore the impact of the social environment in order to determine various factors that influence prisoners' perception of legitimacy.

Alina Bezljaj and Darja Tadič shed light on the intricate interplay between violence and social relations in a (female) prison, basing their discussion on the assumption that violence is not an isolated phenomenon, but rather arises from an interplay of various group dynamics. They discuss how distrust functions as a unique "engagement with the world" and a survival strategy within the prison context. Their observations are based on an in-depth analysis of the interpersonal dynamics associated with violence in Slovenia's female correctional institution - Ig Prison. The authors concluded that the culture of distrust, which is present in the Ig Prison, significantly affects the dynamics of violence in various ways. Therefore, interventions that have to address prison violence have to be tightly linked to changes in prison culture.

Irma Kovčo Vukadin and Martina Pleško analyse the implementation of human rights laws and standards for female prisoners in the Croatian prison system, assessing current practice with special focus on the Bangkok Rules. Based on the official crime and prison statistics, they firstly portray female offenders and prisoners in the Croatian penal system, focusing on the trend in reporting, charging and convicting women, the structure of female criminality, and the structure and some basic characteristics of imprisoned women, who serve prison sentence in only one prison for female offenders in Požega. They proceed with arguing whether the Law on Enforcement of Prison Sentence is gender-sensitive, and to what extent is it aligned with the Bangkok Rules. Finally, when it comes to the situation regarding the rights of female prisoners from the perspective of national and international protection and monitoring bodies, albeit positive moves, some problems still exist, such as negative effects of overcrowding, the insufficient co-operation between the Ministry responsible for the penitentiary sentences and the one responsible for health care, and the inadequate application of mechanisms for the protection of prisoners' rights.

Vesna Stefanovska and Nataša Peovska analyse female offenders in the criminal justice system in the Republic of North Macedonia. Based on the official crime and prison statistics and research studies conducted in North Macedonia in the last five years, they examine patterns of female criminality, types of female crimes, the link between victimisation and later criminal behaviour, and causes of female crime. Additionally, they explore the patterns of arrest, sentencing and incarceration of women offenders compared to male counterparts, as well as the dynamic and trends of those patterns during a five-year period. Finally, they pay due attention to certain socio-demographic features of women prisoners that were obtained through access and review of women prisoner's files.

Dragana Batic, Dimitrinka Jordanova Peševska, and Tiana Ivanovska introduce the readers to the results of the empirical study on physical and mental health of women prisoners in the only women's prison in the Republic of North Macedonia - "Idrizovo" prison. The study also delved into the overall health and mental health care and services delivered to the women in prison as well as the conditions of the environment, food and hygiene, which are important aspects of the quality of prison life. The results of this qualitative study suggest that female convicts have problems with their health in general, and mental health, in particular. Separation from the family, especially children is perceived as the greatest stressor. Female prisoners use different emotional and social strategies to cope with the stress, while cognitive strategy is not used enough due to the feeling of isolation and impossibility to influence their life conditions. The authors conclude on importance of improving physical and mental health of imprisoned women, which is a precondition for the improvement of their overall well-being, and thus, the quality of life while in prison, but also upon release.

Part III of the volume focuses on the diverse perspectives of female crime, female convicts and quality of prison life in Serbia. It starts with the chapter written by Sanja Čopić, who highlights the specificities of female crime and the pathways that lead women into crime, arguing that changes in the dynamics and the structure of women's crime are in line with societal changes and especially changes in women's position in the society, although they still reflect gender socialization, the needs determined by the society, and the place allocated to women in the social division of labour. She also focuses on the status of women in the only prison for female convicts in Serbia – Correctional Institution for Women in Požarevac, shedding light on the past, present, and future of women's imprisonment, pointing to positive changes, but also to possible improvements of the quality of life of female convicts, arguing for broader application of community sanctions.

Ana Batrićević and Slađana Jovanović focus their analysis on the treatment programmes for female prisoners in Serbia, which are of immense relevance for effective resocialization and further reintegration of women. They argue that treatment of female offenders has been an extremely neglected area throughout history; consequently, treatment programs for female prisoners are rather limited in number, and the existing ones derived from, and were developed on the grounds of programs originally created for male offenders. Thus, they are often not gender-sensitive, but rather based on stereotypical assumptions about female crime and female convicts, neglecting specificities of women crime and women's pathways to crime. Based on the empirical findings, the authors provide a profound insight into treatment

programmes that are implemented in the only prison for female convicts in Serbia, highlight key challenges that emerge therein, and suggest ways to overcome them in the future.

Based on the findings of the research on quality of prison life in Serbia, implemented within the PrisonLIFE project, Olivera Pavićević analyses how female convicts in Serbia experience different aspects of well-being and development while incarcerated, and discusses various factors that impact the levels of their personal autonomy and personal development. The research suggested that female prisoners estimated the dimension of well-being significantly lower than both personal development and personal autonomy. This suggests that female inmates may perceive feelings of pain, punishment, and tension associated with incarceration more intensely compared to their engagement in activities related to personal growth and preparation for release and reintegration, as well as their sense of agency and self-determination within the prison environment. As the author argues, personal autonomy in the prison context is seen as a precondition for personal development and growth, serving the purpose of attaining well-being and transforming the identities of convicted individuals towards non-criminals, while personal development involves unlocking the potential of convicted individuals, helping them to overcome obstacles and barriers in life and prevent them from reoffending, but also from victimization, which is also one of the factors of female crime.

Imprisonment has adverse effects on women, particularly on their mental health. This is pointed out in the chapter by Ljeposava Ilijić, who argues that women in prison have disproportionately higher levels of health (both physical and mental) and social needs compared to male prisoners and women in general population. A large number of imprisoned women live with trauma, which plays a critical role in explaining gender differences in mental health in prison, but also in substance abuse. Taking these observations as a starting point, the author analyses the data from the PrisonLIFE research on the quality of prison life focusing on healthcare needs and treatment of women in prison in Serbia.

With the topics discussed in the contributions, this book offers valuable insights for researchers, policymakers, and practitioners. It opens the floor for new research and serves as a foundation for evidence-based reforms in legislation, policy, and practice. Policymakers can find ideas and recommendations for improving the status of female prisoners and the overall quality of prison life. Furthermore, it guides practitioners toward more individualised, gender-sensitive, and holistic approaches to female inmates and their treatment, facilitating their life in prison and reintegration into society upon release. Finally, the book certainly turns attention to the need for broader utilisation of community sanctions for female offenders, aligning with the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders, which may assist in overcoming numerous problems that arise from incarcerating women.

We would like to thank all the authors of the chapters in this volume for delving deeper into the topic of female convicts and imprisonment and providing such valuable contributions for making female crime and the position of women in prisons more visible. We also owe gratitude to the reviewers for their time and willingness to read the chapters and provide their evaluation. We are deeply convinced that this book will serve its purpose

and will add to the efforts in Serbia and the region, but even broader, to improve overall position of female convicts in the prison system.

References

- Aebi, M. F., Cocco, E., Molnar, L., Tiago, M. M. (2022). Prisons and prisoners in Europe 2021: Key findings of the SPACE I report. Council of Europe and University of Lausanne.
- Baberet, R., Jackson, C. (2017). UN Rules for the Treatment of Women Prisoners and Non-Custodial Sanctions for Women Offenders (the Bangkok Rules): A Gendered Critique. *Papers: Revista de sociologia* 102(2), DOI:10.5565/rev/papers.2336
- Bloom, B., Owen, B., Covington, S. (2003). Gender-Responsive Strategies: Research, Practice, and Guiding Principles for Women Offenders. National Institute of Corrections.
- Ćopić, S., Stevanović, I., Vujičić, N. (2024) Kvalitet života u zatvorima u Srbiji: norma, praksa i mere unapređenja. Beograd: Institut za kriminološka i sociološka istraživanja, https://www.iksi.ac.rs/izdanja/quality_of_life_in_prisons_in_serbia.pdf
- Fair, H., Walmsley, R. (2022). World female imprisonment list (5th ed.). World Prison Brief, Institute for Crime & Justice Research. https://www.prisonstudies.org/sites/default/files/resources/downloads/world_female_imprisonment_list_5th_edition.pdf
- Gehring, K. (2016). A Direct Test of Pathways Theory. *Feminist Criminology*, 13(2): 115-137. DOI: 10.1177/1557085116646195
- Ilijić, L., Milićević, M., Pavićević, O. (2022). Osvrt na početke proučavanja zatvorske socijalne klime i razvoj instrumenata za procenu. *Zbornik Instituta za kriminološka i sociološka istraživanja*, 41(1), 75–87.
- Nikolić-Ristanović, V., Konstantinović Vilić, S. (2018). *Kriminologija*. Beograd: Izdavačko-grafičko preduzeće „Prometej“.
- Nuytens A, Christiaens J. (2012). Female offenders' pathways to prison in Belgium. *Temida*, 15(4), 7-22.
- Pavićević, O. (2020). Kriminalizacija marginalizovanih žena. *Zbornik Instituta za kriminološka i sociološka istraživanja*, 39(2–3), 59–73.
- Pavićević, O., Ilijić, Lj., Batrićević, A. (2024). Moralna i socijalna klima u zatvorima. Beograd: Institut za kriminološka i sociološka istraživanja. https://www.iksi.ac.rs/izdanja/moralna_i_socijalna_klima_u_zatvori_ma.pdf
- Quiroga-Carrillo, A., Ferraces Otero, M.J., Lorenzo Moledo, M. (2024). Gender Discrimination in Prison: The Perception of Women Inmates and Prison Professionals. *Societies* 14(5) <https://doi.org/10.3390/soc14010005>
- Russell, T., Jeffries, S., Hayes, H., Thipphayamongkoludom, Y., Chuenurah, C. (2020). A gender-comparative exploration of women's and men's pathways to prison in Thailand. *Australian & New Zealand Journal of Criminology*, 53(4), 536-562. <https://doi.org/10.1177/0004865820954463>

Part I: Female prison life:
Global perspectives on diverse
issues

From East to West: a global exploration of female prison life*

Background. The dramatic rise in the female prison population globally, particularly since the late 20th century, highlighted the inadequacy of traditional prison systems designed for men. This trend calls for a new approach that addresses the distinct experiences and complex needs of female offenders, including those related to mental health, past trauma, and social challenges. This review aims to explore and analyse the experiences of female prisoners worldwide, focusing on understanding the complex aspects of their lives in prisons, the unique challenges they face, and the similarities, overlaps and variations across diverse cultural and institutional contexts. *Methods.* A systematic search of Scopus and Web of Science databases identified relevant qualitative and quantitative studies published in the last 25 years. Thematic analysis was used to identify recurring themes regarding female prisoners' experiences. *Results.* Prisons in developed nations tend to have better living conditions, healthcare access, and rehabilitation programs than those in developing nations. Women in prisons often experience high rates of mental health problems due to various factors, such as prior trauma, social isolation, and stress of incarceration. Positive developments are noted and include gender-responsive programs and focus on reintegration, such as promoting financial literacy, life skills, and a sense of purpose to improve a woman's chances of a successful transition back into society. *Conclusion.* There is a growing international recognition of the need for gender-responsive prison systems and collaboration with community support systems. To improve the quality of life for female inmates worldwide, several key steps are needed. This recommendation involves designing and operating facilities that meet the specific needs of female inmates, including providing access to healthcare, education, and rehabilitation programs, and funding for rehabilitation programs should be increased to invest in programs that help women develop skills, address trauma, and prepare for release.

Keywords: Female Incarceration, Gender-responsive Prisons, Global Experiences, Social Rehabilitation, Reintegration

Introduction

Recognising the need for a new approach due to the growing female prison population at the end of the 20th century, research attention shifted to understanding the distinct experiences of female offenders (Bloom et al., 2003). The number of female prisoners has dramatically increased. It has nearly doubled since 2000, outpacing population growth in most regions (Fair & Walmsley, 2022). Some countries have seen particularly significant increases in female prisoners (El Salvador and Guatemala in Central America, Brazil in

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South America, and Cambodia in Southeast Asia) (Fair & Walmsley, 2022). The number of women in prisons and jails in the United States is at an all-time high, and women's incarceration rates grew faster than men's (Heimer et al., 2023).

Globally, a significant number of women have been incarcerated. Globally, over 740,000 women and girls are imprisoned (Fair & Walmsley, 2022). The United States has the highest (over 200,000), followed by China (estimated at least 145,000). The rate of imprisonment varies greatly. Female incarceration rates vary greatly depending on region. Africa has the fewest female prisoners per capita, at only three per 100,000 people. Asia has a rate of seven female prisoners per 100,000, which increases to nine if China and India (countries with very large populations) are excluded. Europe incarcerates ten women per 100,000, but this drops to seven if Russia is not included. Oceania has a rate of 10 female prisoners per 100,000 population. The Americas has the highest incarceration rate among women (30 per 100,000). However, excluding the United States lowers this number to 14 per 100,000 (Fair & Walmsley, 2022).

However, women are a minority of prisoners (6.9% globally), but this percentage is higher in some regions (e.g., Americas at 8%). New studies explored women's criminal pathways and the prevalence of abuse in their histories. This shift came about due to the significant rise in the female prison population, which highlighted the need to go beyond traditional, male-centred approaches in corrections (Bloom et al., 2003). Despite some efforts to improve conditions and create gender-responsive programs, the overall experience of imprisonment for women remained punitive rather than empowering (Comack, 2018).

The high prevalence of social risk factors, childhood abuse, and experiences of trauma among female offenders contribute to the complex health challenges faced by women in prison (McCann et al., 2019). The lack of gender-specific, comprehensive, accessible, respectful and trauma-informed care in prisons adds to the difficulties women encounter during their incarceration (Liauw et al., 2021; Shlafer et al., 2021; Slotboom et al., 2011). Furthermore, incarcerated women may encounter discrimination, stigma, and a lack of trust, which can impede their reintegration into their families and communities post-release (Alemineh et al., 2022). The challenges of post-imprisonment, including housing, employment, relationships, substance abuse, and mental health issues, further compound the struggles faced by women returning from prison (Muthee, 2020). Additionally, the structural and economic disadvantages experienced by indigent women in prisons highlight the ongoing legacies of apartheid and the need for targeted support (Van Hout & Wessels, 2022).

Moloney et al. (2009) noted that two factors were being neglected when it came to improving prison services for women. They mentioned that the two key issues not getting enough attention at the time were understanding the characteristics and backgrounds of women in prison and recognising the potential link between trauma and women's criminal behaviour and concluded that a "modern approach" to criminal justice for women needed to give much greater weight to these two neglected issues. Female prisoners often have complex needs related to mental health, past abuse, and lack of education. Incarcerated women in Canada often have a history of sexual abuse, substance abuse, and poor overall health (Fellus, 2018). European prison systems generally fall short of addressing these needs, and their healthcare services often lack the capacity to deal with the specific issues

(MacDonald, 2013). Support programs are available, but they are not widespread and may not address the individual needs. Furthermore, many prison staff lack training to identify and respond to these needs, whereas referral to outside support agencies for counselling is limited, especially for pre-sentenced prisoners (MacDonald, 2013).

This literature review aims to address this gap by comprehensively exploring and analysing the experiences of female prisoners globally, focusing on understanding the multifaceted aspects of their lives in detention, the unique challenges they face, and the commonalities and variations across diverse cultural and institutional contexts. To summarise, this review focused on studies that explored the lived experiences of female prisoners in various contexts.

Methods

The databases searched included Scopus and Web of Science, which were chosen for their wide selection of multidisciplinary articles. Search results were expanded using the Connected Papers tool. The search strategy included keywords and MeSH terms related to female incarceration, such as "female prisoners", "women in prison", "incarcerated women", "gender and imprisonment", and "experiences of female offenders". Boolean operators (AND, OR) combined these terms and refined the search results. Studies published in the last 25 years were included. Both qualitative and quantitative studies were considered. After retrieving relevant studies, a standardised data extraction form was used to record key information such as study design, research methods, participant characteristics, and key findings. A thematic analysis approach was employed to identify recurring themes and patterns regarding the experiences of female prisoners across the studies. The research findings are presented and organised thematically and according to world regions.

Conditions and Challenges Faced by Female Prisoners in Asia

China holds the second-largest number of female prisoners (145,000), not including those in pre-trial or administrative detention. The percentage of female prisoners is increasing (reaching 8.6% of the total prison population in 2018, according to Fair and Walmsley (2022)). This high number of female prisoners raises concerns about their well-being (Zhong et al., 2020). A significant portion of the prisoners (almost 66%) of prisoners in a representative sample from Hunan province, China, had at least one-lifetime mental disorder, with major depression being the most common (36.5%). These findings highlight the need for improved mental health services for female prisoners in China.

Thailand has one of the highest female prison population rates. In this country, women and girls make up more than 10% of the prison population (Fair & Walmsley, 2022). Chokprajakchat and Techagaisiyavanit (2019) evaluated two prisons there, finding a commitment to improvement within the system. Both prisons followed minimum international standards and offered rehabilitation programs. The study highlighted the positive role of strong leadership and collaboration with external organisations. Interestingly, some environmentally friendly practices were noted.

In contrast, the focus in Japan seems to be on the rising female prison population (Fair & Walmsley, 2022). However, a report by Human Rights Watch (Kasai & Doi, 2023)

highlights serious human rights abuses faced by women in Japanese prisons, including restraints during pregnancy, solitary confinement, verbal abuse, and limited access to healthcare, including mental health. The high number of women imprisoned for drug offences, combined with limited options for judges, contributes to overcrowding and potentially unnecessary sentences. These findings suggest a need for a more comprehensive approach that addresses the specific needs of female inmates. Gender-specific drug rehabilitation programs could be a crucial step. Studies show that newly imprisoned women often engage in high-risk sexual behaviours and experience higher levels of psychological distress compared to male inmates (Ohnishi et al., 2020; Shimane et al., 2022).

In Indonesia, particularly in Aceh, a predominantly Muslim region, spiritual well-being is important for female prisoners' quality of life (Firzalinda et al., 2020). While no significant connection was found between quality of life and factors like age or education, a strong association emerged between spirituality and well-being. The authors suggest developing and implementing programs that focus on improving spiritual well-being to enhance the quality of life for female inmates in Indonesia.

A study by Ramirez (2023) examined the challenges women imprisoned in the Philippines faced during the COVID-19 pandemic. Using a qualitative approach through interviews with eight female inmates, several difficulties were identified, including weight gain, maintaining personal hygiene, social adjustment to pandemic restrictions, and feelings of depression and boredom. Engaging in diversionary activities and repressive coping were some of the coping mechanisms adopted by these female prisoners, whereas the most helpful coping mechanisms mentioned were spiritual activities and prayer. This lack of adequate facilities and support is further emphasised by a study by Kokab Jabeen (2022), which reported that female prisons in Pakistan lack proper facilities to manage feminine hygiene needs, and this issue worsened during the COVID-19 pandemic. Overall, female prisoners have limited access to healthcare and are more likely to contract diseases like HIV, Hepatitis C, and Tuberculosis compared to male inmates.

In terms of vocational training programs, issues such as the variety of programs accessible to inmates, their willingness to participate, and the challenges faced by prison trainers can impact the effectiveness of such programs for female prison inmates in Sri Lanka (Ekanayake & Pavithra Madhuwanthi, 2021). Ekanayake and Pavithra Madhuwanthi (2021) investigated the challenges faced by vocational training programs for female inmates in Sri Lanka. They identified four key areas of concern reported by trainers delivering these programs. The first theme is focused on the limited program variety, meaning inmates might not have access to a wide range of training options that suit their interests or future job prospects. The second theme is related to inmate participation and motivation to participate or not to participate in the vocational training programs for various reasons. The third theme is recidivism, as some former inmates return to prison after completing vocational training and starting their own businesses. The trainers themselves might face difficulties in delivering the programs effectively, which is recognised as a fourth theme.

Cultural factors play a significant role in shaping female prisoner behaviour. For example, studies in Chinese prisons show that maintaining good relationships (*guanxi*) with guards is important due to cultural values of personal gain and practicality (Liu & Chui,

2018). This focus can influence how female prisoners interact with each other, leading them to act independently rather than forming strong groups with other inmates (prisoner sub-cultures).

In contrast, women in Pakistani prisons face a different set of challenges. The report by Kokab Jabeen (2022) revealed a disturbing prevalence of sexual assault and violence against women in police custody and prisons in Pakistan. Furthermore, many women entering prison in Pakistan have already experienced trauma and are susceptible to mental health issues like depression and anxiety due to their circumstances. Limited access to psychological support further exacerbates these problems.

Due to the very high rate of mental disorders in Chinese prisons, improved identification and intervention programs are crucial (Zhong et al., 2020). Russell et al. (2020) highlighted the value of gender-responsive programs for female inmates in Thailand but emphasised the need to consider other social factors that can affect their lives. Kokab Jabeen (2022) suggests comprehensive gender-specific services in Pakistan, including mental health support, sanitary products, and gender-sensitivity training for prison staff. Additionally, female prisoners should be segregated based on offence type for safety reasons.

Both Iran (Farhoudi et al., 2023) and Pakistan (Kokab Jabeen, 2022) lack adequate healthcare for pregnant women in prison, including prenatal and postnatal care and proper nutrition for mothers and children. Furthermore, a significant number of women in Pakistani prisons have children under the age of five with them, exceeding the legal limit. These children face a lack of proper care and hygiene (Kokab Jabeen, 2022). Skrzypek and Kochal (2008) explored the impact of imprisonment on motherhood in Israel. They identified themes like motherhood as a source of strength, feelings of failure, coping mechanisms, motivation for change, and the desire to redeem motherhood after release. Overall, prison can be traumatic but may also lead to personal growth for mothers. Additionally, prison environments in Israel might benefit from programs that support mothers in maintaining positive relationships with their children (Skrzypek & Kochal, 2008).

Nordic Prison Systems and the Female Prisoner Experience

Scandinavian exceptionalism refers to the idea that Nordic countries (Norway, Sweden, Finland, Denmark, and Iceland) have distinct and well-regarded prison systems. These systems are often described as having lower incarceration rates, more humane conditions, and a strong emphasis on rehabilitation and reintegration compared to other regions (Kolind et al., 2013; Pratt, 2007; Shammas, 2014). In Scandinavian countries, "going to prison is itself the punishment for crime; prison conditions can then approximate to life outside as far as possible, rather than being allowed to degrade and debase all within" (Pratt, 2007, p. 119). This approach prioritises preparing prisoners for release back into society (Schartmueller, 2019). Prisoners in Nordic countries highly value staff behaviour and focus on preparing for release rather than rehabilitative features or controls (Giertsen et al., 2015).

Recently, some authors have challenged the idea of a uniform Scandinavian approach (Ugelvik & Damsa, 2018). In 2013, Norway opened a prison specifically for foreign nationals, raising questions about the concept of 'Scandinavian exceptionalism'. The traditional system remained liberal, humane, rehabilitative, supportive, inclusive and future-

oriented for Norwegians, but a more punitive approach in a more exclusionary alternative system was developed for foreign nationals. Foreign prisoners in Norway may face unique challenges, confirming a potential divergence from the traditional Scandinavian focus on rehabilitation for all prisoners (Ugelvik & Damsa, 2018). These difficulties are discrimination from guards or other inmates, maintaining long-distance relationships due to geographical separation, and constant fear of deportation, adding to psychological stress.

Schartmueller (2019) discussed the challenges of serving life and long-term sentences in Denmark, Finland, and Sweden. As mentioned, these countries prioritise reintegration for all prisoners, regardless of sentence length (definite or indefinite). This observation aligns with their membership in the Council of Europe, which emphasises rehabilitation and reintegration of the prisoner back into society. However, reintegration becomes difficult when the sentence duration is unknown, as in life imprisonment. To address this challenge, all three countries rely on the Normalisation Principle. This principle implies that prison life should resemble life outside as much as possible, including maintaining connections with family, friends, and society. To ease long-term imprisonment, individualised sentence plans, educational and treatment programs, and scheduled prison leaves are implemented to maintain a structured routine and support reintegration. Long-term prisoners are often initially placed in high-security facilities, but as they near release, they might be transferred to lower-security (open) prisons with increased programming closer to release.

However, there were minor differences between countries (Schartmueller, 2019). For instance, Sweden allows prison leave earlier (after four years) than Finland (after eight years). Denmark offers leaves but does not specify a timeframe. Both Finland and Sweden expressed concerns about the lack of sufficient treatment programs specifically designed for life sentences. Finland has a unique program offering supervised release under probation for up to six months before full release. There were mixed views regarding whether prisoners serving life sentences are easier to motivate and work with than those serving shorter sentences. Overall, the goal of reintegration remains a priority, although there are variations in how Denmark, Finland, and Sweden implement these efforts.

It is important to note that therapeutic programs for female prisoners can offer a path to rehabilitation, but these programs can be complex due to potential role confusion and internal conflict for all sides included. A study by Nylander (2015) observed this in a drug-treatment wing of a Swedish women's prison. Prison officers became "co-therapists" while prisoners adopted identities like "conscious addict" and "good group member." This constant shift in roles can be confusing and stressful for the women involved. Additionally, a potential conflict between their traditional "prisoner" identity and the identities encouraged by the drug treatment program can create inner conflict for the female prisoners as they participate in the program.

Weir (2021) challenges the idea that Danish open prisons with self-catering are automatically "humane". While female inmates used cooking to connect with family (building a sense of home) and foster relationships through shared meals (positive aspects), the prison environment itself (high turnover rate) made it difficult to maintain these connections (negative aspect). As concluded, self-catering can be a good practice, but it

shouldn't be the only factor used to judge a prison's humanity. The high inmate turnover in open prisons can be a major stressor and hinder positive social connections.

Smoyer and Minke (2019) explored how incarcerated women in Denmark used a cultural concept called "hygge" to cope with prison life. Hygge refers to creating a cosy and comfortable atmosphere through shared food, warm lighting, and relaxing activities. Women use food and items to create a sense of hygge in their cells, common areas, and during visits. Although these moments of comfort are temporary, they significantly improve their experience of incarceration and their well-being.

Female Prisoners across Europe

While the previous section discussed the concept of Scandinavian exceptionalism, the UK prison system has developed its own initiatives to support female prisoners. One example is the Women's Policy Group, which advocates for improved conditions and programs specifically for women (MacDonald, 2013). Furthermore, McCann et al. (2019) aimed to create a comprehensive set of guidelines and standards to improve the health and well-being of women in prison in England, potentially applicable elsewhere. Their research, combining literature review with expert and formerly incarcerated women's feedback, identified 122 standards across ten key areas related to women's health and well-being in prison, mental health, self-harm and suicide prevention, substance misuse, sexual and reproductive health, ageing, violence and abuse, physical activity, weight management, pregnancy and families, and nutrition. These standards are guided by six core principles. First, they advocate for creating a prison environment that actively promotes both mental and physical health. Second, a trauma-informed approach is crucial, with staff training and practices that minimise re-traumatisation. Third, involving women with experience in the criminal justice system ensures programs address their specific needs. Purposeful activity, time out of the cell, and peer support (principles four and five) promote skill development, stress reduction, and a sense of community. Finally, continuity of care (principle six) ensures healthcare continues upon release, fostering long-term well-being.

Research by Douglas et al. (2009) explored how imprisonment affected the health of women in prison in the UK, focusing on the women's own experiences. Their study using focus groups and interviews found that imprisonment often has negative health impacts, both mental and physical. The initial shock of being incarcerated, separation from family, and sharing living space with women with mental health or drug withdrawal issues all contributed to these issues. Furthermore, poor hygiene in the prison and a lack of control over their own healthcare further contribute to negative health outcomes. Some women even reported coping with prison by smoking more, eating poorly, and relying on medication. However, for some women, prison offered a break from a life of poverty, violence, and substance abuse, leading to perceived improvements in health, a trend later found in maximum-security prisons in the United States (Harner & Riley, 2013).

Bartlett and Hollins (2018) confirm the need for change in England and Wales. Despite a shift in focus towards understanding the vulnerabilities and traumas that women in prison may have, which led to calls for alternatives to incarceration, the number of women in prison and deaths in custody continues to rise. Self-harm is also a major concern, potentially

linked to the gendered experience of prison, including violence, lack of mental health support and addiction treatment, family separation and inadequate staffing. Crewe et al. (2023) emphasise the need for new approaches due to the complexities of staff-prisoner relationships in women's prisons, mainly because power dynamics involve a mix of control and emotional connections. Alternative sentencing, improved prison conditions, and enhanced mental health and addiction services are crucial to addressing the high rates of self-harm and death in custody (Bartlett & Hollins, 2018). Improvements are also needed to ensure pregnant prisoners receive safe, respectful, and high-quality care (Abbott et al., 2023).

The UK example highlights the specific needs and ongoing challenges faced by female prisoners. Building on the case of the UK, a broader look across the EU reveals a distressing situation for female prisoners, including those in Norway. Many have experienced violence and abuse, leading to mental health problems and substance misuse, with inconsistent healthcare services and political will to address their needs (MacDonald, 2013). Estimates vary across Europe, but drug and alcohol misuse is prevalent in the female prison population, ranging from 40% to 75%. Additionally, female prisoners often come from marginalised groups with complex needs impacting mental health, such as a history of violence and abuse, self-harm, homelessness, poor physical and reproductive health, low self-esteem, and problematic relationships. Overcrowding in prisons adds stress and limits access to treatment, programs, and activities. The prison environment can be infantilising and re-traumatising. Issues related to self-image, low self-esteem, fear of failure and lack of independence are prevalent. Many women blame themselves for the violence they experienced, even seeing it as a sign of affection. Trust issues are also common, and depression and PTSD are frequent diagnoses. Furthermore, there is no standardised approach to identifying women with abuse histories upon entering prison. Mental health screenings are often inadequate or non-existent, leaving many women's problems undiagnosed and untreated. Inadequate drug treatment was another issue despite high levels of drug use. Few female prisoners received treatment, as noted by MacDonald (2013). At the time, programs were not designed to meet the specific needs of women, often neglecting the underlying trauma, and female prisoners with shorter sentences or on remand were particularly unlikely to receive treatment.

A study by Slotboom et al. (2011) examined how female inmates in the Netherlands react psychologically to incarceration. The study focused on two sets of factors: importation factors that women bring into prison with them, such as a history of victimisation or drug abuse, and deprivation factors, which include negative aspects of the prison environment, such as treatment by staff and other inmates, or lack of amenities. The study found that all three negative psychological outcomes (depression, irritability, and risk of self-harm) were linked to both sets of factors. However, deprivation factors, particularly the way women were treated by staff and other inmates and the overall prison environment, had a stronger impact on their well-being than their background. Additionally, a history of receiving treatment for psychological problems before incarceration emerged as the most significant predictor of current psychological complaints and post-traumatic stress.

Esposito (2015) investigated the well-being of female inmates in Italian prisons and identified loneliness as a significant stressor affecting their well-being. This study further found that access to activities like work programs, social interaction opportunities, and support networks could help reduce stress and depression among these women and highlighted the need for programs that would equip inmates with skills and opportunities to avoid returning to criminal behaviour upon release (Esposito, 2015).

A survey by Milioni and Geitona (2017) in Greece found that imprisonment has a negative impact on female prisoners' self-reported health, which is closely related to access to healthcare, quality of care, and prison conditions. Over 66% of participants reported moderate or poor health compared to only 23% before incarceration. More than half the women felt their health had deteriorated and experienced poor mental health. Dissatisfaction with access to healthcare, quality of care, and the overall prison environment (accommodation, cleanliness, food) was also prevalent.

While motherhood can be a source of strength, as suggested in the Italian study by Esposito (2015), the prison environment itself can create challenges, particularly for pregnant women. A recent study by Abbott et al. (2023) examined the experiences of pregnant women in prison and prison staff in England with a focus on the quality of midwifery care provided by prison staff. In the UK, it was expected that healthcare for pregnant women would be equivalent to what's available outside prison. Interviews with pregnant female prisoners in the UK revealed feelings of disempowerment due to limited choices in their care, fear of giving birth alone, and a lack of information about their rights. Some women reported positive experiences with continuity of midwifery care, but overall, the care provided often fell short of best practices. Furthermore, some women worried that receiving proper care was conditional on "good behaviour", which could negatively impact their health and the well-being of their babies.

Support programs can help women reintegrate successfully after serving a prison sentence. However, beyond the challenges faced by individual women, the prison system itself can also present obstacles to successful reintegration. While prison professionals in Spain believe in reintegration and support programs (Martín-Solbes et al., 2021), they face barriers such as limited resources, staff shortages, and bureaucratic procedures. These factors can slow down progress and hinder the effectiveness of these programs.

Acale Sánchez (2019) analysed the situation in Spanish prisons and identified an additional challenge: the potential for prison programs to perpetuate gender stereotypes. The main critique focuses on programs centred on childcare and domesticity, which may not address the specific needs of female prisoners. Since there is a link between women who have experienced violence and their subsequent criminal behaviour, Acale Sánchez (2019) argues that prison programs based on traditional gender roles might re-traumatise these inmates. For example, a program focused solely on homemaking skills might not equip a woman who has escaped an abusive relationship with the tools she needs to build a new life for herself.

The Situation of Female Prisoners in Serbia

A review of the situation of female prisoners in Serbia in 2011– 2012 reveals both progress and persistent challenges. While reports from 2011 by Bjeloš acknowledged efforts to improve treatment through staff training and collaboration with civil society organisations, a significant gap remained in the absence of a post-release support system.

Two studies conducted by the Victimology Society of Serbia in the Correctional Institution for Women in Požarevac in the same period aimed to assess the level of respect for female prisoners' rights and the implementation of a gender-sensitive approach (Ćopić et al., 2012; Ćopić & Šaćiri, 2012). Living conditions within Požarevac prison fell short of international standards in several areas. Overcrowding, inadequate sanitation, limited access to healthcare, and a lack of educational and vocational opportunities were major concerns (Ćopić & Šaćiri, 2012). Additionally, the study found evidence of violence and abuse within the prison.

Despite most inmates having jobs (72.6%), their wages were insufficient. Educational gaps were identified, with some women lacking even elementary education. Vocational training opportunities were limited, with most inmates not participating. Healthcare was another area of concern. Although a high percentage of inmates (67%) had chronic illnesses and required regular medication (81%), satisfaction with healthcare was low. Preventive healthcare practices were lacking, with low participation rates in gynaecological and dental check-ups (33% and 46.1%, respectively). Phone calls were the primary way female inmates maintained contact with the outside world (96.5%). Visits and letters were less frequent, often hindered by financial limitations and distance for families. Religious rights were respected for those who identified as believers (90%). While most women were aware of the prison ombudsman (68.7%), few contacted them (87.8%). Inmates felt there were people within the prison to talk to about problems (70.4%), with educators (treatment staff) being the primary source of support, while psychologists were rarely consulted (Ćopić et al., 2012).

Earlier studies from Serbia recommended a multi-pronged approach to reduce the prison population through alternative sanctions, increasing funding for the prison system, and improving educational and vocational training focused on marketable skills (Ćopić et al., 2012; Ćopić & Šaćiri, 2012). Among other things, collaboration with local organisations, better healthcare staffing and equipment with a focus on preventive care, and programs to support female inmates, particularly survivors of violence were mentioned. Additionally, staff training and involvement of external support services (self-help groups) were suggested to promote inmate treatment in prison and rehabilitation.

Earlier, Špadijer-Džinić et al. (2009) investigated the prison deprivations faced by women in prison. The study focused on a prison in Požarevac, Serbia, and interviewed women sentenced to over a year. The researchers assumed that these women's experiences would be similar to those in other prisons for women. They used a questionnaire to measure different types of deprivation and identified six key factors: motherhood, autonomy, individuality, kindness and empathy, fulfilling traditional female roles, and friendships.

These findings suggest that prison life can be particularly challenging for women because it restricts their ability to experience these important aspects of life.

Recently, Batrićević et al. (2023) found that the overall quality of prison life for female inmates in Serbia's Correctional Institution for Women in Požarevac is relatively low. Only a small portion of the participants (around 25%) reported a positive experience. Positive aspects of the quality of prison life of female inmates in Serbia were family contact, prisoner adaptation (prisoners seem to be adjusting somewhat well), and respectful prison climate (relatively positive interactions with staff). On the other hand, the well-being of female prisoners (mental and physical health), bureaucratic legitimacy (fairness, transparency, and efficiency of the prison system), organisation and consistency (clear rules and predictable procedures), and decency (treating prisoners with dignity and respect) showed room for improvement.

Several recommendations emerged from this study (Batrićević et al., 2023). First, interventions that address these weaknesses while strengthening the positive aspects should be prioritised. Secondly, gender-specific rehabilitation programs that consider female prisoners' needs and aspirations should be designed. Thirdly, prison staff training is needed to ensure fair and respectful treatment of prisoners. Next, a less hierarchical prison structure to improve communication and responsiveness should be considered. Finally, combining legal reforms with practical changes like staff training and new prisoner programs is recommended.

Recent study explored how female prisoners in Serbia experience well-being within the prison system, using the Serbian version of the *Measuring Quality of Prison Life* (MQPL) survey (Ilijić et al., 2024; Međedović et al., 2023; Milićević et al., 2024). Overall, female prisoners reported lower overall well-being than other aspects of prison life. They felt most positive about opportunities for personal development and maintaining a sense of control. They were also optimistic about personal change. However, they reported low levels of autonomy, confinement, and expressed dissatisfaction with general well-being. Additionally, they were unsure if the prison system would help them after release. There were several factors related to the perception of well-being in prison. Older female prisoners reported higher well-being. Regarding mental and physical health, no history of drug use or mental health problems was associated with higher well-being. In terms of social connection, receiving visits in prison improved well-being for females. First-time offenders reported higher well-being, while those females without disciplinary actions reported higher well-being. The distance to home had less impact on female well-being compared to males (likely due to only having one prison for women). Females under 30, with long sentences, self-harm history, drug abuse, or lack of family support had lower well-being and higher stress. The study suggested implementing gender-specific programs that focus on fostering social connections for females. Additionally, programs should be tailored to individual needs, considering factors like age and education (Ilijić et al., 2024).

A Comparative Look at Female Prisoners: US vs. Canada

The U.S. penal system has historically been developed with a male-centric focus, leading to a lack of programs tailored to the needs of incarcerated women by the early 2000s. This disparity exists even though the rate of incarceration for women in the United States has been increasing at a pace exceeding that of men since 1981 (Belknap, 2000). In contrast, Canada has balanced punitive measures with rehabilitation efforts, resulting in a more stable incarceration rate, including for women (Webster & Doob, 2007). This imbalanced approach is further highlighted by the convergence of black-white female incarceration rates in the U.S., contrasting with Canada's more stable incarceration rates and lack of racial disparity (Myers et al., 2022). The U.S. penal system's lack of focus on rehabilitation likely contributes to high recidivism rates and the challenges women face upon re-entry into society (Seigafo, 2017).

Female prisoners in the United States face significant challenges in meeting their mental and physical health needs, particularly regarding pregnancy care and trauma-informed services (Shlafer et al., 2021). For instance, pregnant and postpartum women in prison often experience depressive symptoms due to barriers to adequate healthcare, stress, and isolation within the prison environment. Studies show a high rate of depression among pregnant inmates, especially those separated from newborns (Howland et al., 2021). Incarcerated women in Canada face unique concerns related to reproductive health, maternal responsibilities, and even pregnancy while in prison. These issues require gender-responsive support and healthcare services, yet limited access to adequate care, particularly concerning reproductive health and maternal care, remains a significant barrier (Fellus, 2018; Liauw et al., 2021). This shift in focus will include healthcare professionals recognising the potential for the prison itself to be a place that supports healing and recovery (Fellus, 2018).

Covington (1998) identified common challenges faced by drug-addicted women in the U.S. criminal justice system. The study highlights the lack of gender-specific treatment and the need for support systems tailored to women's needs. This is evident in the unaddressed challenges faced by these women, the correlation between drug abuse and incarceration/parole violations, and the traditional focus on men's experiences in addiction recovery. Covington's findings, though published over 25 years ago, align with research demonstrating the effectiveness of gender-responsive substance abuse treatment for certain female offender populations, especially those with a history of abuse (Saxena et al., 2014). A recent U.S. study examined how a history of interpersonal trauma (past traumatic experiences, including captivity, sexual assault, etc.) affects post-traumatic stress and quality of life among female prisoners. Researchers found that those who had experienced captivity before incarceration had the lowest quality of life, suggesting a particularly severe impact on a woman's ability to feel safe and secure in prison (Prost et al., 2022).

Despite challenges in implementing trauma-focused programs (Liebman et al., 2014), positive developments are emerging in prisons in the United States for women. Financial literacy programs (Sanders, 2018) and psycho-social interventions for trauma survivors (Liebman et al., 2014) can improve well-being during incarceration. Additionally, programs that help women find meaning and purpose in life through humanist, spiritual, or religious approaches have shown promise in reducing recidivism rates (Duncan et al., 2018). These

interventions can foster personal growth, resilience, and a sense of connection. Findings from a U.S. state prison study by Prost et al. (2022) recommend trauma-informed approaches tailored to the specific experiences of incarcerated women. Collaboration with community support systems is crucial for addressing past traumas and improving reintegration upon release.

Challenges Faced by Female Prisoners in Central and South America

Women imprisoned in Central and South America face numerous challenges that severely impact their well-being and reintegration prospects. These include poor sanitation, inadequate healthcare, emotional distress, economic hardship (characterised by cash-poor status and social stigma), overcrowding, lack of education, and issues related to reproductive health and family disorganisation. In Central America, female prisoners face additional challenges, such as a lack of legal aid and public support, with additional concerns about abuses from prison personnel. Furthermore, women in Latin America are disproportionately affected by the drug war's targeting of their communities (Azaola, 2014; Dalenogare et al., 2022; Draper, 2020; Enríquez, 2017; M. Leal et al., 2022; M. D. C. Leal et al., 2016; Ramirez, 2023).

The prevalence of suicides among women in South American prisons underscores the severity of their mental health challenges (Fritz et al., 2021). Female prisoners in Brazil, in particular, experience a greater burden of health problems compared to the general population. This trend manifests as a higher prevalence of syphilis, other sexually transmitted diseases, high blood pressure, asthma, and mental health issues. These conditions are likely linked to a history of severe physical violence and unhealthy habits like smoking, drug use, lack of exercise, and poor diet (M. Leal et al., 2022).

Beyond these health concerns, women in Brazil experience loss of contact with family, difficult prison conditions, and lack of support and opportunities for education and employment. This lack of support creates a sense of "double imprisonment", which implies feeling both objectively (physically restricted within the prison walls) and subjectively imprisoned (feeling their rights are disregarded and the prison system offers limited chances for rehabilitation) (Scherer et al., 2020).

The situation for incarcerated mothers in Brazil is particularly concerning. They face human rights violations, especially during childbirth, due to the poor quality of healthcare they receive (M. D. C. Leal et al., 2016). Dalenogare et al. (2022) revealed a cycle of vulnerability for these women and increased anxiety as the deadline approached for their children to leave prison with them. Upon release, social exclusion makes reintegration difficult, and these women often face the same or even greater vulnerabilities as before incarceration, hindering their ability to build a stable life and stay out of crime. Earlier, Enríquez (2017) elaborated on how poverty and inequality create a cycle of hardship for women in Central America.

In Mexico, women in prison face challenges like involuntary transfers to remote island prisons, making it difficult to communicate with families (Azaola, 2014). Mistreatment, humiliation, and abuse by prison personnel are reported, as well. Central American and Mexican prison systems need reform and a cost-benefit analysis of drug policies,

particularly regarding the treatment of women and the impact of these policies on female incarceration rates (Azaola, 2014).

Challenges Faced by Female Prisoners in Sub-Saharan Africa

Female prisoners in Sub-Saharan Africa face numerous neglected health needs, inadequate living conditions, and limited opportunities for rehabilitation. Despite an increase in their numbers, they remain a minority in a male-dominated prison system, and their unique health concerns are often overlooked. Regarding living conditions, women experience the same poor conditions as men, including overcrowding, inadequate nutrition, and unhygienic facilities, which contribute to poor health and the spread of infections. Access to prison-based and community healthcare is either difficult or limited (Van Hout & Mhlanga-Gunda, 2018). Similarly, access to educational resources in Malawian prisons is often monopolised by male inmates, reflecting a larger issue of gender inequality within correctional systems (Kajawo & Johnson, 2024).

The prison environment itself can further limit access to quality healthcare for female prisoners (Mendulo & Chiumia, 2022). In Malawi, female prisoners reported negative experiences with some prison officers and healthcare givers. Additionally, they are at a heightened risk of developing certain forms of cancer and are frequently exposed to gender-based violence, including physical and sexual abuse by prison officers and male prisoners (Mendulo & Chiumia, 2022).

Due to overcrowding and exceeding capacity, prisons in Sub-Saharan Africa force women into cramped and potentially unsafe living conditions, creating substandard conditions that negatively affect their health and well-being in several ways. These inadequate living conditions, coupled with a lack of access to education and programs, create a system that hinders, rather than aids, rehabilitation, ultimately undermining the successful reintegration of these women upon release (Abgoola, 2016; Jeffries et al., 2019; Mendulo & Chiumia, 2022; Van Hout & Mhlanga-Gunda, 2018). For instance, Abgoola (2016) reported the poor living conditions faced by female prisoners in South African correctional facilities. The Department of Correctional Services was facing significant challenges in providing necessities for these women, such as healthcare and access to medical care and facilities, sanitary conditions, and quality food. Furthermore, a lack of educational and recreational resources leading to limited opportunities for learning and positive activities was noted. The long distances between prisons and families make it difficult for women to maintain connections with loved ones and reconnect with their children and other relatives, further hindering reintegration (Abgoola, 2016; Arditti & Few, 2006).

The specific challenges faced by female prisoners in Sub-Saharan Africa vary by country. However, some common issues include poor living conditions, anxiety about family separation, and challenges upon release. In Ethiopia, female prisoners face poor living conditions, anxiety about family separation, emotional distress, financial difficulties, and limited spiritual fulfilment while imprisoned. Upon release, the common challenges include social stigma, lack of trust from the community, and fear of revenge (Alemineh et al., 2022). Women imprisoned in Kenya face similar challenges as those in other African countries,

including victimisation, dysfunctional relationships, low education, poverty, and early motherhood. Barriers to justice, such as limited access to legal aid or unfair court proceedings, further complicate their situations (Jeffries et al., 2019). Dietary deficiencies and malnutrition are also a major concern, particularly in low-income countries like Ethiopia (Wondimu et al., 2023). While factors such as longer prison sentences (over two years) and mild to severe depression were linked to a higher chance of undernutrition, factors such as being female, having financial support from outside, having a job inside the prison that generates income and a more varied diet helped reduce the chance of undernutrition.

The Bangkok Rules, a set of United Nations guidelines for the treatment of women in prison, were recently examined by Van Hout and Wessels (2022) in the first legal realist analysis of women in South African prisons. This study focused on the practical application of laws and policies, considering South Africa's history of racial segregation and its potential influence on implementing the Bangkok Rules. Despite legal frameworks, the study suggests a gap between the standards outlined in the guidelines and the lived experiences of women in South African prisons. Furthermore, the authors emphasise the importance of considering both race and gender when evaluating the application of these rules, acknowledging the diverse experiences of incarcerated women. Ultimately, the study calls for ensuring equal treatment for all women incarcerated in South Africa.

To improve healthcare screening rates and address the overall well-being of incarcerated women in Africa, several recommendations were proposed. A study by Van Hout and Mhlanga-Gunda (2018) highlighted the neglected health needs of women prisoners in Sub-Saharan Africa. To address this, the authors urged increased support from donors, better allocation of resources, prison health and population health policy reform, improved health system monitoring and gender-sensitive prison health services. Similarly, Abgoola (2016) called for increased funding for female correctional facilities to improve healthcare, sanitation, and food quality, provision of educational resources and reading materials for female inmates, development of recreational facilities within prisons, and prioritisation of the overall well-being of female prisoners. To address the specific needs of female ex-prisoners in Kenya, a group of authors suggest that the government should involve churches, media, schools, and NGOs in educating the public to create a more supportive environment for women upon their release from prison (Muthee, 2020). Additionally, improvements in living conditions, prison culture, and healthcare policies are required (Kajawo & Johnson, 2024; Mendulo & Chiumia, 2022).

Since undernutrition is a significant problem in this region, affecting one in five prisoners, especially in developing countries like Ethiopia (Wondimu et al., 2023), it is crucial to ensure access to nutritious food and a balanced diet for prisoners, implement programs to screen for and treat depression among prisoners, and encourage participation in income-generating work within the prison. Alemineh et al. (2022) suggested that the government and NGOs in Ethiopia develop programs to reduce female incarceration rates, raise awareness about domestic violence, promote gender equality, and provide education and job training for incarcerated women.

Female Prisoners in Australasia

Similar to trends in other regions, the number of women in Australian prisons is growing faster than the number of men. While women are still a smaller portion of the total prison population, their numbers are rising significantly (The Health and Welfare of Women in Australia's Prisons, 2020). Women in prison in Australia report poorer physical health compared to the general female population, mainly due to factors like lower socioeconomic background before entering prison. They are more likely to experience mental health problems than both male prisoners and the general female population. Trauma, socioeconomic disadvantage, incarceration environment and intergenerational trauma (Aboriginal and Torres Strait Islander women) are the main contributing factors. Almost half of the female prison entrants reported fair or poor mental health. Over half reported high levels of psychological distress, with a significant portion reporting very high level. Two-thirds had a prior mental health diagnosis, and many were taking medication. Self-harm is also a significant concern, with nearly a third of women reporting a history and 16% experiencing recent thoughts of self-harm. Many female prisoners are mothers and have been primary caregivers for their children before incarceration, and separation from children negatively impacts the mental health of female prisoners. Despite these mental health challenges, most women felt prepared for release and over half had secured their housing.

Wendt and Fraser (2019) presented a compelling case for gender-responsive programs through their evaluation of the Healthy Relationships Program (HRP) offered to women in an Australian prison. This program is particularly important because it was designed with a gender-responsive framework, meaning it considered the specific challenges women in prison face, such as domestic violence, relationship concerns with children, and mental health issues (different from those faced by male inmates). The program helped women learn about healthy relationships and recognise the effects of abuse. This finding underscores the need for tailored interventions for female inmates. Social workers can influence prisons to create safer spaces for program participation, and gender-responsive programs may benefit from an intersectional feminist lens to better understand the unique challenges faced by different women (Wendt & Fraser, 2019). These observations, as exemplified by the Healthy Relationships Program, can guide future programs that help female prisoners build healthy relationships upon release.

Security classifications in prisons, however, might not perfectly reflect how women behave. Collie and Polaschek (2003) raised concerns that New Zealand's prison system might be overestimating the security risk posed by some women, suggesting a need to revisit the classification system to ensure it accurately reflects the security risk posed by female inmates.

Conclusion

The quality of life for female prisoners worldwide varies significantly depending on a range of factors, such as region and individual circumstances. Generally, prisons in developed nations tend to have better living conditions, healthcare access, and rehabilitation programs than those in developing nations. Scandinavian countries, for example, are often cited as having the most humane prison systems, with a focus on rehabilitation and

reintegration. In contrast, prisons in developing countries often face challenges related to overcrowding, inadequate sanitation, poor healthcare, and limited access to rehabilitation programs. Consequences are visible in worse living conditions and higher rates of mental health problems among female prisoners. Individual factors also impact a woman's prison experience. The severity of the offence can influence the conditions of confinement and access to programs, whereas longer sentences can lead to greater isolation and mental health issues. A strong support network of family and friends can help maintain mental well-being during incarceration.

Despite these variations, some common themes emerge. First, the prison environment often fails to provide necessary support for women's reproductive needs, leading to difficulties in accessing appropriate care during pregnancy and postpartum periods.

Regarding physical health, adequate healthcare is often lacking, and women may face difficulties accessing specialised care for reproductive health, chronic conditions, and mental health issues. When it comes to mental health, female prisoners often experience higher rates of mental health problems than both male prisoners and the general population due to various factors, such as prior trauma, social isolation, and the stress of incarceration.

Overcrowding is another significant problem, leading to poor living conditions, limited access to necessities, and increased risk of communicable diseases. Furthermore, many prisons lack adequate rehabilitation programs, making it difficult for women to develop skills and prepare for reintegration into society. Safety concerns are also a major issue, as female prisoners face an increased risk of violence and abuse, including sexual assault.

However, there are positive developments. First, there is a growing international recognition of the need for gender-responsive prison systems. More prisons are implementing gender-specific programs aimed at reducing recidivism and helping women successfully reintegrate into society. Additionally, some countries have improved access to healthcare for female prisoners, including specialised services for women's health issues.

To improve the quality of life for female prisoners worldwide, several key steps are needed. This recommendation involves designing and operating facilities that meet the specific needs of female inmates, including providing access to healthcare, education, and rehabilitation programs. Next, staff should be trained on gender-responsive principles and best practices for working with female prisoners. Also, governments and international organisations should continue to monitor prison conditions and ensure compliance with human rights standards. Finally, funding for rehabilitation programs should be increased to invest in programs that help women develop skills, address trauma, and prepare for release.

References

- Abbott, L., Scott, T., & Thomas, H. (2023). Experiences of midwifery care in English prisons. *Birth*, 50(1), 244–251. <https://doi.org/10.1111/birt.12692>
- Abgoola, C. (2016). Memories of the 'inside': Prison conditions in South African female correctional facilities. *South African Crime Quarterly*, 56. <https://doi.org/10.17159/2413-3108/2016/i56a43>
- Acale Sánchez, M. (2019). Penal and Custodial Control of Female Criminality in Spain from a Gender Perspective. *Social Sciences*, 8(2), 52. <https://doi.org/10.3390/socsci8020052>

- Aleminch, Y. T., Abegaz, M. D., & Alemu, N. E. (2022). Incarcerated women's lived experience: A study in Dessie and Woldia correctional centers, Ethiopia. *Journal of Criminological Research, Policy and Practice*, 8(1), 89–101. <https://doi.org/10.1108/JCRPP-07-2021-0045>
- Arditti, J. A., & Few, A. L. (2006). Mothers' Reentry into Family Life Following Incarceration. *Criminal Justice Policy Review*, 17(1), 103–123. <https://doi.org/10.1177/0887403405282450>
- Azaola, E. (2014). Women Prisoners: Theory and Reality in Mexico. In M. Deflem (Ed.), *Sociology of Crime, Law and Deviance* (Vol. 19, pp. 121–138). Emerald Group Publishing Limited. <https://doi.org/10.1108/S1521-613620140000019005>
- Bartlett, A., & Hollins, S. (2018). Challenges and Mental Health Needs of Women in Prison. *The British Journal of Psychiatry*. <https://doi.org/10.1192/bjp.2017.42>
- Batrićević, A., Pavićević, O., Čopić, S., & Milićević, M. (2023). Quality of Prison Life of Female Prisoners in Serbia: Key Challenges and Areas of Strength. *Revija Za Kriminolistiko in Kriminologijo*, 74(4), 273–289.
- Belknap, J. (2000). Programming and Health Care Accessibility for Incarcerated Women. In J. James (Ed.), *States of Confinement* (pp. 109–121). Palgrave Macmillan US. https://doi.org/10.1007/978-1-137-10929-3_10
- Bjeloš, M. (2011). *Kako žive žene u zatvorima? [How women live in prisons?]* [E-book]. Beogradski centar za bezbednosnu politiku.
- Bloom, B., Owen, B., & Covington, S. (2003). *Gender-Responsive Strategies: Research, Practice, and Guiding Principles for Women Offenders* (Issue Overview 201301; p. 146). National Institute of Corrections, NW, Washington, DC 20534, United States.
- Chokprajakchat, S., & Techagaisiyavanit, W. (2019). Women Prisons in North-Eastern Thailand: How Well Do They Meet International Human Rights Standards? *International Journal for Crime, Justice and Social Democracy*, 8(4), 123–136. <https://doi.org/10.5204/ijcjsd.v8i4.1186>
- Collie, R. M., & Polaschek, D. L. L. (2003). Sorting women's risk: New Zealand women prisoners' misconducts and internal security risk. *New Zealand Journal of Psychology*, 32(2), 101–109.
- Comack, E. (2018). *Coming back to jail: Women, trauma, and criminalization*. Fernwood Publishing.
- Čopić, S., & Šaćiri, B. (2012). Women in prison in Serbia: Living conditions for female prisoners in the correctional institution for women in Pozarevac. *Temida*, 15(4), 23–44. <https://doi.org/10.2298/TEM1204023C>
- Čopić, S., Stevković, L., & Šaćiri, B. (2012). The treatment and the realization of the female prisoners' rights in the correctional institution for women in Pozarevac. *Temida*, 15(4), 45–71. <https://doi.org/10.2298/TEM1204045C>
- Covington, S. S. (1998). Women in Prison: Approaches in the Treatment of Our Most Invisible Population. *Women & Therapy*, 21(1), 141–155. https://doi.org/10.1300/J015v21n01_03
- Crewe, B., Schliehe, A., & Przybylska, D. A. (2023). 'It causes a lot of problems': Relational ambiguities and dynamics between prisoners and staff in a women's prison. *European Journal of Criminology*, 20(3), 925–946. <https://doi.org/10.1177/14773708221140870>
- Dalenogare, G., Maffaccioli, R., Vieira, L. B., & Dotta, R. M. (2022). Mulheres, prisões e liberdade: Experiências de egressas do sistema prisional no Rio Grande do Sul, Brasil. *Ciência & Saúde Coletiva*, 27(12), 4531–4540. <https://doi.org/10.1590/1413-812320222712.11462022>
- Douglas, N., Plugge, E., & Fitzpatrick, R. (2009). The impact of imprisonment on health: What do women prisoners say? *Journal of Epidemiology & Community Health*, 63(9), 749–754. <https://doi.org/10.1136/jech.2008.080713>
- Draper, S. (2020). No estamos todas, faltan las presas! Contemporary Feminist Practices Building Paths toward Prison Abolition. *CLCWeb: Comparative Literature and Culture*, 22(2). <https://doi.org/10.7771/1481-4374.3842>
- Duncan, J., Stansfield, R., Hall, S., & O'Connor, T. (2018). Women's Engagement with Humanist, Spiritual and Religious Meaning-Making in Prison: A Longitudinal Study of Its Impact on Recidivism. *Religions*, 9(6), 171. <https://doi.org/10.3390/rel9060171>

- Ekanayake, E. M. V. O., & Pavithra Madhuwanthi, L. A. (2021). Issues in Vocational Training Programs for the Female Prison Inmates in Sri Lanka: Trainers' Perspectives. *International Journal of Scientific and Research Publications (IJSRP)*, 11(6), 51–59. <https://doi.org/10.29322/IJSRP.11.06.2021.p11409>
- Enríquez, L. J. (2017). Everyday Violence in Central America as Seen Through the Life of One Woman. *Qualitative Sociology*, 40(4), 377–402. <https://doi.org/10.1007/s11133-017-9366-7>
- Esposito, M. (2015). Women in prison: Unhealthy lives and denied well-being between loneliness and seclusion. *Crime, Law and Social Change*, 63(3–4), 137–158. <https://doi.org/10.1007/s10611-015-9561-y>
- Fair, H., & Walmsley, R. (2022). *World Female Imprisonment List (5th edition)* (Core Publications – World Prison Population List). The Institute for Crime & Justice Policy Research; Birkbeck, University of London.
- Farhoudi, B., Shahmohamadi, E., SeyedAlinaghi, S., Rostam Afshar, Z., Mirzapour, P., Nadji, S., Golsoorat Pahlaviani, F., Tashakorian, M., & Hackett, D. (2023). Sexual and reproductive history of female prisoners in Iran: A health care needs analysis. *International Journal of Prisoner Health*, 19(4), 591–598. <https://doi.org/10.1108/IJPH-12-2022-0076>
- Fellus, S. (2018). Prison as a Space to Heal: Women Federal Prisoners in Canada and the Role of the Healthcare Professional. *University of Ottawa Journal of Medicine*. <https://doi.org/10.18192/uojm.v0i0.2209>
- Firzalinda, Arifin, V. N., Hermansyah, Aletta, A., Dharina, & Abdullah, A. (2020). The Assessment of the Quality of Life Among Female Prisoners in Aceh Besar. *Proceedings of the 4th International Symposium on Health Research (ISHR 2019)*. 4th International Symposium on Health Research (ISHR 2019), Bali, Indonesia. <https://doi.org/10.2991/ahsr.k.200215.044>
- Fritz, F. D., Fazel, S., Benavides Salcedo, A., Henry, P., Rivera Arroyo, G., Torales, J., Trujillo Orrego, N., Vásquez, F., & Mundt, A. P. (2021). 1324 prison suicides in 10 countries in South America: Incidence, relative risks, and ecological factors. *Social Psychiatry and Psychiatric Epidemiology*, 56(2), 315–323. <https://doi.org/10.1007/s00127-020-01871-3>
- Giertsen, H., Nylander, P. Å., Frank, V. A., Kolind, T., & Tourunen, J. (2015). Prisoners' experiences of drug treatment and punishment in four Nordic countries. *Nordic Studies on Alcohol and Drugs*, 32(2), 145–164. <https://doi.org/10.1515/nsad-2015-0017>
- Harner, H. M., & Riley, S. (2013). The Impact of Incarceration on Women's Mental Health: Responses From Women in a Maximum-Security Prison. *Qualitative Health Research*, 23(1), 26–42. <https://doi.org/10.1177/1049732312461452>
- Heimer, K., Malone, S. E., & De Coster, S. (2023). Trends in Women's Incarceration Rates in US Prisons and Jails: A Tale of Inequalities. *Annual Review of Criminology*, 6(1), 85–106. <https://doi.org/10.1146/annurev-criminol-030421-041559>
- Howland, M. A., Kotlar, B., Davis, L., & Schlafer, R. J. (2021). Depressive Symptoms among Pregnant and Postpartum Women in Prison. *Journal of Midwifery & Women's Health*, 66(4), 494–502. <https://doi.org/10.1111/jmwh.13239>
- Iljić, Lj., Pavićević, O., & Milićević, M. (2024). *Well-Being in Prison: The Case of Serbia*. Institute of Criminological and Sociological Research. <https://doi.org/10.47152/PrisonLIFE.D4.1>
- Jeffries, S., Chuenurah, C., Rao, P., & Park, M. J. Y. (2019). Women's pathways to prison in Kenya: Violence, poverty, familial caretaking and barriers to justice. *Women's Studies International Forum*, 73, 50–61. <https://doi.org/10.1016/j.wsif.2019.02.003>
- Kajawo, S. C. R., & Johnson, L. R. (2024). Why Not Us? Experiences of Incarcerated Women on Education Access in Malawi Prisons. *Advanced Journal of Social Science*, 13(1), 25–39. <https://doi.org/10.21467/ajss.13.1.25-39>
- Kasai, T., & Doi, K. (2023). "They don't treat us like human beings": Abuse of imprisoned women in Japan. Human Rights Watch.
- Kokab Jabeen. (2022). Plight of female prisoners in Pakistan. *Pakistan Postgraduate Medical Journal*, 33(03), 48–49. <https://doi.org/10.51642/ppmj.v33i03.511>

- Kolind, T., Frank, V. A., Lindberg, O., & Tourunen, J. (2013). Prison-based drug treatment in Nordic political discourse: An elastic discursive construct. *European Journal of Criminology*, 10(6), 659–674. <https://doi.org/10.1177/1477370812471247>
- Leal, M. D. C., Ayres, B. V. D. S., Esteves-Pereira, A. P., Sánchez, A. R., & Larouzé, B. (2016). Nacer na prisão: Gestaço e parto atrás das grades no Brasil. *Ciência & Saúde Coletiva*, 21(7), 2061–2070. <https://doi.org/10.1590/1413-81232015217.02592016>
- Leal, M., Kerr, L., Mota, R. M. S., Pires Neto, R. D. J., Seal, D., & Kendall, C. (2022). Health of female prisoners in Brazil. *Ciência & Saúde Coletiva*, 27(12), 4521–4529. <https://doi.org/10.1590/1413-812320222712.10222022>
- Liauw, J., Jurgutis, J., Nouvet, E., Dineley, B., Kearney, H., Reaka, N., Fitzpatrick-Lewis, D., Peirson, L., & Kouyoumdjian, F. (2021). Reproductive healthcare in prison: A qualitative study of women's experiences and perspectives in Ontario, Canada. *PLOS ONE*, 16(5), e0251853. <https://doi.org/10.1371/journal.pone.0251853>
- Liebman, R. E., Burnette, M. L., Raimondi, C., Nichols-Hadeed, C., Merle, P., & Cerulli, C. (2014). Piloting a Psycho-Social Intervention for Incarcerated Women With Trauma Histories: Lessons Learned and Future Recommendations. *International Journal of Offender Therapy and Comparative Criminology*, 58(8), 894–913. <https://doi.org/10.1177/0306624X13491073>
- Liu, L., & Chui, W. H. (2018). Chinese culture and its influence on female prisoner behavior in the prisoner-guard relationship. *Australian & New Zealand Journal of Criminology*, 51(1), 117–134. <https://doi.org/10.1177/0004865816679685>
- MacDonald, M. (2013). Women prisoners, mental health, violence and abuse. *International Journal of Law and Psychiatry*, 36(3–4), 293–303. <https://doi.org/10.1016/j.ijlp.2013.04.014>
- Martín-Solbes, V. M., Añaños, F. T., Molina-Fernández, E., & Burgos-Jiménez, R. J. (2021). The Professional Dimension in Spanish Prison Socio-Educational Action. *Education Sciences*, 11(10), 585. <https://doi.org/10.3390/educsci11100585>
- McCann, L. J., Peden, J., Phipps, E., Plugge, E., & O'Moore, E. J. (2019). Developing gender-specific evidence-based standards to improve the health and wellbeing of women in prison in England: A literature review and modified eDelphi survey. *International Journal of Prisoner Health*, 16(1), 17–28. <https://doi.org/10.1108/IJPH-02-2019-0010>
- Mededović, J., Drndarević, N., & Milićević, M. (2023). Integrating standard and network psychometrics to assess the quality of prison life in Serbia. *Journal of Criminology*, 26338076231208769. <https://doi.org/10.1177/26338076231208769>
- Mendulo, R., & Chiumia, I. K. (2022). The State of Cervical Cancer Screening in Imprisoned Women in Malawi: A Case of Maula Prison. <https://doi.org/10.21203/rs.3.rs-1532953/v1>
- Milićević, M., Ilijić, L., & Vujičić, N. (2024). Cross-cultural adaptation and content validity of the Measuring the Quality of Prison Life survey in Serbia. [Unpublished manuscript].
- Milioni, S. O., & Geitona, M. (2017). The Impact of Incarceration on Greek Female Prisoners' Self-reported Health Status. *Journal of Women's Health Care*, 06(04). <https://doi.org/10.4172/2167-0420.1000386>
- Moloney, K. P., Van Den Bergh, B. J., & Moller, L. F. (2009). Women in prison: The central issues of gender characteristics and trauma history. *Public Health*, 123(6), 426–430. <https://doi.org/10.1016/j.puhe.2009.04.002>
- Muthee, J. M. (2020). Coping mechanisms adopted by women ex-offenders in Nyeri County, Kenya. *Bussecon Review of Social Sciences* (2687-2285), 2(2), 21–30. <https://doi.org/10.36096/brss.v2i2.198>
- Myers, S. L., Sabol, W. J., & Xu, M. (2022). Determinants of Racial Disparities in Female Incarceration Rates, 2000–2018. *The Review of Black Political Economy*, 49(4), 381–402. <https://doi.org/10.1177/00346446211051078>
- Nylander, P. Å. (2015). Drug treatment in a Swedish women's prison: Relations and identities among prison officers and prisoners. *Probation Journal*, 62(3), 234–250. <https://doi.org/10.1177/0264550515587973>
- Ohnishi, M., Kawasaki, R., & Nakane, H. (2020). Mental health status among male and female methamphetamine-dependent inmates in Japan. *European Journal of Public Health*, 30(Supplement_5), v907–v908.

- Pratt, J. (2007). Scandinavian Exceptionalism in an Era of Penal Excess: Part I: The Nature and Roots of Scandinavian Exceptionalism. *British Journal of Criminology*, 48(2), 119–137. <https://doi.org/10.1093/bjc/azm072>
- Prost, S. G., McDonald, A., Plassmeyer, M., Middleton, J., & Golder, S. (2022). Not All Traumas Are Equal: Post-Traumatic Stress and Quality of Life among Women in Prison. *Women & Criminal Justice*, 32(6), 502–519. <https://doi.org/10.1080/08974454.2020.1871160>
- Ramirez, N. B. (2023). Challenges encountered by the female person deprived of liberty amidst pandemic. *EPRA International Journal of Multidisciplinary Research (IJMR)*, 139–146. <https://doi.org/10.36713/epra15119>
- Russell, T., Jeffries, S., Hayes, H., Thipphayamongkoludom, Y., & Chuenurah, C. (2020). A gender-comparative exploration of women's and men's pathways to prison in Thailand. *Australian & New Zealand Journal of Criminology*, 53(4), 536–562. <https://doi.org/10.1177/0004865820954463>
- Sanders, C. K. (2018). Promoting Financial Capability of Incarcerated Women for Community Reentry: A Call to Social Workers. In J. Birkenmaier, M. Sherraden, J. J. Frey, C. Callahan, & A. M. Santiago (Eds.), *Financial Capability and Asset Building with Diverse Populations* (1st ed., pp. 33–53). Routledge. <https://doi.org/10.4324/9781351202312-3>
- Saxena, P., Messina, N. P., & Grella, C. E. (2014). Who Benefits From Gender-Responsive Treatment?: Accounting for Abuse History on Longitudinal Outcomes for Women in Prison. *Criminal Justice and Behavior*, 41(4), 417–432. <https://doi.org/10.1177/0093854813514405>
- Schartmueller, D. (2019). Doing Indefinite Time: Penal Confinement and the Life-Imprisoned Offender in Denmark, Finland, and Sweden. *The Prison Journal*, 99(1), 66–88. <https://doi.org/10.1177/0032885518814727>
- Scherer, Z. A. P., Scherer, E. A., Santos, M. A. D., Souza, J. D., Pillon, S. C., & Scherer, N. P. (2020). Freedom-deprived women: Social representations of prison, violence, and their consequences. *Revista Brasileira de Enfermagem*, 73(3), e20180781. <https://doi.org/10.1590/0034-7167-2018-0781>
- Seigafo, S. (2017). Inmate's Right To Rehabilitation During Incarceration: A Critical Analysis Of The United States Correctional System. <https://doi.org/10.5281/ZENODO.1034656>
- Shammas, V. L. (2014). The pains of freedom: Assessing the ambiguity of Scandinavian penal exceptionalism on Norway's Prison Island. *Punishment & Society*, 16(1), 104–123. <https://doi.org/10.1177/1462474513504799>
- Shimane, T., Takahashi, M., Kobayashi, M., Takagishi, Y., Takeshita, Y., Kondo, A., Omiya, S., Takano, Y., Yamaki, M., & Matsumoto, T. (2022). Gender Differences in the Relationship between Methamphetamine Use and High-risk Sexual Behavior among Prisoners: A Nationwide, Cross-sectional Survey in Japan. *Journal of Psychoactive Drugs*, 54(1), 9–17. <https://doi.org/10.1080/02791072.2021.1918805>
- Shlafer, R., Saunders, J. B., Boraas, C. M., Kozhimannil, K. B., Mazumder, N., & Freese, R. (2021). Maternal and neonatal outcomes among incarcerated women who gave birth in custody. *Birth*, 48(1), 122–131. <https://doi.org/10.1111/birt.12524>
- Skrzypek, M., & Kochal, R.-B. (2008). "Motherhood Starts in Prison": The Experience of Motherhood Among Women in Prison. Family Process. <https://doi.org/10.1111/j.1545-5300.2008.00256.x>
- Slotboom, A.-M., Kruttschnitt, C., Bijleveld, C., & Menting, B. (2011). Psychological well-being of incarcerated women in the Netherlands: Importation or deprivation? *Punishment & Society*, 13(2), 176–197. <https://doi.org/10.1177/1462474510396313>
- Smoyer, A. B., & Minke, L. K. (2019). Hygge: Food and the construction of safety among incarcerated women in Denmark. *Appetite*, 141, 104319. <https://doi.org/10.1016/j.appet.2019.104319>
- Špadijer-Džinić, J., Pavićević, O., & Simeunovic-Patic, B. (2009). Žena u zatvoru – Deprivacije zatvoreničkog života. *Sociologija*, 51(3), 225–246. <https://doi.org/10.2298/SOC0903225S>
- The health and welfare of women in Australia's prisons (Cat. no. PHE 281.). (2020). Australian Institute of Health and Welfare.

- Ugelvik, T., & Damsa, D. (2018). The Pains of Crimmigration Imprisonment: Perspectives From a Norwegian All-foreign Prison. *The British Journal of Criminology*, 58(5), 1025–1043. <https://doi.org/10.1093/bjc/azx067>
- Van Hout, M. C., & Mhlanga-Gunda, R. (2018). Contemporary women prisoners health experiences, unique prison health care needs and health care outcomes in sub Saharan Africa: A scoping review of extant literature. *BMC International Health and Human Rights*, 18(1), 31. <https://doi.org/10.1186/s12914-018-0170-6>
- Van Hout, M. C., & Wessels, J. (2022). Human rights and the invisible nature of incarcerated women in post-apartheid South Africa: Prison system progress in adopting the Bangkok Rules. *International Journal of Prisoner Health*, 18(3), 300–315. <https://doi.org/10.1108/IJPH-05-2021-0045>
- Webster, C. M., & Doob, A. N. (2007). Punitive Trends and Stable Imprisonment Rates in Canada. *Crime and Justice*, 36(1), 297–369. <https://doi.org/10.1086/592807>
- Weir, M. (2021). Incarcerated women’s cooking and eating practices in a ‘humane’ Danish open prison. *Nordic Journal of Criminology*, 22(2), 169–184. <https://doi.org/10.1080/2578983X.2021.1982551>
- Wendt, S., & Fraser, H. (2019). Promoting Gender Responsive Support for Women Inmates: A Case Study From Inside a Prison. *International Journal of Prisoner Health*. <https://doi.org/10.1108/ijph-03-2018-0011>
- Wondimu, M., Siyoum, A., Ketema, I., Goshu, A. T., Habte, S., Mehadi, A., & Ayele, B. H. (2023). Undernutrition and associated factors among adult prisoners in Fiche town, central Ethiopia: A facility-based cross-sectional study. *Frontiers in Nutrition*, 10, 1144654. <https://doi.org/10.3389/fnut.2023.1144654>
- Zhong, S., Zhu, X., Chen, Y., Guo, H., Luo, C., Liang, X., Wang, F., Chen, H., Zhou, J., & Wang, X. (2020). High Psychiatric Morbidity and Comorbidity Among Female Prisoners in Hunan, China. *Frontiers in Psychiatry*, 11, 271. <https://doi.org/10.3389/fpsyt.2020.00271>

The perception of prisons in the writings of women political prisoners*

The main aim of the paper is to provide a historical overview of some of the most important women imprisoned for political reasons, whose writings were published and popular; while seeking to extract from them the main tone of perception surrounding their experience of incarceration. For an overview, the political writing of imprisoned women is divided into two main historical periods: pre- and post-Second World War, followed by the contemporary examples of the genre. The rise of writings of imprisoned women in the first period happened as a part of the emergence of the modern world, where the focus is on England and France. Later it appears as a part of the political uprising of socialism and new social movements marked by classics of the genre such as prison writings by Rosa Luxembourgh and Angela Davis that were not much elaborated on in criminology and penology in Serbia. In the final paragraph, I open the question of why the genre is massively present in former and current conflict areas, while it was not so present in the region, and I offer some of the initial directions for interpretation. In conclusion, I demonstrate the reasons why prison writings produced by the women imprisoned for political reasons are a useful source for understanding the short-term and long-term impact that incarceration has on the lives of the current and former inmates.

Keywords: women political prisoners, prison writings, inmate perceptions, penological approach, historical overview

Introduction

Since the condition of imprisonment is in many ways challenging for the incarcerated individual, the only available sources of shortening the days of isolation and sensational deprivation might be intellectual activities or physical exercises. Writing in this context could appear to be essential to sustain capacities and survive social and intellectual deprivation, since it can provide the imprisoned persons with "a sense of agency and voice". Therefore, intellectual activities could be important for keeping the incarcerated individuals active and alive while placed in prison cells, which helps them maintain their mental health stabile (Schwan, 2014: 1). These kinds of activities might be particularly important for the category of prisoners imprisoned for political reasons as one of the most problematic categories of crimes since the individuals proclaimed guilty for these crimes are those who practice these activities a lot and would consider reading and writing to be available for them also inside the prison cells as a basic human right. However, during turbulent historical times particularly, these activities are what is to be limited and controlled because the spread of opinions and facts might increase radicalisation among prisoners and the general population.

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So, the reason to stop them from influencing others with their opposite opinions is why they are put in the cells in the first place, rather than something illegal they have done.

The writings of different kinds produced under the circumstances of imprisonment have intrigued the public for a while. The significant amount of literature written on the topic testifies literature coming from prison cells has become a widely accepted research subject in criminology, penology, and literacy studies (Bonzom, 2022: 57). Among the first prison writings were the philosophical texts from the period of classic antiquity and ancient Rome, but prison writing as a literal genre faced expansion starting with the modern period. During the 16th century, for example, this rise was particularly sharp (Ahnert, 2017). Incarceration is often portrayed as providing time and space for reflection. Therefore, many people who were put in prison used the time to analyse and reflect on their personal or social circumstances in the written form or to undertake some form of educational activities that provide them with a sense of freedom and spiritual perseverance (Knežić, 2017). "From escapism to protest, from moral elevation to fellowship, written words, authorised or clandestine, were (and still are) a 'bright light' in prisoners' lives" (Bonzom, 2021: 6). At the same time, writings produced in prisons are potentially beneficial research material from which a lot of information about how imprisoned individuals process the experience of incarceration and the prisons themselves, both fictional and non-fictional, could be retrieved, given in the form of memoirs, letters and personal correspondence, diaries etc. Those writings are sometimes made in prison cells and sometimes are reflection notes assembled afterwards in the form of memoirs. What is important to notice here is that prison writings produced by women, however, were for various reasons ignored for quite a while, most of which are associated with the stigma surrounding the women who were breaking the rules and stepping out of the traditions (Gelfand, 1980: 57). Correspondingly, other reasons might be responsible for the avoidance to use writings of imprisoned women to get the better insight into the phenomenology of crime, punishment, and the later ways in which those are affecting life and social reintegration of the former convicts.

However, being imprisoned for ideological or political reasons often is one of the most common features of imprisoned writers, thinkers and scholars who tend to change the way society functions or challenge the established rules. The building of the modern world implied many disagreements and attempts to restrain and control the developments and ideas. Therefore, the structures of power did not gladly and readily accept those and often the response was the suppression of novel ideas and practices. Intellectuals and innovators in previous historical periods often ended up imprisoned and making notes while imprisoned. Here I can name more than just a few well known cases such as Thomas More, Antonio Gramsci, Mahatma Gandhi, Henry David Thoreau, Oscar Wilde etc. It took some time for imprisoned women to look for recognition and raise their voices compared to the already established writings in the same category produced by men until the gendered dimension of incarceration was implemented into the research (Lawston & Lucas, 2011). The main differentiation to be made is between the writings made from the prison cell in comparison to writings made about the time of imprisonment after the sentence has been served. Furthermore, another level of women in prison literature is secondary literature about the literature on imprisonment and or writings from prison. In addition, it is useful to recognise the primary fieldwork research collected by utilizing the feminist research methodology

from imprisoned women to provide them with a voice of their own, which represents a form of mediated expression of themselves, because of the specificities of the approach and the importance of the attempt to collect the authentic stories. However, it is not less important since it can reach to those imprisoned who are illiterate or with less power to express themselves in the way that educated intellectuals do.

This article is focused on providing an overview of the prison writings produced by women in prison incarcerated for political reasons. After describing the topic, I set up the methodological approach to the problem and continue with the central part of the article which begins with the key terms and concepts needed for the article. It continues with the classics of this genre such as writings of women imprisoned in the period of Victorian Britain and as a part of the global rise of socialism, followed by the interwar period and with the 70s, when this genre was trendy because of the social and political uprisings across the world. In the final part, I open the problem of specificities of the gender dimension of prison writings of contemporary times and the topic of the right to write and get education during imprisonment time that particular has been tackled by Angela Davis.

Aims, structure of the paragraphs and methodology

The approach to be utilised in analysing the imprisoned women's writings will be a criminological and penological perspective, rather than the one grounded in literacy studies focused on the writing style. In other words, I will mainly be interested in how the experience of imprisonment has affected the intellectual and mental capabilities of the incarcerated women, what actions the writing women were charged for and how they portray their experience, rather than style and other features more relevant for literacy studies. This approach however excludes fictional writings and is exclusively oriented towards non-fiction (March, 2020: 20).

One of the basic criteria for choosing the sample of writings to be examined has been the type of crime for which women were incarcerated - political acting which, in practice, might refer to a very broad type of crime. I should specify that on the other hand, the focus is on women because their writings have traditionally attracted much less attention than prison writings from men did (Whitecross, 2023; Scheffler, 1984, 2002; Aday & Krabill, 2011; March, 2020: 15). These topics were completely overlooked in the penological research in Serbia because of lack of qualitative epistemologies and methodologies in criminological and penological research. However, another reason is slow progress in the advanced scholarship of social sciences oriented towards novel approaches. Furthermore, the focus is on the historical overview of the key figures important for the genre, and this is the key criterion for the selection of the represented cases - the cases are historically distinguished women who were famous and imprisoned for political reasons whose prison writings became classics of a genre but still have not been put together and represented in this manner. This approach is valuable because it contributes to countering the trends of fetishization and commercialization of prisons to which the term for a genre contributed to a certain extent and its wide usage, since historically distant examples bear much more complexity than modern cases do (Mena Prison Forum, 2021). However, still, prison writings normally represent valuable alternative voices in the system of penalty and

sentencing and to a certain extent also reflect the social and political context and crises of the time and place, especially if coming from political prisoners. Therefore, they are a valuable source for research and understanding the penological system and the experience of imprisonment.

The key question this chapter aims to answer is what is the characteristic of imprisonment for women when the reason for imprisonment includes the political attitudes or activities and what are the perceptions of prison given first hand by this type of inmates, in their own words? Furthermore, the question this paper aims to answer is what are the differences surrounding the prison writings of prominent women in different historical periods? Therefore, the article aims to answer in the first place the question of what prison writing is and how the writings of women political prisoners stand within the genre. Since choosing the historical overview of the well-known cases, the structure of the article first recognizes at least two historical periods in which the emergence of the genre took certain characteristics through the selected cases: the period before the Second World War (WWII) and the period after WWII. The third aim of the article is to situate the analysis into the special constellations and examine the problem of the existence of a genre in the region, followed by the conclusions that prison writings of the women political prisoners do offer valuable insights into the phenomenon of incarceration and to a certain extent represent the experience of imprisonment as a chance for reflection and creativity as a response.

The methodology to be implied in the analysis is thematic discourse analysis combined with literature review and secondary literature analysis (Rodríguez Gallardo, Ángel, 2010). This means that following the research question about how women prominent political prisoners have perceived the prisons given in their prison writings, we seek to identify the dominant themes present in the narratives they have produced about this experience.

Prison writings as a literary genre

Despite the familiarity with the term prison writings and its establishment as a genre, some conceptual differences and doubts should be addressed and answered to define the subject of my analysis. What unifies these writings under the same banner is a certain number of similarities despite the fact that they are rather functionally than formally similar (March, 2020: 17). One of the first dilemmas is if something is just written while the author of the text was imprisoned, but the content of the writings has nothing to do with prisons, should this be considered prison writing (Mena Prison Forum 2021)? Another issue is that naming the genre prison writings is problematic and it seems to be far more adequate to call it "prisoner art", in order to remove the accent from prison as an institution to the prisoner as a subject (March, 2020: 21). Writing in prison might be challenging for prisoners in many instances, starting with the control of the mail going outside the prison and lack of tools needed to manage the writings in prison cells without additional help and support from the staff or outside people. Under certain circumstances of massive revolt, these writings might be controlled to stop the more massive uprisings, but this control of the writings of the imprisoned did not always exist nor was everywhere practised in the same way, especially in historically distant times.

Speaking of the types of prison writing, following the previous criteria, I have included all three of the main types of prison writings previously identified: writings produced during the period of incarceration, writings produced after incarceration dealing with the experience of imprisonment, and writings coming from the women imprisoned at certain points of their lives or interested in the subject that aim to influence the penalty system and/or contribute to the providing methodology and space to give voice to other imprisoned women to make sense of their experiences and share them with the public. Speaking about the content of the writings, to answer how the imprisoned women perceive the prison environment, I include prison writings made in prison cells even though they have no prison for their subjects. The reason for this is simple, the content imprisoned women deal with while in a prison cell is a valuable insight into how they perceive and comprehend the experience of imprisonment - by concentrating on their closest environment or by rather avoiding and concentrating on something else unrelated to their current surroundings. Even though research conducted with imprisoned women by researchers or civil organisations (Alexander, 2017) is highly relevant to this topic, it will not be included in this analysis since it goes beyond this paper's scope and only research done by individual former prisoners is mainly in my focus.

For methodological reasons, it is also convenient to classify types of texts included in the prison writings and notice those typical for political inmates. Besides autobiographical writings, authors imprisoned for political reasons often reflect on the social and political circumstances that surrounded the crime they were charged with, but often, imprisoned women also write letters, diaries, memoirs, autobiographies, pamphlets, etc. The political imprisonment could happen because the political or ideological writings themselves are the reason for imprisonment. There are various ways to classify imprisoned women's literary production, and also to understand the crimes that are not usually understood as political as such. Following the feminist approach and tendency to understand personal as political, also the examples of women who were imprisoned for prostitution, homosexuality, or some other gender-specific crime might be understood as political prisoners, especially if their criminalisation has been related to the public advocacy of these practices and their recognition as labour implying the labour rights. Another quite specific crime for which women were also imprisoned during the early modern times was suspicious religious practices and sectarian activities. These are listed here and will not be examined separately later. Furthermore, writings of women in prison could be observed by considering the specific topics that are related to their femininity, such as pregnancy, menopause, periods, parenthood while imprisoned, etc. here not of great relevance.

The other way to distinguish between approaches to women in prison writings is to delineate between female inmates who are the same time also feminists, in comparison to those who are not and do not advocate women-specific emancipation and liberation. In some cases, the feminist struggle has been the cause of imprisonment, including the struggle for basic political, social, economic or health rights. Women incarcerated for political reasons often are not members of the marginalised parts of society, but rather belong to the intellectuals, highly educated, richer strata of advantaged segments of society. This makes their imprisonment specific and different in comparison to all the others. Reading and writing in prisons are special issues that could also be related to the domain of education in prisons, and the history of making these activities available to inmates is indicative. The

broader rights to reading, writing and education in the situation of imprisonment as a topic related to the given subject goes beyond the scope of this paper and will be elaborated on in future papers. Above all, in the modern period despite the presence of imprisoned intellectuals, the number of educated inmates was quite low. It took a while since some of the prison's governance structures permitted the tools needed for writing and reading inside the prison cells, which in the previous times, as we see from the case of Rosa Luxembourg, were mostly freely available. The first noted permission to use notebooks in prison was given by female inspector Dr Marry Gordon in the female Holloway Prison in 1908 (Cheney, 2010: 132 in Bozon, 2021: 31).

It is useful to mention that there is an ongoing debate about the reliability and credibility of prisoner memoirs, both in literary studies and criminology, which is of crucial importance for criminology and penology (Davies, 1990, p.106; Broadhead, 2006, p.152; Morgan, 1999, p.328; Crewe & Bennett, 2012, p. xxi in Morgan 2020: 20). Therefore, is always useful, when possible, to triangulate methodology and data given in prison writings with the other available resources and to take them not for granted.

The two main periods of Imprisoned Women Literary Production

As mentioned previously, I will classify the writings of imprisoned women into the two main historical periods characterised by the political engagement and activism of the incarcerated women I select to represent. In the following paragraphs, the main figures and features of the imprisoned women's writings will be represented. Furthermore, the focus will be on detecting the topics of importance for my analysis in the writings of these two periods, which are their perspectives of prison on the one hand, while on the other hand I am looking for the perceptions of this imprisonment, especially in terms of how the imprisonment itself affected their consequent wellbeing and political career and engagement. The line of separation between the two is the Second World War, which represents for the genre the separate phase, which is not in the focus of this analysis.

Period before the WWII

Under the most convenient criteria for classifying the imprisoned women's writings - chronological, we start with the period before WWII. This is the provisional delineation convenient for separating the two historical periods in which the political patterns of engagements considerably have changed, particularly regarding the engaged women and how they were perceived and treated in society since by time women were more and more accepted as politically active and leaders. With the empowerment of the ideas born in the period of Enlightenment, and later with the progression of social reformists and utopistic movements, numerous firm supporters of the radical causes were imprisoned, many of whom have been women. In the Victorian Era prison writings became very popular at one point, while among the most popular imprisoned women who also produced some writings about their experiences in this broad pre-WWII period were Rosa Luxembourg and Emma Goldman. WWII and the transitional period during the war also have some inputs to be considered, such as witnesses from the gulags given from the side of women. Still, this topic also is not the focus of this paper since no exemplary case has been brought out of this direction of prison writings. Therefore, it will remain only mentioned without going into

details and specificities of this period and writings of the imprisoned women. So, after explaining the rise of a genre in the period of Enlightenment in the European centres of development of the genre, I will proceed by describing three cases of the most prominent and exemplary women imprisoned for political reasons whose writings became highly popular and influential in this period.

The Age of Enlightenment

Women's prison writings became a recognized activity during the period of Enlightenment. Since in this period, the struggle for recognition of political rights of women began, this situation contributed to the massive imprisonment of women who were fighting for political causes passionate and motivated to advocate certain beliefs, for which writing while imprisoned appeared to be one direction. In some cases, even attempts to reach the audience from behind the bars occurred. Two exemplary cases of the imprisoned women's writings are cases from England and France that broke social taboos associated with politically engaged women who publicly demonstrated some forms of disobedience.

In France in the 18th century, there were examples of aristocratic women who were imprisoned and guillotined because of their attitudes, writings or alleged political accusations. One such example is Marie-Jeanne Phlipon Roland, the wife of former Girondist Minister of the Interior, Jean-Marie Roland de la Platiere (Szymanek, 1996). She has been accused of anti-revolutionary propaganda in patriotic educational programs together with her husband. At that time, public engagement was prohibited for women, and she denied the political character of her activities. Indeed, sources claim she never wrote a political pamphlet or spoke publicly. Still, on the other hand, the letters, and memoirs she wrote during the three months of imprisonment before the execution tell a different story and obvious political advocacy (Szymanek, 1996: 99, 100). In these memoirs, she witnessed writing speeches and letters to her husband while he was in ministerial charge. On the other hand, she was criticized by feminist scholars for having no courage to challenge the dominant conception of femininity and refusing to stand for women's cause (Szymanek, 1996: 100). Imprisonment made Roland's writings different, and she started to demonstrate bitterness and disappointment. At the same time, she also started to reveal her role in her husband's writings and include some personal elements in the texts, clearly indicating the prison environment led her to self-questioning and reflection (Szymanek, 1996: 110).

The second chosen case, England, is also quite specific for the topic and prison writings produced by women in the Victorian period. From a historical point of view, these women's prison writings are among the most popular within the genre. Prison writings have become "a typical cultural form of early modern England" (Freeman, 2009: 133). In this period the rise of women in prison writings was significant for the first time and the reasons behind this phenomenon are the growth of printed books in combination with the rise of literacy and education. The first anthology of prison writing in the English language was Henry Bull's *Certain Most Godly, Fruitful, and Comfortable Letters of Such True Saintes and Holy Martyrs of God*. In the early modern period, religious and political prisoners often had organized support, and sometimes supporters smuggled and disseminated their writings. The prisons were mostly places for lower social groups, while portrayed also as places for mad

and bad sites full of dangerous people. At that time, prisons were not systematically organized as they are today, therefore in most cases, it was possible to write there and disseminate the writings outside of the prison. The conditions in prisons were variable and not unified, and in early modern times, prisons were also sometimes the sites of vivid cultural production (Freeman, 2009: 145). All religious groups suffered incarceration in the early modern period in England and writings of the imprisonment played an important role in the public acting of the religious groups. The prison writings were popular in public and for decades dominated the public sphere in Britain producing two main outcomes one of which was documentation of the prison conditions, and the second one was that those writings represented some of the most important literary works of the period (Alber and Lauterbach, 2009: 3). These writings played an important role in Victorian public.

Another group of women whose imprisonment was noticeable and massive in the Victorian era were suffragettes. The activities of suffragettes who struggled for women's right to vote started in 1850. For public protesting around 1000 of them spent days or weeks in prison between 1905 and 1914 (Bonzom 2021: 39). Suffragettes were especially active in using the power of writing to make an impact and appeal to the public from the prison cells. Suffragettes and other political prisoners were held in Holloway Prison, one of the largest prisons in Western Europe. For protesting to demand the right to vote, suffragettes were fined. After refusing to pay the fine, they would get a stronger sentence and imprisonment. Since suffragettes were educated women, the documentation they made about their stay in prison is among the most popular and analysed women's prison writings (see for example: (Davies, 2018; Wiley and Rose, 2021). The political heritage of this struggle is recognized and respected in Britain so today we can find some of the original diary notes written by Emily Wilding Davison in 1912.¹

WWI and Interwar Period

The two most important classics of politically imprisoned women's writings in the interwar period are *Letters from Prison: with a Portrait and a Facsimile* (1921) by Rosa Luxemburg and *A Fragment of the Prison Experiences of Emma Goldman and Alexander Berkman* addressing the period from February 1918 to October 1919. The imprisonment of women in this period has been related to the rise of socialism and ideologies of radical social transformations that often came in conflict with official politics. Because of the turbulent character of this period and the rise of educated women ready to engage in political acting, both imprisonment and writings by troubled engaged women were on the increase. Here I will concentrate only on one of the two mentioned texts and their significance in terms of contributing to the history of criminology and penology with a better understanding of how prisons in that period looked like and how the circumstances of political imprisonment functioned in the context of certain social and political circumstances, and that is the book by Rosa Luxembourg which is the one that served as the inspiration for this paper.

¹ The diary notes can be retrieved here: <https://www.parliament.uk/about/living-heritage/transformingsociety/electionsvoting/womenvote/unesco/ewd/>, accessed on: 27.5.2024.

The Letters from Prison by Rosa Luxemburg is probably the most well-known book of the genre of women in prison writings, particularly because of the more human than political content of her considerations during the imprisonment and the effort invested into seeing the imprisonment from the positive side. Rosa Luxemburg (1871-1919) was a prominent socialist thinker of German and Polish socialist movements of the 18th and 19th centuries and the first woman in Europe who received a doctorate in political economy. She was advocating socialist revolution and opposed imperialism and war. These letters from prison were written from 1916 to 1918 and remained unpublished until 1923. After providing a brief description of the biographical information about the author and the historical circumstances surrounding her life and political activities, I will progress further by focusing on her description and perception of life in prison, including how she thematized the effect imprisonment has had on her health and life. This final stay behind the prison walls has been just one in a long line of imprisonment for Rosa Luxemburg. In total, she spent three years and four months in prison before she was assassinated.

Letters from Prison by Rosa Luxemburg, paradoxically, teach us much more about the transformation of the negative effects into positive ones than they do about the negative consequences of imprisonment. Her letters from prison demonstrate "an aesthetics of redemption" rather than desperation or depression of imprisonment (Murphet, 2023: 58). Her stay in prison has been strictly regulated and all her communication with the outside world has been censored. However, all these measures did not break her spirit, and she continued her intellectual and academic work even in prison. Most of the content discussed in Rosa's letters is about the books. Since Rosa Luxemburg has not been involved nor associated with any concrete criminal acts like some other women whose cases were presented in this article, but rather the main causes of her imprisonment were her beliefs, therefore she can be considered a political prisoner in real terms.

From the content of the letters Rosa Luxemburg wrote in prison, we can see that her major occupations were not prison-related at all, but rather they demonstrate healthy thinking and a caring person having good relations to others, mostly focused on books, reading and learning, in this case during imprisonment, not revolutionary material but rather natural sciences. It can be seen that she enjoys the atmosphere of non-standardized prisons different from prisons today where her friends and family are sending her the books she asked for and, in some cases, she even had spent time in the park regularly where she planted some plants. When she moved from Wrohki to Breslau, she lost the previously available freedom to move inside the prison, as well as the small pleasures she enjoyed and described in her letters previously (Luxemburg 1921: 44). Her perception of incarceration changed when she moved into sharing the space with other prisoners when their poor condition and state of wellbeing has made a negative impact on her probably because it reminded her of the real circumstances she has been surrounded with (Luxemburg 1921: 45). However, the described incarceration experience is predominately positive and did not have an effect of desperation on Rosa Luxemburg. I do not see the negative side of incarceration on her mental health and mostly she did not complain nor criticize the fact of her imprisonment at all but rather created the life she would live as concentrated on strong reasoning and maintaining creative and productive habits. These letters are one of the defining for the genre, but also it might be a case that she censored herself or that she also

made some political writings in prison that later were destroyed while only those non-problematics remained and were published later.

The period after the WWII

The global rise of social movements elevated the writings of imprisoned women to a completely new level during the 70s, changing both the nature of the political imprisonment of women and the way they were dealing with imprisonment. Because of the massiveness of political rebels of the time, the incarceration of women, people of colour and other groups protesting in demand of their rights rose dramatically on a global level. The attempts to raise awareness about the imprisonment conditions often occurred through some form of writing from the prison cells or even providing autobiographical and/or ethnographic documentation for other imprisoned women or themselves to others which later were published. Compared to the writings of the imprisoned women to the classical modern epoch, in this period the prison system has undergone significant modifications too, so imprisonment for political reasons represented different kinds of phenomena than had been the case before, for which for numerous reasons the case of Angela Davis is exemplary and important to represent. The transformations and growth of the imprisonment system in the US were one of the most striking phenomena characteristics for the second part of the twentieth century, which also became important globally because of its exposure in media and public discourse of the most powerful cultural industry which later became global. The documenting of the struggle for racial equality in the US has been placed in the context of a prison system which, as Angela Davis formulates it, has become a prison industrial complex in many instances not only reflecting the inequalities and other oppressive characteristics of the society but also retaining some of the features of slavery (Davis, 2003: 7, 22). Prisons have become one of the most pictured places in movies and literature, so present in our consciousness and everyday life, and considered inevitable to the extent that it is almost impossible to imagine life without them (Davis, 2003: 9).

For the historical period of the end of the XX century, I chose the case of Angela Davis because it is an exemplary and well-known case which teaches us a lot about how women perceive prison and how prison affects not only their literal production but their agency in general. Also, this case offers a chance to see an activist and a scholar who successfully managed to continue an academic career despite being incarcerated, which is rare to find. If we can distinguish at least two categories of imprisoned writers - those who were captured because of political activism and those who became politically active during and/or after imprisonment, the case of Angela Davis gives us a different example, which is the politically engaged women whose activism has been levelled up after the experience of imprisonment and who later on became academically interested in thinking about prisons and their role in society. Her writings were almost completely engaged with analysing the prison system and how Black, Latino, and other minorities are positioned in it and the happenings surrounding the Black liberation movement, thus we see not much of any other prison-related content present in the writings. While in previous cases the reception of the women in prison's writings was much slower, in this case, we have the writings and activism mutually affecting the situation in prisons and society's reform at the same time. What is different about Angela Davis as a political prisoner is her much more concrete and direct association with the forms

of political violence. She is a much more controversial figure in comparison to classical modern women whose involvement with this has been more or less reduced to the generalised struggle for the revolutionary overthrow of the actual regime rather than individualised acts of violence in forms of smaller, much more concrete strategic goals connected to rebellious acts.

However, since the focus in this overview is not on the type of crime the imprisoned woman allegedly or had committed, nor any type of judgment on their ideological and political views, I will be focused on how she described and perceived her imprisonment experience and how it, later, shaped her penological scholarly works. One of the most striking differences in comparison to most of the figures mentioned before is the fact that Angela Davis is still alive and that in her case imprisonments have contributed greatly to her popularity, rather than costed her career and life like it was the case with others. In 2020 she was listed by the magazine *Time* as one of the 100 most influential people in the world. Furthermore, she helped a lot in the development of the fieldwork autobiographical research aimed at collecting stories from other imprisoned women of colour who do not practice writing themselves, therefore her engagement becomes more like a doctrine and alternative understanding of the penalty system in the contemporary world and appeal for the need to transform the system of penalty function in order to achieve better goals which are always related to the providing the good chances for a decent life in society even for the former convicts and providing better opportunities for survival while doing decent jobs.

I will examine the case of Angela Davis in the following steps. Firstly, I will explain her own experiences with imprisonment and the writings done during this period and about it. Afterwards, I will deal with the engagement of Angela Davis related to the prison system and her efforts to give voice and pursue research of the cases of other incarcerated women that often also included information about their educational and writing efforts both from the prison and afterwards but related to the experience of confinement.

Angela Davis, like most of the Afro-American activists close to the Black Panther Party and other radical anti-racist and communist organisations, became of interest to the FBI and police, until in 1971 she experienced imprisonment for something she did not do and later a trial for murder and kidnapping for which she supported the people who committed it as an act or rebellion against an unjust system. In her case, she received the huge support of people all around the world and several hundreds of letters daily, which also was a distinguishing moment since no other imprisoned woman ever attracted so much support and attention before. The engagement of Angela Davis born a mark of a struggle for freedom and equality for Afro-Americans in the US that represented one of the most striking features of the social uprising in the second half of the XX century and is one of the most important events in the history of the XX century. As a critically engaged and radical scholar, Davis spent considerable time in Germany and got involved with the crucial critical thinkers of the post-war time. Her doctoral thesis has been confiscated by the FBI and as a member of the radical political party Black Panthers and Communist Party USA, her academic engagement has been constantly under scrutiny of the state apparatuses. In comparison to the other politically radical imprisoned women mentioned before, Davis succeeded in her struggle and continued her academic career despite imprisonment and all the other attempts to be silenced.

However, public support for radical politics in the USA was huge at that time because of racial segregation and accumulated dissatisfaction with the situation following 1968, and this makes the position of Angela Davis also quite different than was the case with many other political prisoners whose views were quite less popular and less widely known.

However, since my goal in this paper is quite specific, I will not go into the details of the political approaches and biography of Angela Davis, but rather after providing a brief contextualization needed for a better understanding of the case, I will focus on describing how Angela Davis perceived the prison environment through her writings both from prison and her afterwards considerations related to prison experience. The perception of the prison experience of Angela Davis is mostly given in the book *If They Come in the Morning: Voices of Resistance* (1971). From the beginning of the book, one can see that the difference in the position of Davis has been the strong support she has been receiving from other activists and her writings related to her imprisonment from 1971 are opened by one such letter of support sent by James Arthur Baldwin who was an American writer and civil rights activist. Like many other political prisoners, Davis has been kept in solitary confinement and struggled to get out of the segregated area, which is the most highlighted motive of her prison experience. She used her imprisonment to systematise information about the position of Afro-American people in prisons and to maintain correspondence with other scholars and activists. The main purpose of the massive opposition of Black people has been to finally come to terms with the remaining features of slavery in American society in the processes considered for a part of the civil rights struggle of the global social movements mostly advocating peace, improvement of the environment and social equality. The civil rights struggle from the end of the century has been grounded in disobedience and a call to oppose all the laws that are discriminatory to black people (Davis, 1971: 29). Furthermore, the political prisoner has not been a defined type of crime in the US and people charged with that type of offence had to be charged with some other type of criminal offence, therefore Angela Davis has seen these tendencies in the context of the broader attempt to criminalize radical social movements at any price and frame them as criminals in advance. In this publication, we do not see much of how Angela Davis perceived the experience of her imprisonment, she does not reflect on this extensively. Due to the mentioned support, she probably never experienced prison in the real sense of the term like the other imprisoned Afro-American women did.

What we see is that her imprisonment has been a part of a broader engagement against racial segregation and imprisonment that served her as a tool for expressing the revolt against the structural inequality of black people. Her prison writings address the problems of racial segregation that cause a much higher rate of criminal offences among the Afro-American population in comparison to the others, many strict offences and even crimes reserved only for Black people and is a program for fighting these injustices. Imprisonment has not been seen as something demotivating, nor did it scare her or make her dubious about the future career path. The event of her arrest happened in the context of massive protests in the prisons requiring better conditions part of which also have been *The Folsom Prisoner Manifesto of Demands and Anti-Oppression Platform* (Davis, 1971: 68). Many of the cases were provenly fabricated and without any subsequent verdict for a crime, since the goal of the government has been to deradicalize Black people. The right to read political literature,

books, newspapers and other media has been particularly sensitive since that is how prisoners at the same time became informed about the events at other places (Davis, 1971: 70). Furthermore, her prison-related writings and engagements, starting from her own experience of imprisonment, were influential for increasing the attention devoted to gender and race-related problems in prison, which up to then have not been sufficiently visible. Support from the outside while in prison appeared crucial (Davis, 1971: 126). Speaking of the form of writings given in this book, those are not diary notes, but rather letters and interviews given while she was imprisoned. Poverty and poor opportunities were listed as key causes of the tendency of Black people to engage in criminal activities, and the moment has been seen as critical to fight for change.

The second moment related to Angela Davis and her prison-related writings is the book *Are Prisons Obsolete?* (2003) where she developed her theory of prisons and went through the arguments for considering alternatives to prisons to solve problems with criminality and criminal acts. The events from the 70s and her experience inspired her to think about whether prisons were the effective and necessary mechanisms of punishment for the future. However, as she concludes, prisons have become an "industrial complex" and an inseparable part of social relations to the level it is hard to imagine life without them. Racial and intersectional problematics however are undeniable aspects of prisons, and they serve for the placement of non-desirable groups and to solve social problems (Petkovska 2023). But are they fulfilling the goal they have been founded for? Despite all the facts presented and the claim that restorative mechanisms are better than punitive ones, Angela Davis also mentioned the transformative potential of incarceration as it has been in the case of Malcolm X (Davis, 2003: 56). Isolation as a chance for free space for contemplation and change of usual ways also has been pointed to in cases of other women political prisoners. Many novel forms of writing and the reliance on writing as a means of communicating social problems and struggles have their origin in prison or otherwise stopped channels of communication.

A much more important influence on the penological views developed by Angela Davis and others is a methodology used to give voice to imprisoned women and their efforts to perceive the experience of imprisonment in productive, transformative, and educational terms. Such an example is the book *Inner Lives: Voices of African American Women in Prison* (Johnson et al., 2004). In this book mostly incarceration as a transformative experience is portrayed through the life of Black women by using a life narrative and oral history approach. The represented cases consisted of former and current inmates, but also criminal justice officials, for women imprisoned for drugs, prostitution, or violent criminal acts, many of whom claimed innocence. More than transformative potential, the represented women even claim imprisonment as an opportunity for self-discovery (Johnson et al., 2004: 53). In many of the cases women continued with educational interests developed in prison, obtaining a diploma, or finding some other purpose in the community. Many of them mention writing letters to their friends and family, which accentuates letters from imprisoned women as a precious source of a genre of prison writings beyond the popular cases of political prisoners that could be a potentially productive source in future research. Furthermore, it accentuates the continual communication with the outside world as crucial for maintaining the well-being and health of the imprisoned women.

Contemporary encounters: writings from specific cultures and societies in former, continuing, or frozen conflicts

A completely specific subgenre of the genre of women political prisoners' writings is contemporary publications considering parts of the world which are in permanent conflict state or in a state of continuous political instability caused by unsolved, past or frozen conflicts, including Muslim and traditional societies where women who practice civic equalities and liberties are often subjected to punishment for not fitting into the traditional roles. Among these countries for the genre of writings of women political prisoners the best known are Irish activists and in the literature, there are plenty of resources examining writings of Irish republican women prisoners (See for example McCann, 2015). Since here I do not have enough space to go into the details of those specific groups of these conflict or post-conflict areas, I will just mention some of them such as Third World and Muslim Countries, Gaza, Ireland, Cyprus, Kurdish people in Turkey, Chiapas in Mexico, etc. Political struggles for independence in these countries created conditions in which activists for independence were constantly under threat and often imprisoned, many of whom were women. Therefore, those authors' writings constitute separate genres which can be examined as separate topics. The overview of the genre of writings of women political prisoners would not be completed if we did not mention our region, the Balkans, or South-eastern Europe. This type of publication commenced by women is almost completely absent. Neither the dissidents included some of the women's writings made by women themselves. We cannot find any similar examples in our region despite the turbulent political times and many intellectual women who took part in political events and were imprisoned for political reasons. This fact is interesting and should be the subject of future analyses when the topic becomes more elaborated in the local context. Some of the reasons were the possible negative stereotypes flowing through the political and intellectual engagement of women in the traditional and patriarchal society. Illiteracy might be another problem since not all the politically active women were intellectuals, educated and literate. Particularly this was not the case with women engaged in socialism and partisan struggle during the WWII. The third direction of interpretation might be that these writings do exist, but they were not given the attention, or they have not been preserved as was the case with their male counterparts. Although most of the writings may have been destroyed, there is a chance that future archival research may uncover some surprises. It cannot be ruled out that similar writings may exist in this region as well.

Conclusion

In this paper, I have applied the thematic discourse analysis to the writings of the imprisoned women to provide a brief historical overview of the most well-known cases and notice some of the differences surrounding this phenomenon in different historical circumstances. Starting from the early modern times and period of Enlightenment when the writings of imprisoned women started to gain significant attention, I am continuing through the interwar and post-WWII period. My interest has been directed to the most famous cases and changes surrounding the writings of imprisoned women throughout history. The largest space of the article has been devoted to the cases of Rosa Luxembourg and Angela Davis as

two probably the most famous cases or publications of incarceration writings of political prisoners. My main task has been directed towards the features of the perception of the prisons as given in the writings, but considerable attention has been given to the social and political context of the given periods as well as to the biographical information related to the life and career of the incarcerated women. The main findings tell that women political prisoners were not dominantly focused on the situation of imprisonment and its negative aspects, they were not affected that much by the aura of stigmatisation and shame, but far much more they were using the experience to empower themselves related to the tasks of the political struggle they aimed to contribute to and in the future transformative purposes.

References

- Aday, R. H., & Krabill, J. J. (2011). *Women Aging in Prison: A Neglected Population in the Correctional System*. Lynne Rienner Pub.
- Ahnert, R. (2017) *The Rise of Prison Literature in the Sixteenth Century*. Reprint edition. Cambridge University Press.
- Alber, J. and Lauterbach, F. (2009) *Stones of Law, Bricks of Shame: Narrating Imprisonment in the Victorian Age*. 1st edition. Toronto; Buffalo: University of Toronto Press.
- Alexander, M. (2017) *Inside This Place, Not of It: Narratives from Women's Prisons*. Reprint edition. Edited by A. Waldman and R. Levi. London; New York: Verso.
- Arias, R. (2009). Epilogue: Female Confinement in Sarah Waters's Neo-Victorian Fiction. In J. Alber & F. Lauterbach (Eds.), *Stones of Law, Bricks of Shame: Narrating Imprisonment in the Victorian Age* (pp. 256–278). University of Toronto Press. <http://www.jstor.org/stable/10.3138/9781442689206.16>.
- Bonzom, Alice (2021) "The 'one bright light' of Life in a Dark Cell: Reading and Writing in Victorian and Edwardian English Prisons", Victorian Popular Forms and Practices of Reading and Writing (Colloque SFEVE Paris Est Créteil, 29-30 janvier 2021); Renaissance (atelier SFEVE du Congrès Tours, juin 2021). Paris: Société Française des Etudes Victoriennes et Edouardiennes.
- Davies, C. (2018) *Bad Girls: A History of Rebels and Renegades*. First Edition. London: John Murray.
- Davis, A. Y. (1971). *If they come in the morning, voices of resistance*. New York, Third Press.
- Davis, A.Y. (2003) *Are Prisons Obsolete?* New York: Seven Stories Press.
- Freeman, T.S. (2009) 'The Rise of Prison Literature', *Huntington Library Quarterly*, 72(2), pp. 133–146. <https://doi.org/10.1525/hlq.2009.72.2.133>.
- Gelfand, E.D. (1980) 'Women Prison Authors in France: Twice Criminal', *Modern Language Studies*, 11(1), pp. 57–63. <https://doi.org/10.2307/3194169>.
- Goldman, E. (1919) A fragment of the prison experiences of Emma Goldman and Alexander Berkman in the State Prison at Jefferson City, Mo., and the U.S. Penitentiary at Atlanta, Ga., February 1918--October 1919. University of Michigan Library.
- Johnson, P., Davis, A.J. and Logan, J.A. (2004) *Inner Lives: Voices of African American Women in Prison*. New York: NYU Press.
- Knežić, Branislava (2017) *Obrazovanje osuđenika: način da se bude slobodan*. Beograd: Institut za kriminološka i sociološka istraživanja.
- Lawston, J. M., & Lucas, A. E. (Eds.). (2011). *Razor Wire Women: Prisoners, Activists, Scholars, and Artists*. SUNY Press.
- Luxemburg, R. (1921) *Letters from prison: with a portrait and a facsimile*. University of California Libraries.
- March, Eleanor Jane (2021) *Crossing the prison boundary: Prisoner writing as an act of translation*. Guildford, UK: University of Surrey, School of Literature and Languages.
- McCann, F. (2015) 'Commitment and Poetic Justice: Irish Republican Women's Prison Writing', *Commonwealth Essays and Studies*, 38(1), pp. 57–66. <https://doi.org/10.4000/ces.4962>.

- Mena Prison Forum (2021) *Prison, writing, and questions of genre: a Conversation with Dr. Shareah Taleghani*. Mena Prison Forum. Retrieved April 24, 2024, from https://menaprisonforum.org/outreach_detail/82/.
- Paul Avrich Collection. (1920) A fragment of the prison experiences of Emma Goldman and Alexander Berkman: in the state prison at Jefferson City, Mo., and the U.S. Penitentiary at Atlanta, Ga. February, - October 1919. [New York: Stella Comyn,?] [Pdf] Retrieved from the Library of Congress, <https://www.loc.gov/item/2014656910/>.
- Petkovska, S. Sanja (2023) Značaj pojma intersekcionalnosti za socijalnu patologiju: epistemološki i metodološki aspekti. *Zbornik instituta za kriminološka i sociološka istraživanja*, 42(1), 81–99, DOI: 10.47152/ziksi2023015.
- Richie, B.E. (2004) 'Feminist Ethnographies of Women in Prison', *Feminist Studies*. Edited by B. Owen et al., 30(2), pp. 438–450. <https://doi.org/10.2307/20458973>.
- Rodríguez Gallardo, Ángel (2010) Analysis of discourse on prison writing. VI Congresso Nacional Associação Portuguesa de Literatura Comparada/X Colóquio de Outono Comemorativo das Vanguardas – Universidade do Minho 2009/2010. Pontevedra, University of Vigo.
- Scheffler, J. (1988). Romantic Women Writing on Imprisonment and Prison Reform. *The Wordsworth Circle*, 19, 99 - 103.
- Scheffler, J. A. (Ed.). (2002). *Wall Tappings: Women's Prison Writings, 200 A.D. to the Present* (2nd ed. edition). The Feminist Press at CUNY.
- Scheffler, J.A. (1984) 'Women's Prison Writing: An Unexplored Tradition in Literature', *The Prison Journal*, 64(1), pp. 57–67. <https://doi.org/10.1177/003288558406400106>.
- Schwan, A. (2014). *Convict Voices: Women, Class, and Writing about Prison in Nineteenth Century England*. University of Massachusetts Press.
- Washburn, R. (2022) *Irish Women's Prison Writing*. 1st edition. New York London: Routledge.
- Whitecross, R. (2023) Of narrative neglect and the most forgotten of writers – towards publishing an anthology of women's prison writing. *Narrative Matters 2023 - Instrumental Narratives: Narrative Studies and the Storytelling Boom, 15 - 17 June 2023, Tampere University, Tampere, Finland*. (Conference proceedings).
- Wiley, C., and Rose, L.E. (Eds) (2021) *Women's Suffrage in Word, Image, Music, Stage and Screen*. 1st edition. London; New York: Routledge.

Motherhood in prison - challenges and perspectives

The authors have analysed the status, treatment and needs of imprisoned mothers and their children. They point out that, almost everywhere in the world, children of incarcerated mothers are not given adequate attention, and that their very specific needs are neglected, although this directly contradicts the international standards and the principle of protecting the best interests of the child. In order to make recommendations that could upgrade the realization of rights of incarcerated mothers and their children left behind, the authors have reviewed the scientific and professional literature, focusing on the possible negative effects of parental detention and practices that have been shown to contribute to the well-being and social reintegration of both children and their mothers. International legal documents have also been analysed. General recommendations that have been given relate to the justice and prison systems, social welfare, schools and the media.

Keywords: imprisonment, mother, child, Bangkok rules, Serbia

Introduction

It is estimated that millions of children around the world are the offspring of imprisoned parents, and these children often belonged to disadvantaged groups even before their parents were incarcerated (Robertson, 2007: 8). According to Penal Reform International, 1.4 million children are separated from their mothers in prison (2023), while Children of Prisoners Europe (COPE) estimates that 37,000 children in the European Union are separated from their mothers who have been deprived of their liberty at any given time (Irish Penal Reform Trust, 2023). The literature states that in countries such as Brazil, Russia and the United States of America (USA), female prisoners are also mothers in 80% of cases (UNODC, 2014: 18). It should be noted that, in contrast to the male prison population, the number of women in prison has risen rapidly worldwide in recent decades (Ignjatović & Ljubičić: 2011). In Asia, for example, women have been sentenced to prison much more frequently since 2000, with the number of women in prison in Cambodia increasing ninefold, while a similar trend has been observed in Central America, so that the number of female prisoners in Guatemala has increased sixfold (Penal Reform International: 2023).

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It is undeniable that the needs of children of imprisoned parents are a neglected issue almost everywhere in the world. It has been observed that children of incarcerated parents are also quite invisible in the field of academic research (Huebner & Gustafson, 2007; Murray, 2005: 442). It is often pointed out in the literature that the children of prisoners are collateral victims who are not considered, both during the ongoing criminal proceedings and during and after the execution of criminal sanctions. This is confirmed by the fact that in many countries there is no data on the number of children whose parents are in prison (Dzierżyńska-Breś, 2017: 130). In the literature, children of imprisoned parents are referred to as 'orphans of justice', 'forgotten victims' of crime and 'Cinderellas of penology' (Murray, 2005: 446).

The aim of the paper is to identify relevant recommendations whose implementation could improve the situation of incarcerated mothers and their children, both at a normative level and, more importantly, in practice. To address the issue, we have conducted a rapid systematic review. So, the study is based on a review of the relevant literature and legal documents, applying the systemic and teleological method of interpretation as well as the normative-dogmatic method.

Effects of parental imprisonment

During the criminal proceedings and the imprisonment of the parents, children find themselves in stressful situations, which then continue and become even more complicated during the serving of the sentence. Children often have to support and comfort the remaining family members. They experience a discontinuity in previous routines and have to move to a new neighbourhood or a new school. Add all of this to the fact that, at some point, the incarcerated parent returns home after a longer or shorter period of time, and that the dynamics of family relationships have often changed significantly (Robertson, 2007: 7). It is therefore not surprising that the imprisonment of parents is counted among the most important adverse childhood experiences (abbreviated: ACEs). ACEs are experiences that are not common in typical child development, so they often exceed children's coping resources (Finkelhor, 2020).

The literature indicates that the consequences of a parent's imprisonment for a child can be significant and far-reaching. It has been found that children of incarcerated parents exhibit emotional and psychological problems and have difficulty coping with schoolwork (Huebner & Gustafson, 2007; Venema et al, 2022). Children of prisoners are discriminated against and stigmatized because of their parents' actions and suffer from trauma, fear, guilt and low self-esteem. Feelings of abandonment and helplessness have been identified (UNODC, 2014). It has been observed that children of incarcerated parents are more likely to hang out with peers who engage in deviant behaviour and that they withdraw from prosocial groups in search of support and acceptance (Hoffmann et al, 2010: 399). In this context, it is emphasized that warmth and consistency in the mother-child relationship could contribute to antisocial behaviour manifesting less frequently (Kovačević Lepojević & Kovačević, 2017). It is often reported that the affectionate bond and good communication with the mother have a stronger protective effect on the development of adolescents than that with the father (Kovačević Lepojević et al, 2020). The absence of a parent potentially disrupts relationships with other household members and the problems can manifest

themselves in the form of social withdrawal, deterioration in health, nocturnal enuresis (bedwetting), decline in school performance, running away from school and even aggressive and criminal behaviour (Robertson, 2007: 9). The literature points out that the children of prisoners are at a significantly higher risk of being sentenced to prison in future than their peers whose parents were not imprisoned. A longitudinal study conducted in the USA, involving 1250 mothers and 1697 adult children, found that there was a positive correlation between the mother's imprisonment and the child's subsequent conviction (Huebner & Gustafson, 2007: 292).

However, it should be underlined that the literature also states that there is actually no relevant evidence of a direct and causal relationship between children's criminal behaviour and their parents' serving a prison sentence (Murray, 2005: 447). Indeed, when discussing the effects of parental imprisonment, it should be borne in mind that it is not possible to separate the consequences that arise from separation due to serving a prison sentence from those caused by the presence of other risk factors in children's lives, such as previous parental neglect, substance abuse, violence and extreme poverty (Jones & Wainaina-Woźna, 2013: 508). For example, a comparative study found that the criminal behaviour of the offspring of prisoners in England is significantly higher than the criminal behaviour of the children of prisoners in Sweden. The study pointed to the potentially protective influence of Swedish social policy, which is very much geared towards meeting the diverse needs of prisoners' children, with child-friendly policies also being applied in prisons when it comes to building and maintaining relationships between a prisoner and a child. This is important, as the study shows, not only as an issue of generational transmission of criminality, but also in light of the impact on children's mental health and well-being (Jones & Wainaina-Woźna, 2013: 142).

It has been observed that the negative consequences of imprisoning a mother are more profound compared to the consequences of imprisoning a father (Irish Penal Reform Trust, 2023), which is partly due to the fact that fathers are less likely to be the children's main carers at the time they are sent to prison (Healy et al, 2000). For example, a study conducted in the USA found that 64% of mothers lived with their children at the time of the offence, while only 44% of fathers shared a household with their offspring (Murray, 2005: 452). Studies conducted worldwide show that the imprisonment of the mother has particularly serious consequences for the children and the family, as if the father is imprisoned, the mother remains in the household with the children (UNODC, 2014). On the other hand, if the mother is incarcerated, the child is often left without a family and home, as mothers are more often single parents, so that an alternative placement must be arranged for the child, which may include institutional care (Turney & Goodsell, 2018: 150). Similarly, the literature indicates that the parental role of the imprisoned mother is informally evaluated more harshly compared to the role of the imprisoned father and that the mother is reprimanded more intensely and told more directly that she needs to improve and be more responsible with her parental duties (Breuer et al., 2021). The literature also points out that mothers experience particular stress and uncertainty when they do not know where and how their children will be cared for, while anxiety is exacerbated for mothers with multiple children who may be placed with different people or institutions (UNODC, 2014: 19).

Regarding incarcerated mothers, a meta-analytic study of experiences of incarcerated women in Australia found that imprisonment exacerbates pre-existing problems in women's lives such as poverty, substance abuse, traumatic experiences and psychological problems. There is not much information on how women can be supported to maximise their well-being during pregnancy, childbirth and postpartum. It is felt that the existing studies are not sufficiently rigorously evaluated (Bard et al, 2016; Wilson et al, 2022) and that they only sporadically consider the experiences of women serving a prison sentence (Sapkota et al, 2022). It is also assumed that mothers' problems may be reflected in the fulfilment of their children's needs. At the moment of imprisonment, the mother is displaced from some established routines and experiences stress due to separation from the child. Even the mothers who remain in prison with their children point out that they are under pressure due to the constant monitoring of their child-rearing, although a number of women also state that they feel safer in prison because they have a roof over their heads and regular meals. It is undeniable that women also suffer specific deprivations related to the loss of the traditional role of wife and housewife, which makes their position very different from that of men (Špadijer-Džinić et al, 2009). Some studies pointed out the difficulties mothers face after their release from prison when they have to secure a home and take care of their children after being freed from the struggle for survival for a while. Mothers are reluctant to approach the authorities for help in the post-prison period because they do not want to be stigmatised and draw attention to themselves and their children. Women in Australia have also had problems in the area of social housing because they have not been treated as a privileged group and have had difficulty exercising other rights in the area of social care due to their unfavourable educational level and lack of knowledge (Breuer et al, 2021).

It is undeniable that a prison sentence can have a negative impact on the fulfilment of material needs, as the imprisoned parent does not earn money and may incur additional costs due to visits, preparing packages for inmates and paying for legal services. Therefore, it is not surprising that children whose parents are not materially disadvantaged are better off and that the risks are particularly high for children living in underprivileged environments (Turney & Goodsell, 2018: 153). Difficulties concerning money also relate to loss of residence. For example, up to a third of mothers in the United Kingdom (UK) have been found to be homeless after serving a prison sentence, making it impossible for them to continue caring for their children after release from prison. At the same time, as they are no longer the children's guardians, they have no special status when applying for social housing (UNODC, 2014: 21).

However, the consequences of parental imprisonment might not be only negative. When it comes to families where partner violence and child abuse manifest themselves, and also families where the parent-child relationship is somewhat damaged, the child may enjoy certain benefits from the parent's absence. This is especially true for children of parents who lead chaotic lives and of addicted parents, so that the child is given the opportunity to lead a stable and peaceful life once the parent leaves home. Certain studies even indicate that prisoners themselves notice positive changes in the behaviour of their children from whom they are separated (Jones & Wainaina-Woźna, 2013), which could be related to the fact that the child is no longer exposed to dangerous situations and is also no longer under the supervision of parents who do not have sufficient parenting skills. Research obtained in this

way suggests that the children of prisoners had satisfactory mental health (Venema et al., 2022: 493) or minimal mental health problems, although this may also indicate a particular development of resilience due to the effect of various protective factors. If the parent was not present in the child's upbringing even before imprisonment, then their imprisonment has no significant impact (Robertson, 2007: 10).

Furthermore, the impact of imprisonment differs depending on whether the children are younger or older, boys or girls, and whether the sentences are shorter or longer. It should also be borne in mind that in modern times, the perspective from which the concept of resilience is viewed is changing significantly, so that resilience is no longer interpreted as a set of personal characteristics and skills, but as a complex process and functioning of the system (Bukvić & Popović-Čitić, 2023).

The negative consequences of parental imprisonment have been found to be more pronounced in boys, as well as in children who lived with an incarcerated parent prior to imprisonment (Turney & Goodsell, 2018: 153). A New Zealand study found that women who were incarcerated for longer periods of time had weaker relationships with their children and that the quality and intensity of relationships declined over time, with technical complications in maintaining communication also contributing (Robertson, 2007: 21). Whether the parent-child attachment is maintained certainly depends on the type of prison in question and how difficult it is to organise visits, but also on how close parents and child actually were at the time of separation (Stack, 2020: 150). It is therefore quite understandable that children who are not close to their parents are emotionally burdened by keeping in contact, while visits have a positive effect on children who are closely bonded to their parents (Stack, 2020: 152).

Parenting in and out of prison - possibilities in practice, state of affairs in Serbia

As far as the children of prisoners in Serbia are concerned, it can be said without a doubt that there are no defined mechanisms for the care and protection of these children. From the Strategy for the Development of the System of Execution of Criminal Sanctions 2022-2027¹, we learn that 7,230 persons were serving prison sentences in 2021, while the total number of persons deprived of liberty, taking into account custodial measures, security measures, juvenile and misdemeanour sentences, amounted to 10,557. The proportion of women in the total population of persons deprived of their liberty was 4,3%. The Strategy provides for certain measures to improve the treatment of particularly vulnerable groups of offenders, including women. However, it is noticeable that not much attention has been paid to aspects related to parenthood, so that there are not even estimates of how many offenders have underage children at the time of serving their sentence. In this context, the research conducted in 2021 by the Centre for Social Work in Leskovac (abbreviated: CSW) focused on the services provided to children of imprisoned parents in the period from 2015 to 2021 (Đorđević & Hrnčić, 2023). Since the children of convicted persons do not constitute a special category of social protection services users, 20 families whose members were parents sentenced to imprisonment were identified on the basis of the case manager's

¹ Official Gazette of the Republic of Serbia, No. 142/22

recollection, and contact was made with 7 families, from which 9 children aged 4 to 22 years were chosen to participate in the study. In addition, 16 employees of the Service for the protection of children and adolescents in the CSW were interviewed. The results of the study indicate that the children were generally not informed in detail about the reasons for their parents' absence, but that they had the opportunity to visit their parents in prison, which the children were mostly happy to do. The children were not prepared in any way before the visit to the prison took place, and the arrangement of the visit itself depended mainly on the decision of the parent or guardian who was living with the child at the time. The children felt sad and insecure, and even after the visits there was a feeling of anxiety. A number of children manifested psychological problems and problems in coping with the school curriculum. The prison and the CSW did not apply a specific procedure in order to assess the child's well-being in the context of maintaining relations with the absent parent (Đorđević & Hrnčić, 2023: 378-381). The CSW provided financial support and other services to children and families, in the same manner that these services are provided to all other social services users. Specific training for case managers on the needs of children of prisoners was not provided, although professionals felt that they had the necessary knowledge and means to meet the needs of these children (Đorđević & Hrnčić, 2023).

Truth be told, even in Europe, the care for children whose parents are serving a prison sentence has not been systematically organised or standardised, although countries such as Sweden and Norway have been considering ways to protect this vulnerable group for several decades through coordinated measures of justice and social services systems. It should be noted that the European Commission's Recommendation was recently adopted, calling on Member States to place prisoners in facilities as close as possible to their place of residence and to allow family visits in child-friendly conditions (EU, 2022).

Legal framework

International legal documents define both the rights of the child and the rights of the parents in family matters, whereby it is undisputed that these rights are acquired at birth and are inviolable, so that incarceration of a parent must not override them.

The UN Convention on the Rights of the Child (1989) applies to all areas of a child's life as well as to a child in special circumstances, which certainly includes a child who is separated from his or her parents due to imprisonment. There is no doubt that the best interests of the child presuppose the preservation and maintenance of family relationships, which is why Article 8 of the Convention regulates the obligation of the state to respect the child's right to family relationships without unlawful interference. Also, Article 9, paragraph 3 of the Convention states that authorities shall respect the right of a child separated from one or both parents to maintain regular personal relationships and direct contact with both parents, unless this is contrary to the best interests of the child. All children, including those whose parents are in prison, have the right to adequate housing, health care, a decent standard of living and education (Articles 24-28). In decisions that may affect the child, the assessment of the best interests of the child should be paramount and particularly binding on the competent state authorities (Article 3). States should also create the conditions for a child who is capable of forming his or her own views to be able to express them, taking due

account of the child's views in accordance with his or her age and maturity (Article 12). Although it is generally recognized that there is no universal definition of the term 'best interests', it is undisputed that it includes ensuring safety, emotional well-being and appropriate conditions for growth and development.

The UN Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules), adopted in 1955 and revised in 2015, stipulate that prisoners must be able to communicate regularly with their families by writing letters, using available means of telecommunication and receiving visits (Rule No. 58). Where conjugal visits are possible, this right should be available to both men and women without discrimination, while ensuring safety and dignity in the available facilities.

United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules, 2010) are of particular relevance for women serving prison sentence, bearing in mind that these rules build on the UN Standard Minimum Rules for the Treatment of Prisoners and focus on the specific needs of women, which have traditionally been neglected in the field of execution of criminal sanctions (Kovačević, 2012). The adoption of this document establishes a special obligation for authorities and courts to consider the special needs and welfare of their children when sanctioning women (UNODC, 2014). Thus, the preamble of this document underlines that efforts should be made to avoid deprivation of liberty during criminal proceedings in the case of pregnant women and single mothers, while the imposition of prison sentences should only be used in exceptional cases and only for the most serious offences. Rule No. 2 stipulates that, upon admission to prison, the necessary measures should be taken to enable the care of the children of female prisoners, with particular regard to the best interests of the child. Furthermore, Rule No. 4 states that in the placement and transfer from one institution to another, special consideration must be given to the distance of the institution from the place of residence of the prisoners' children, the wishes of the prisoners, the means of support and the unimpeded maintenance of relations with the children. Regulation No. 12 stipulates the obligation to provide gender-specific and appropriate care for the mental health of a convicted woman, with special consideration given to previous trauma and life experiences. As regards contact with the outside world, Rule No. 26 provides that all necessary measures should be taken to maintain family contact, including facilitating visits from family members living in distant places. Rule No. 28 states that visits of children must take place in appropriate premises, with an appropriate staffing that allows direct contact between mother and child, and authorities should encourage the arrangement of longer visits. Activities in prisons should be designed to allow pregnant women and women caring for children to participate fully, which may include organised child-care within the facility. The implementation of measures such as rehabilitation and probation is strongly recommended in order to promote the establishment and maintenance of relationships with family members and reintegration with appropriate support (Rule No. 45). Rules 48 to 52 refer to special categories of prisoners, namely pregnant women, nursing mothers and women in prison with children. In short, the health and nutritional needs of pregnant and breastfeeding women must be taken into account and the prison should have appropriate conditions for the stay of mothers with children. Authorities are obliged to organise the conditions for bringing up children in such a way that children in prison enjoy conditions

similar to those on the outside, with the decision as to when the child leaves the institution being made with the best interests of the child in mind. The child can only leave the institution when appropriate care is provided. Even after the child has left the institution, all measures should be taken to ensure that the child maintains as good and frequent a relationship as possible with the mother, unless this is contrary to the child's best interests. Finally, Rule No. 63 provides that the decision on conditional or early release shall take into account the parental role of the prisoner and that she shall receive special support during the reintegration period.

Good practice and parenting in prison

The literature suggests that the negative impact of parental incarceration on the child's welfare can be prevented or reduced, to some point, through planning that accommodates the needs of the child and the mother, and through various types of counselling and education (Robertson, 2007).

The best interests of the child should be focused on through all the stages of the criminal justice process and the initial deprivation of liberty, when it is particularly important that the encounter with the police must not be traumatic. It is vital that the parent caring for the child is informed about available resources for support within the first official contact with the police and the justice system. During the criminal proceedings, the interests of the children must not be neglected, so that they are also one of the circumstances that influence the choice and assessment of the sentence. In this sense, expert services and anamnesis provided by the social welfare system are of great significance. It is recommended to design appropriate protocols and print manuals for professionals and lay persons (UNODC, 2014).

Maintaining contact and closeness is in the interests of both the child and the parent, and the parent will be able to cope better with the challenges of prison if he/she feels good about his relationship with his/her child (Robertson, 2007: 21). In the context of all the above, living with a child in prison can be a suitable solution, especially in the cases of babies and young children. Thus, almost anywhere in the world it is possible for a child to be placed in a penal institution, with the maximum age of a child living in prison being defined differently, so that in general children can stay in prison until the age of one, up to three. We should not lose sight of the complaints that being in prison prevents the child from enjoying the rights that other children do get to fulfil. Therefore, it is necessary to assess when the benefits of living in prison outweigh the negative effects that the prison environment brings. It is undeniable that living in prison prevents the child from socialising with children and the community outside the prison and that the mother is not able to fully dedicate herself to the role of parent (UNODC, 2014). The literature points out that by being in the institution, the child enjoys the right to be cared for by the biological parent and that creating a strong bond between mother and child at an early age has far-reaching effects on the child's wellbeing (Covington, 2016: 116). It is certainly also advisable to opt for a sanction that does not imply incarceration or to replace the institutional sanction with an alternative one, which should come to the fore especially in case of single mothers. It should be borne in mind that in many countries, including Serbia, there are no multiple penal institutions for women, but

only one or a few facilities, which inevitably means that the mother is far away from the child's place of residence.

If the incarceration of the mother is nevertheless unavoidable, the maintenance of the bond and relationship with the parent in prison should be encouraged. This is based on the premise that the right to contact and visits is the right of the child, and not the privilege of the mother. Research has shown that maintaining relationships in most cases has a positive and decisive influence on the stability and proper development of children. Direct contact is particularly important in this respect, although indirect communication is also useful. Research shows that children who maintain contact have better coping skills (Jones & Wainaina-Woźna, 2013). For contact between the child and the mother to truly fulfil its purpose, it may be necessary to teach parents how to communicate and build a relationship of trust and closeness with the child. For this reason, 'remote parenting' courses are organised in countries such as China and Kenya, where inmates get to learn about the needs of children of a certain age, their cognitive abilities and how to communicate with children in an exemplary manner (UNODC, 2014: 76).

In terms of maintaining the relationship between mother and child, it is important that the procedures for organising visits are not complicated. For example, searches and other security checks should be carried out in an appropriate manner, bearing in mind that children will become fully accustomed to them over time. Also, the first visit to prison should not be unnecessarily delayed, as the child will feel stress and uncertainty until they are sure that their parent is safe (Jones & Wainaina-Woźna, 2013: 558). It is therefore advisable to conduct the visit in the first week after the deprivation of liberty.

During the first visit, a detailed prison tour and familiarisation with the prison regime should be organised. The first visit should also be an opportunity to liaise with resources for help, rather than waiting for problems to arise in the field of family relationships. In this context, it should be noted that research shows that children's resilience is higher when quality relationships with grandparents and siblings are maintained (Jones & Wainaina-Woźna, 2013). This is why interventions to support the maintenance of healthy family relationships are so important. This can be of great importance for the re-entry period, as it is more difficult for a mother who has been rejected by other family members to reintegrate and take on the role of a parent.

Facilitating longer and meaningful visits, as well as various interesting activities carried out directly with the parent, helps to maintain a quality relationship between mother and child. In this sense, it is desirable to involve the child and parents through board games and craft activities. Entertainment is particularly important for younger children who are not able to engage in prolonged conversations with their parents, so static activities in rooms with a gloomy atmosphere do not suit them. To implement these and similar measures, it is necessary to train prison staff on family-centred policies and children's rights (Irish Penal Reform Trust, 2023). Civil society organisations can also be involved in the education process. For example, the non-governmental organisation RODA in Croatia has produced a brochure for prison staff and distributed it to all prisons explaining how to recognise the needs of children visiting a parent in prison (Irish Penal Reform Trust, 2023).

Apart from the fact that there should be no rigid rules when visiting parents in prison, it is also important that the children have the financial means to get to the penal institutions. These issues have not been systematically addressed, so in most countries financial support for the purchase of transport tickets and fuel is only provided by certain non-governmental agencies. Penal Reform International, for example, reports that it has provided funding to enable family members in Uganda to visit their relatives in prisons up to 900 km away, whom they had previously been unable to see for up to five years (Penal Reform International, 2023). It is clear that covering travel costs is unattainable for many countries for the time being. Therefore, one should think about making phone calls for convicts free of charge, or at least not expensive. Mother should be allowed to make phone calls at least a few times a week. It should be mentioned that in European countries such as Spain and France, making phone calls from prison is so expensive that many prisoners cannot afford regular contact with their family members. For example, daily phone calls in France cost between 70 and 110 EUR per month, with 22% of prisoners having less than 50 EUR per month (Penal Reform International, 2023).

The use of modern technology, particularly video calls, can contribute to maintaining closer contact between children and their mothers in prison. It is interesting to note that the Covid 19 pandemic led to the widespread use of video calls due to the ban on visits and that technological means continue to be used even after the end of the ban (Irish Penal Reform Trust, 2023). There are also programmes to improve literacy in the USA, where mothers can read and record fairy tales and other appropriate reading materials, which are then sent to their children using various technological means (Hoffmann et al., 2010). The above shows that even without large investments in material resources, the state of the rights of vulnerable groups can be improved.

It is desirable to organise workshops and training for incarcerated parents to develop and improve parenting skills. It is undeniable that a significant number of incarcerated parents lack parenting skills, which may be due to their previous life experiences as well as the fact that they themselves have not experienced positive parenting in their own childhood (Norman et al., 2022). In this sense, it should be borne in mind that the prison system is increasingly taking into account the prisoner's parental role and the child's right to have their needs met, as well as security aspects of prison operations and programmes aimed directly at prisoners. It is therefore necessary to identify additional resources, but also to raise awareness among prison administrators so that the implementation of interventions and programmes to improve parenting can take place. Research shows that even initiatives that focus only on incarcerated parents, without structured involvement of children, have some positive effects and that prisoners emphasised that after such programmes they have improved their relationships with their children, that they have acquired new skills and that they are more willing to participate in disciplining the children (Hoffmann et al, 2010, 400). One of the best-known parenting initiatives in the US is Girl Scouts Beyond Bars (GSBB) for incarcerated mothers and their daughters. Part of the GSBB activities involve mothers who are in prison preparing for a visit and planning activities that they will do with their daughters, while on the outside girls are meeting and socialising with peers who have had similar experiences. The results of the programme were rated as very good, as

communication with the mothers improved and the girls achieved better academic results (Hoffmann, 2010, 400).

Additional commitment from the authorities in the area of post-penal care is required. It is undeniable that, with the exception of some Scandinavian countries, there is no adequate coordination between the justice, health and social care systems and that available resources are extremely scarce and difficult to access. Therefore, in Ireland, it is recommended that the Child Welfare Service, known as TUSLA, in collaboration with other services, take additional measures to reach out to children of imprisoned parents in cooperation with civil society and offer them individualised support measures (Irish Penal Reform Trust, 2023).

The role of the school in meeting the needs of students whose parents are in prison has also been recognised. For example, the non-governmental agency Families Outside in Scotland, in partnership with the state, organised training for teachers going into prison, where they were to be made familiar with the experience a child goes through when visiting a relative or parent in prison. Certain teaching materials were also distributed to schools. Teachers have engaged in this practice and emphasised that they did not know what approach to take when working with students affected by imprisonment, as incarceration is considered a taboo subject (Haines, 2017). Given the complexity of the situation, the child's needs are unlikely to be met in school, but it is important to build a trusting and non-judgmental relationship so that the child and parents feel free to ask for help in the school, which can refer them to other available resources for support. Otherwise, the literature indicates that strengthening the sense of belonging to the school can contribute to positive development and the prevention of behavioural problems (Stojanović & Popović-Čitić, 2022). Furthermore, research suggests that teachers may have lower expectations for the academic performance of children of incarcerated parents, which can have a negative impact on children's success, so in this sense, some sort of education for teachers is also needed (Dallaire et al., 2010: 285).

It is extremely important to inform the public about the needs and problems of children of imprisoned parents. The Children of Prisoners Europe (COPE) points out that the media play an indispensable role in reducing the stigmatisation and rejection of children and can strongly support the development of resources that meet the needs of this group. Therefore, it is important to follow ethical guidelines when reporting on children of incarcerated parents in order to emphasise not only the negative impact of their status, but also their unlimited potential for personal development. It is desirable to show the children's perspective and the challenges that children face due to the fact that they are forced to go to correctional institutions, while sensationalism and stereotypical portrayals of prisons and prisoners should be avoided (Fleischner, 2019).

Conclusion

The multiple increase in the female prison population, as a global trend since the beginning of the 21st century, highlights the problems and unmet needs of their children left behind. Apart from being in direct contradiction to international standards, the principle of humanity and the state's obligation to care for the youngest, neglecting the needs of this vulnerable group can cause or exacerbate various disorders of mental, emotional and social

functioning and also contribute to the intergenerational transmission of criminality. It is not unknown that children of incarcerated mothers belong to disadvantaged social groups even before they are physically separated from their parents, so incarceration only exacerbates the situation.

A responsible and strategic approach to the children of imprisoned mothers requires that they are first recognised as a group of children that deserves special protection. It is therefore necessary to identify the number of these children and to define their status within the judicial and penitentiary system, and within the system of social protection. Some changes should be made at the level of the normative framework.

Furthermore, an additional orientation of penal institutions towards the specific parental needs of mothers is necessary so that the security barriers in prison do not constitute an insurmountable obstacle between the child and the mother.

We should not lose sight of the fact that everyone, including prisoners, has the right and the duty to enjoy parenthood. So, in addition to measures aimed directly at children and female prisoners, the public must be educated about life in prison and families separated by imprisonment, in order to reduce the stigmatisation and prejudices that exacerbate the already complicated situation of children and incarcerated mothers.

References

- Bard, E., Knight, M. & Plugge, E. (2016). Perinatal health care services for imprisoned pregnant women and associated outcomes: A systematic review. *BMC Pregnancy and Childbirth*, 16(1), 1–19. <https://doi.org/10.1186/s12884-016-1080-z>
- Bukvić, L. & Popović-Čitić, B. (2023). Resursi za izgradnju rezilijentnosti kod mladih. *Beogradska defektološka škola*, 2, 61-74.
- Breuer, E., Remond, M., Lighton, S., Passalacqua, J., Galouzis, J., Stewart, K. & Sullivan, E. (2021). The needs and experiences of mothers while in prison and post-release: a rapid review and thematic synthesis. *Health Justice*, 9, 31. <https://doi.org/10.1186/s40352-021-00153-7>
- Covington, R. (2016). Incarcerated mother, invisible child. *Emory International Law Review*, 31(1), 99-134.
- Dallaire, D. H., Ciccone, A. & Wilson, L. C. (2010). Teachers' experiences with and expectations of children with incarcerated parents. *Journal of Applied Developmental Psychology*, 31(4), 281-290.
- Dzierżyńska-Breś, S. (2017). "Invisible children" – about social situation of prisoners children. *Polish Journal of Social Rehabilitation*. 14, 129-142.
- Finkelhor, D. (2020). Trends in Adverse Childhood Experiences (ACEs) in the United States. *Child Abuse Negl.* Epub 2020 Jul 30. PMID: 32739600.
- Fleischner, E. (2019). 'If you don't communicate, you don't exist' Working with the media on behalf of children with imprisoned parents (toolkit), Children of Prisoners Europe (&). Dostupno na: https://childrenofprisoners.eu/wp-content/uploads/2020/06/Media-toolkit_2019.pdf
- Haines, T. (2017). The importance of schools being aware and sensitive without discriminating further. *European Journal of Parental Imprisonment*, 6, 8-11.
- Hoffmann, H. C., Byrd, A. L. & Kightlinger, A. M. (2010). Prison Programs and Services for Incarcerated Parents and Their Underage Children: Results from a National Survey of Correctional Facilities. *The Prison Journal*, 90(4), 397-416. <https://doi.org/10.1177/0032885510382087>
- Ignjatović, Đ. & Ljubičić, M. (2011). Žene i zatvor-opšta pitanja i studija slučaja. *Anali Pravnog fakulteta u Beogradu*, 1, 55-79.

- Dorđević, V. & Hrnčić, J. (2023). Problemi dece roditelja u zatvoru i njihova pozicija u sistemu socijalne zaštite, *Temida*, 3, 365-387. <https://doi.org/10.2298/TEM2303365D>
- Irish Penal Reform Trust (2023). *Maternal Imprisonment In Ireland: A Scoping Study*. Dostupno na: <https://www.iprt.ie/iprt-publications/maternal-imprisonment-in-ireland-a-scoping-study/>
- Jones A. D. & Wainaina-Wožna A. E. (2013). Children of prisoners: Interventions and mitigations to strengthen mental health. University of Huddersfield.
- Kovačević, M. (2012). Položaj žena u sistemu izvršenja krivičnih sankcija prema Bankočkim pravilima. *Temida*, 4, 73-88.
- Kovačević Lepojević, M. & Kovačević, M. (2017). Prenošnje antisocijanog ponašanja među i unutar generacija. *Zbornik Instituta za kriminološka istraživanja*, 36(3), 109-119.
- Kovačević-Lepojević, M., Ilić, Z., Maljković, M., Kovacevic, M. & Ilijić, Lj. (2020). Parenting and externalising problems in adolescents: results of factor analysis. *Vojnosanitetski pregleđ*, 77(5), 487-493. <http://dx.doi.org/https://doi.org/10.2298/VSP170117099K>
- Huebner, B. & Gustafson, R. (2007). The effect of maternal incarceration on adult offspring involvement in the criminal justice system, *Journal of Criminal Justice*, 3, 283-296, <https://doi.org/10.1016/j.jcrimjus.2007.03.005>.
- Murray, J. (2005). The effects of imprisonment on families and children of prisoners. In: *The effects of imprisonment* (A. Liebling & S. Maruna, Eds), 442-492. Cullompton, England: Willan.
- Norman, A., Swahnström, S., Karlström, NU & Enebrink, P (2022). Multi-level barriers and facilitators to implementing a parenting intervention in prison, perceptions from deliverers and responsible managers: a mixed-methods study. *BMC Psychol.* Mar 24;10(1):79. <http://doi.org/10.1186/s40359-022-00782-z>. PMID: 35331337; PMCID: PMC8943991.
- Penal Reform International (2023). Global Prison Trend 2023. available at: <https://cdn.penalreform.org/wp-content/uploads/2023/06/GPT-2023.pdf>
- Sapkota, D., Dennison, S., Allen, J. et al. (2022). Navigating pregnancy and early motherhood in prison: a thematic analysis of mothers' experiences. *Health Justice* 10, 32. <https://doi.org/10.1186/s40352-022-00196-4>
- Stack, K. (2020). Moms in prison: the impact of maternal incarceration on women and children. *Manitoba Law Journal*, 43(5), 145-160.
- Stojanović, M. & Popović-Čitić, B. (2022). Osećaj pripadnosti školi: značaj za pozitivan razvoj i prevenciju problema ponašanja učenika. *Nastava i vaspitanje*, 3, 403-423 <https://doi.org.10.5937/nasvas2203403S>
- Špadijer-Džinić, J., Pavićević, O. & Simeunović-Patić, B. (2009). Žene u zatvoru-deprivacije zatvoreničkog života. *Sociologija*, 3, 225-246.
- Turney, K., & Goodsell, R. (2018). Parental incarceration and children's wellbeing. *The Future of Children*, 28(1), 147-164.
- United Nations Office on Drugs and Crime (UNODC) (2014). *Handbook on Women and Imprisonment*. New York.
- Venema, S. D., Haan, M., Blaauw, E. & Veenstra, R. (2022). Paternal Imprisonment and Father–Child Relationships: A Systematic Review. *Criminal Justice and Behavior*, 49(4), 492-512. <https://doi.org/10.1177/00938548211033636>
- Wilson, S. H., Marsh, L. N., Zielinski, M., Corbett, A., Siegler, A., & Shlafer, R. (2022). Enhanced perinatal programs for people in prisons: A summary of six states' programs. *Journal of Criminal Justice*, 83, 101965. <https://doi.org/10.1016/j.jcrimjus.2022.101965>

Two sides of the same coin: maternal imprisonment, trauma and attachment in a prison child

The aim of this paper is to show how early traumatic experiences and problems in the life of mothers can change the quality of mother-child attachment and affect later growth and development. Maternal imprisonment represents a significant problem that affects not only women who are in prison, but also, above all, their children. Traumatic experiences that precede the deprivation of freedom are passed down from generation to generation, so problems in the mother's life can disrupt the early mother-child relationship and negatively affect the quality of attachment. This can represent a significant source of trauma for children and has a negative impact on their upbringing and future socio-emotional and psychological development. Certainly, we must not ignore the fact that mothers also suffer if they are separated from their children, because motherhood is an essential element of a mother's emotional life and well-being, both in prison and in freedom. Therefore, these mothers need support, both in prison and after release, so that they can be good enough mothers and provide the child with conditions for optimal growth and development.

Keywords: maternal imprisonment, trauma, attachment, child

Introduction

Trauma has the capacity to shape physical, emotional, and intellectual development, especially when experienced in early childhood (Harris, 2018). Women who are in prison have had various traumatic experiences that, consequently, shape their lives and the lives of their children. Research has shown that women who are in prison have a history of various forms of abuse and neglect most often in relation to the primary caregiver, substance abuse, homelessness, mental health problems and the like (Harris, 2018; Nuytiens & Jhaes, 2022). In addition to these experiences potentially contributing to the increased rate of women's incarceration, they influence the subsequent separation from children, which further intensifies already experienced traumatic experiences. Separation carries numerous risks for the psychosocial development of children, as well as for the well-being of the mothers. Motherhood is a key aspect of the emotional life of women in prisons (Nuytiens & Jhaes, 2022), so denial of the right to care for and coexistence with the child is assessed as the most difficult aspect of imprisonment for mothers and a source of suffering, anxiety, guilt and suicidal thoughts (Jbara, 2012); Shamai & Kochal, 2008; Martin & Powell, 2005).

On the other hand, maternal incarceration disrupts early attachment and increases the likelihood of poor developmental outcomes in childhood and adulthood (Goshin, Byrne, &

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Blanchard-Lewis, 2014; O'Malley & Devaney, 2015). Thus, early attachment between mother and child appears to be a risk and/or protective factor concerning adverse traumatic experiences associated with the mother-child relationship. For example, research has shown that incarcerated mothers who have experienced various traumatic experiences are negative and less sensitive to their children (Hans, Bernstein, & Henson, 1999), and that poor care can lead to severe attachment disorders in children (Rincón- Cortés & Sullivan, 2014), that is, to the development of insecure and disorganized/disoriented attachment (Harris, 2018; Poehlmann, 2005; Cassidy et al., 2010). Insecure attachment in early childhood is a predictor of numerous internalizing and externalizing behaviour problems, both during childhood and in adulthood (Erzokan, 2016; Goshin, Byrne, & Blanchard-Lewis, 2014; Hamper, 2023; Pojman, 2001; Cassidy et al., 2010). Early separation from the mother is another factor contributing to insecure attachment in children. The longer the separation lasts, the more far-reaching its negative effects become, and the less likely it is that the attachment relationship will be re-established.

In addition, in this paper we aim to show the repercussions maternal imprisonment can have on the mother and the child. In other words, we are trying to better understand how this early traumatic experience and problems in the mother's life can change the quality of mother-child attachment and affect later growth and development.

Maternal imprisonment

The number of women in the world's prisons is a significant issue that affects a large number of families and children (Harris, 2018; Nuytiens & Jehaes, 2022). The percentage of imprisoned mothers among the world's female prison population ranges (Nuytiens & Jehaes, 2022): 57.7% in Denmark (Kestermann, 2005); approximately 81% in Belgium (Flanders) (Van Haegendoren, Lenaers, & Valgaeren, 2001); and up to 90% in Argentina (Krabbe & Van Kempen, 2017). According to official statistics, in England and Wales in 2021 there were 3,116 women in prison, while around 17,500 children were affected by maternal imprisonment (Kincaid, Roberts & Kane, 2019; Ministry of Justice, 2021; for a review: Martin & Powell, 2021). There were 54 mother and baby units – (MBUs) for mothers and infants under 18 months of age (Martin & Powell, 2021). Approximately 8-10% are pregnant when they enter prison (Cassidy et al., 2010), while 80% of female inmates are the primary caregivers (Harris, 2018). The largest percentage of women were convicted of nonviolent crimes, most often drug-related crimes (Celinska & Siegel, 2010).

Women in prison have experienced multiple traumas throughout their lives. Thus, women's lives before prison, not only compared to those of the general female population, but also compared to those of the male prison population (Nuytiens & Jehaes, 2022), are marked by various forms of victimization and violence, substance abuse, homelessness and other traumatic experiences (Batchelor, 2005; Morgan & Liebling, 2007). Studies show that women in prisons were most often abused and/or neglected by their primary attachment figure – parents (Harris, 2018). One study revealed that 60% of pregnant imprisoned women interviewed had experienced domestic violence (Fogel & Belyea, 2001), while another study revealed that the majority of pregnant women in prison characterized their primary caregiver as cold, intrusive, dismissive, or excessively controlling (Hutchinson et al., 2008). Many

unresolved early traumas and attachment issues (i.e., separation, loss and grief, history of abuse and/or neglect, etc.) lead incarcerated mothers to use drugs as a way to alleviate the pain caused by the trauma (Harris, 2018).

For these women, prisons can be re-traumatizing, because in addition to the trauma they have already experienced, in prison they can face attachment issues anew, including separation and the loss of their children. Mothers can be separated from their children at various points throughout the criminal justice system (Martin & Powell, 2021): upon arrest; when being sentenced; at birth; or after a stay in prison Mother and Baby Units (MBUs). Family members or the state can take care of children by placing them in foster families or giving them up for adoption, which for mothers in many cases means permanent separation. Mother-child separation has been presented as a gendered “pain of imprisonment,” which, for mothers who are not reunited with their children, leaves further trauma upon release (Martin & Powell, 2021). Therefore, the maternal role in women's identities and relationships with children plays a central role in adjustment within prisons and after release (Greene et al., 2000, for a review: Celinska & Siegel, 2010). However, the experience of motherhood in prison remains relatively under-researched (Nuytiens & Jehaes, 2022).

First, there is a small amount of research on the impact of separation from the child on the mother. In addition, research is uneven and incomplete, with a particular focus on the mother-child dyad, thereby excluding the mother's experience and the influence of the wider environment (Powell, 2018). Nonetheless, available research suggests that for incarcerated mothers, separation from children of any age is the most traumatic aspect of incarceration (Douglas, Plugge, & Fitzpatrick, 2009; Martin & Powell, 2021; Powell, 2018). Studies show that the complete separation of mothers from their children or reduced contact due to incarceration can lead to increased levels of depression and anxiety (Jbara, 2012). In American prisons, according to available data from the past twenty years, most mothers are assessed as being clinically depressed (Poehlmann, 2005; Powell, 2018). Compared with women who are not mothers and whose rates of depression decline, mothers remain depressed after six months in prison (Powell, 2018). The separation and loss from children due to incarceration are the most common factors associated with the risk of suicide, feelings of guilt and concern for one's child, and other mental health problems (Jbara, 2012; Martin & Powell, 2021; Powell, 2018).

For incarcerated mothers, constant care for their children is a dominant aspect of their prison life (Nuytiens & Jehaes, 2022), whether it is focused on the effects of separation and incarceration on their children's lives and well-being, the place of residence or psychological development (Kazura, 2001; Celinska & Siegel, 2010). The feeling of guilt in mothers is most often associated with the feeling that they have failed as mothers (Powell, 2018). Corston (2007, for a review: Nuytiens & Jehaes, 2022) emphasized that when a woman becomes a prisoner, it automatically means that she is considered a bad mother. Denying the right to motherhood and thus encouraging the feeling that a woman has failed as a mother is described as a significant source of suffering in prison (Belknap, 2007; Nuytiens & Jehaes, 2022; Shamai & Kochal, 2008).

In addition, research indicates a link between separation from the child and substance abuse. For mothers who are addicted to substance use, support in prison, but also after

release, is of key importance in reducing the risk of separation from the child (Powell, 2018). The authors describe the return to substance abuse as a dissociative practice for managing the pain of separation from the child, but also suggest that overcoming addiction is not simply matter of choice between motherhood and substance abuse (Powell, 2018). Although mothers often see their children as a motivation for change and their primary purpose in life (Celinska & Siegel, 2010; Enos, 2001; Ferraro & Moe, 2000), these mothers also need support in dealing with other challenges, such as trauma, mental disorders and social issues (Arditti & Few, 2006; Celinska & Siegel, 2010) to fully reintegrate into the community and take care of their children. Otherwise, separated mothers who lack any form of support remain socially vulnerable after release with increased rates of unemployment, unoccupied housing, homelessness and drug use (Dolan et al., 2013).

Some authors have considered the issue of mother-child separation within the context of attachment theory (Borelli et al., 2010; Schen, 2005). Schen (2005) suggested that separation can alter the mother's experience of the child. Bortner (2002, for a review: Powell, 2018) noted that mothers in prisons are more likely to be insecurely attached than mothers in the community and this is related to their ability to cope with separation and depression. Chambers (2009) interviewed a small group of mothers who had given birth in prison about their experiences of bonding with their babies. The findings revealed that mothers reported not only feelings of deep love for their infants, but also emotional pain and shock at impending separation (Powell, 2018; Siegel, Luther, & Napolitano, 2021). In a sample of 25 women in a state prison (Hutchinson et al., 2008) mothers commonly expressed fear of separation from their infants (Siegel, Luther, & Napolitano, 2021). Women were concerned about the initial separation immediately after birth and then the possible lack of attachment when reunited with their children after release (Powell, 2018). The sense of motherhood gives meaning to a woman's life while incarcerated, and maintaining the mother-child relationship is considered beneficial for mothers while incarcerated (Shamai & Kochal, 2008; O'Malley & Devaney, 2015). It is important to emphasize that family relationships play a significant role in helping mothers overcome separation. Mothers who have family support in taking care of children are better positioned to overcome separation, unlike mothers who suffer more because of family refusal to take care for the child (Martin & Powell, 2021).

Trauma and attachment: A brief review

Issues of trauma and attachment are particularly important when discussing children whose mothers are in prison, whether they are children born and living with their mothers in prison or children who are separated from their mothers. Young children are a more sensitive group regarding to the prevalence and effects of early traumatic experiences. Research has shown that the trauma experienced by the mother can be transmitted to the baby *in utero*, and that trauma symptoms and neuroendocrine responses to trauma appear in children as early as three months of age (Cordon et al., 2004; Melville, 2017). Additionally, research on a sample of babies raised in war zones showed that the mother's proximity to a traumatic event affects the manifestation of traumatic symptoms in babies (Feldman & Vengrober, 2011; Melville, 2017). In general, young children can be affected by various types of trauma, such as family dysfunction, parental separation/divorce, maternal or paternal incarceration,

substance abuse and domestic violence (Dye, 2018; Melville, 2017). In regard to children who remain in prison or are separated from their mothers, it is likely that these children, in addition to the mother's imprisonment, will experience other forms of trauma in the parent-child relationship or in relation to the environment in which they live. These children most often experience chronic and complex trauma that occurs in response to a long-term, repetitive event, and has an emotional and physical impact (Harris, 2018). Such events primarily affect a child's self-regulatory abilities, well-being, and perception of the world as an unsafe place and/or include stressors that exceed available coping resources (Cordon et al., 2004; Van Horn & Lieberman, 2008; Melville, 2017). In general, overcoming traumatic and stressful events represents a permanent, changing cognitive and behavioral effort to cope with specific external and/or internal demands that are assessed as burdensome or so difficult that they exceed the resources the person has at their disposal (Lazarus & Folkman, 2004, for a review: Tadić & Kordić, 2022). Specifically, exposure to complex trauma in childhood is associated with (see: Dye, 2018): greater impairment in cognitions (Najjar et al., 2008); physical awareness and dissociation (Courtois, 2008); and affect regulation, interpersonal attachment, and behaviour control (Cohen et al., 2012). Trauma thus has the capacity to shape physical, emotional, and intellectual development, especially when experienced in early childhood (Harris, 2018).

One example of early trauma in the mother-child relationship is maltreatment, which affects numerous domains, including cognitive, behavioural, socio-emotional, and health domains. According to Howe (2005), children who are exposed to abuse do not have available caregivers or have caregivers whose behaviour leads to anxiety, fear, and anger (Erozkan, 2016). Compared with older maltreated children, trauma-exposed children between the ages of zero and two are at greater risk for developing internalizing behaviour problems (Kaplow & Widom, 2007; Melville, 2017). In a study examining the prevalence and effects of early traumatic experiences, it was found that adverse childhood experiences (ACEs) (Melville, 2017) are associated with impaired socio-emotional development, increased risk of polyvictimization during childhood, below-average academic literacy, and increased rates of PTSD and internalizing symptoms in adulthood (Grasso et al., 2015; Jimenez et al., 2016; McKelvey et al., 2016; Melville, 2017). Taken together, these findings suggest that early mother-child attachment appears to be a risk and/or protective factor, depending on attachment style.

Problems in a mother's life are known to affect the baby's life and can alter the quality of the mother-infant attachment (Myers et al., 1999; Thompson, Lamb, & Estes, 1982). With this in mind, addressing issues of attachment and trauma is a complex issue for children of incarcerated mothers. In this case, if, on the one hand, we look at the fact that imprisoned women have experienced various traumatic experiences during their lives (being depressed, prone to substance use, etc.) and, on the other hand, the prison environment, which is unnatural in its own environment for the lives of small children, it is a significant question whether and to what extent mothers are able to achieve attachment with their children and protect them from potential trauma. As an additional factor, the issue of the subsequent separation of mother and child also arises. Previous research has suggested that children develop insecure attachment as a result of their mother's incarceration (Sleed, Baradon, & Fonagy, 2013), and because of specific parental characteristics associated with incarceration

(Hutchinson et al., 2008; Powell, 2018). Therefore, the questions are whether a mother in prison is harmful to the child, whether it is a potential source of trauma and whether attachment can moderate the negative traumatic effects in this category of children. First, it is important to start by considering the importance and role that attachment plays in early childhood, and then to understand the reciprocal relationship of trauma-attachment-trauma.

Attachment theory provides a framework for understanding the parent-child relationship and the impact that the nature of the relationship has on the child's further development. Research into early childhood and the way in which a child seeks safe support in an unfamiliar, foreign situation indicates two basic types of attachment (or affective attachment): secure and insecure (Tadić, 2022). The attachment between parents and children occurs during the first year of the child's life (Hamper, 2023), and if the child has not formed an attachment relationship, most often with the mother, during the first two years of life, studies show that the attachment during growing up will most often not be established (Hamper, 2023). Babies are born with an innate need to bond with their mother or some other primary attachment figure who provides them with a sense of security in stressful circumstances (Bowlby, 1973). Through early relationships with primary caregivers, infants receive a model for managing future stress and coping, i.e., they learn self-regulation skills (Melville, 2017; Slead, 2013). Safe and nurturing care protects the baby from over-arousal and disorganization, and babies begin to develop a sense of self, thus shaping how they interpret and respond to future experiences (Feldman & Vengrober, 2011; Melville, 2013; Slead, 2013). Thus, the experiences that children have as babies have an impact on the psychological, social, and emotional development of the child's personality and determine behavior later in life (Bowlby, 1973; Bretherton & Munholland, 2008; Slead, 2013). According to Bowlby (1969), the quality of early attachment relationships affects relationships throughout the lifespan (Harris, 2018). Sroufe, Egeland, and Carlson (2004) cite possible positive effects of healthy early attachment to caregivers later in life such as the capacity for emotional connection, the ability to build secure relationships, and the establishment of positive self-esteem (Slead, 2013).

According to the American Psychological Association, babies who are securely attached to their mothers have higher self-esteem and confidence as children (Jbara, 2012). Later in life, this translates into successful peer relationships and the ability to better cope with life's stressors (Jbara, 2012). Other authors also point out that early secure attachment is significantly related to (Slead, 2013): emotional well-being, self-esteem, positive affect, and social competence in childhood and adolescence (Bosquet & Egeland, 2006; Sroufe, 2005), as well as developmental awareness, self-confidence, and positive social relations (Thompson, 2008). A secure attachment style in childhood is a protective factor against later psychopathology (Slead, 2013). Although many individuals with a history of insecure attachment do not develop serious behavioral problems or psychiatric disorders later in life, insecure attachment in infants has been shown to be a risk factor for the development of such issues (Slead, 2013; Sroufe, 2005). Children who have achieved secure attachment have better emotional regulation (Thompson & Meyer, 2007). Accordingly, the effects of positive or negative experiences that occur in childhood are strong and long-lasting, even in regard to drastic changes later in life (Hamper, 2023).

Prison Child: Trauma and Attachment in Early Childhood

The sense of security that the primary caregiver provides to the child is a protective factor against the negative effects of trauma for children at an early age and in adulthood; conversely, the absence of a sense of security that the mother primarily denies to the child can be a source of trauma or intensify an already existing trauma (Erozkan, 2016). The relationship between early childhood trauma and attachment can be viewed from several angles (Melville, 2017): whether the attachment figure perpetrated the trauma, whether the child's emotional needs were met after the traumatic experience, and to what extent the parent was affected by the child's traumatic experience (Pynoos, Steinberg, & Piacentini, 1999). In circumstances where a caregiver withholds arousal modulation and basic care from young children, either unwilling or unable to provide it, the child is at risk of exposure to extreme levels and durations of arousal (Melville, 2017). This lack of regulation risks imprinting in the child's developmental processes that emotions and excitement in general are dangerous/frightening, leading to potential avoidance of excitement in the form of numbing/dissociation or responses in the other direction, such as excitement in the form of aggressive behaviour (Streeck-Fischer & Van der Kolk, 2000, for a review: Melville, 2017). Infants and young children perceive danger by relying on the primary attachment figure in their assessment, which, depending on the established relationship can be a source of trauma through this figure (Melville, 2017; Pynoos, Steinberg, & Piacentini, 1999). A more telling factor in the attachment relationship is trauma (Erozkan, 2016; Fonagy, 2010).

For infants and young children whose development and growth are marked by "imprisonment", life in an inadequate or inappropriately stimulating environment, early disturbances in the parent-child relationship and the adequacy of parental care can have a detrimental effect on the early socio-emotional and psychological development of the infant and attachment to themselves and can be a source of trauma (Sleed, 2013). Thus, these children are at high- risk for the development of psychological, social and emotional problems not only in childhood but also later in life. Therefore, it seems that the increased risk for less adaptive attachment relationships is another relational effect of trauma, as shown by numerous studies (Erozkan, 2016).

Current research shows that various psychosocial problems are present in pregnant women in prisons (substance abuse, psychopathology, depression and others) associated with poor parenting (Cassidy et al., 2010). These problems affect the quality of childcare, such that mothers are generally negative and less responsive to infants and young children (Hans, Bernstein, & Henson, 1999). The authors indicate that poor care can lead to severe attachment disorders in children (Rincón-Cortés & Sullivan, 2014). Careless, unpredictable or unsafe behaviour of caregivers can traumatize children and reduce the child's potential to cope with long-term traumatizing effects, whereby the child lacks an appropriate safe base when feeling threatened (Ezokan, 2016). The quality of care and attachment relationships during the early stages of development are also influenced by the parents' past early experiences with their caregivers (Harris, 2018; Sleed, 2013). It is believed that parents' early traumatic experiences and behavior patterns are passed down +through generations to children, grandchildren, etc. (Rutter & Liddle, 1983). For example, mothers who were neglected, abused and denied adequate care in early childhood due to unresolved traumatic

experiences transfer the experienced patterns of behaviour to their children (Harris, 2018); by denying them care and attachment through maltreatment and neglect, they create trauma.

The effects of early maltreatment by the mother and lack of care are factors that increase the risk for the development of insecure (i.e., disorganized-disoriented) attachment in the child (Harris, 2018; Cassidy et al., 2010). This is confirmed by research results showing that more than half of a sample consisting of children whose mothers were in prison developed insecure attachment (Poehlmann, 2005). Furthermore, studies indicate an association between poor developmental outcomes and insecure/disorganized attachment (Cassidy et al., 2010), as a consequence of early maltreatment. As a result of maltreatment, neglect or institutional care, young children may show very abnormal behaviours in future relationships (i.e., emotionally withdrawn/inhibited or socially indiscriminate/disinhibited behaviours) (Erzokan, 2016). Several studies have confirmed that childhood disorganization predicts later aggressive and externalizing problem behaviour (Lyons-Ruth & Jacobvitz, 2008; Cassidy et al., 2010); as well as internalizing problems, dissociation, and general psychopathology throughout children's development up to age 19 (Sleed, 2013). Specifically, insecure attachment leads to aggressive preschool behaviour, lack of empathy, and poor peer relationships (Elicker, England, & Sroufe, 1992; Cassidy et al., 2010). Moreover, these children tend to distance themselves and display oppositional behaviour toward parents, guardians, and authorities, have difficulties developing trust, intimacy and affection, and apart from empathy, lack emotions such as compassion and remorse; and tend to abuse substances and imitate the same maltreatment and attachment disorder in their own children when they become adults (Erzokan, 2016). In addition, insecure attachment is a risk factor for the development of psychopathology in childhood and adulthood (DeKlyen & Greenberg, 2008; Cassidy et al., 2010).

Numerous authors also consider the effects of separation due to maternal deception in relation to the issue of attachment. Early separation of mother and child who are still in the bonding process is a risk factor for the development of trauma and insecure attachment (Hamper, 2023; Goshin, Byrne, Blanchard-Lewis 2014). Therefore, confinement disrupts the bond between the child and the mother, and the longer the separation lasts, the greater the damage (Hamper, 2023). There is increasing evidence that loss or separation from a parent during the first two years of life and insecure attachment can permanently alter parts of the brain that affect responses to stress and potentially play a major role in the development of various psychopathological disorders in childhood and adulthood (Goshin, Byrne, & Blanchard-Lewis, 2014; Pojman, 2021). These children are more likely to develop depression and anxiety, learning difficulties, relationship problems, difficulties in adulthood and disorders in personality development (Pojman, 2021). In addition, due to insecure attachment, children are prone to fear and mistrust, delinquency, drug and alcohol use, and other criminal behaviours (Hamper, 2023). These children represent a special problem for the educational system because, due to family circumstances, they develop or introduce the aforementioned forms of behaviour into the school environment, and the school faces the challenge of finding ways to shape the behaviour of students who resist the demands placed on them (Tadić, 2024).

Once the mother-child attachment relationship is disrupted, it is nearly impossible to re-establish (O'Malley & Devaney, 2015). Although some mothers may be reunited with their children at the age of two or three when the child has no memory of the mother's absence, the child may still develop long-term psychological trauma because the attachment bond is formed when the child is between six months and two years old (Jbara, 2012). Several mechanisms influence the development of insecure attachment and child psychopathology, including unstable care outside of prison (Bretherton, & Munholland, 2008; Powell, 2018). For example, children may sometimes form secondary bonds with other family members or a caregiver, but frequent changes in caregivers may eliminate the benefits of these bonds (Jbara, 2012). The negative effects of these unstable relationships generally lead to the development of psychopathology because in fear of abandonment, instead of seeking support in relationships, the child withdraws emotionally, maintains low self-esteem and a sense of guilt, and is prone to antisocial behaviour (Jbara, 2012). On the other hand, Shlafer and Poehlmann (2010) noted that there is a high likelihood that a child will be safe with stable care outside of prison, suggesting that separation from mothers is not necessarily the primary factor (Powell, 2018).

Discussion

Imprisonment is a form of punishment for crimes committed. The prison sentence should rehabilitate the inmate so that they no longer behave in a way that endangers society (Tadić, 2024). Although behaviourist research that punishment is a form of learning that does not change behaviour but only suppresses it, society has not found a more suitable response for criminals than to deprive them of their freedom and thus, for a certain period, remove them from the daily life of the social community. The assumption is that undesirable behaviour will be suppressed after individuals leave prison. The question of the mothers of prisoners and the effects that their imprisonment has on them as mothers and on their children calls into question the prison itself as a form of punishment, pointing to the complexity of the issues related to the deprivation of one's freedom. In regard to imprisoned mothers, they are punished as criminals, but also their children. A previous review of the literature and research shows the extremely negative consequences of separation, so we can assume that prison, instead of reducing the number of criminals, will increase possibility for the exact opposite - an increased number of incarcerated individuals.

This harsh initial comment is not mitigated by the fact that decision-makers and policymakers are working on the humanization of prisons and various programs that should contribute to the resocialization of prisoners. Regarding incarcerated mothers, such programs must also include their children. The question arises as to what the best way is to mitigate the effects of incarceration and open up the possibility of positive outcomes for the psychosocial development of incarcerated mothers and their children.

Consideration of the psychological lives of imprisoned mothers and their children greatly complicates the perception of the entire situation. The basic term used to explain the negative outcomes of psychosocial development is trauma, regardless of whether it is bullying, abuse, or deprivation. The assumption is that imprisoned mothers were traumatized during their upbringing and that imprisonment acts as a retraumatizing factor. The question

arises as to what they are like as mothers regardless of the fact that they have been sentenced to prison. That is a question we should not be dealing with because it further complicates the problem. Therefore, it is preferable to assume that if the mother was not deprived of custody before imprisonment, regardless of the offense committed, then such situations should not be included in the discussion. If a child is being taken away from a mother because she is going to prison, then that is a problem that needs to be addressed here. It also includes mothers who give birth in prison. Given that the law usually requires that, after a certain period, the child be taken from the mother and given to the guardian at liberty, this has direct consequences on the mother-child relationship even during the prison pregnancy and the nursing of the baby in prison.

A series of studies on the mother-child relationship (Bowlby, 1969; Bowlby, 1973) indicated the severe consequences of separation for the child. The effects of these studies included changes to the law on the length of maternity leave and the hospitalization of babies together with mothers in cases of child illness. If the given research found application in the social life of free people, why should the same not be applied to imprisoned mothers? Discussing the length of time a mother can spend with her child in prison is necessary to avoid answering key questions. If we wanted to maintain punishment by imprisonment without separating mothers from their children, then this would mean that we should create prison units in which the enclosed space would resemble life in freedom, with dormitories, kindergartens, playgrounds, etc., where children and mothers could socialize with each other in their free time, while life would be governed by the temporal rules of behavior in prison. Then the effects of trauma on imprisoned mothers could be mitigated, preventing them from being passed on to their children's generation.

In our review of this research, we have shown that for incarcerated mothers, separation from children of any age is the most traumatic aspect of incarceration (Douglas, Plugge, & Fitzpatrick, 2009; Martin & Powell, 2021; Powell, 2018). In other words, the denial of the right to motherhood is a significant source of suffering in prison (Belknap, 2007; Nuytiens & Jhaes, 2022; Shamaï & Kochal, 2008). On the other hand, a mother's role plays a central role in adjustment within prison and after release (Greene et al., 2000, for a review: Celinska & Siegel, 2010). The feeling of motherhood gives meaning to a woman's life while in prison, and maintaining the mother-child relationship is considered beneficial for mothers while incarcerated (Shamaï & Kochal, 2008; O'Malley & Devaney, 2015).

Early mother-child separation is a risk factor for the development of trauma and insecure attachment (Hamper, 2023; Goshin, Byrne, & Blanchard-Lewis 2014). Once the mother-child attachment relationship is disrupted, it is nearly impossible to reestablish it (O'Malley & Devaney, 2015). Loss or separation from a parent during the first two years of life and insecure attachment can permanently alter parts of the brain that influence responses to stress and potentially play a major role in the development of various psychopathological disorders in childhood and adulthood (Goshin, Byrne, & Blanchard-Lewis, 2014; Pojman, 2001). On the other hand, there is a high likelihood that a child will be safe with stable care outside of prison, suggesting that separation from their mothers is not necessarily the primary factor (Powell, 2018). In other words, being taken away from imprisoned women maternally multiplies the negative effects of imprisonment on themselves, and consequently

opens up the possibility of a negative impact on their children as well. It is precisely the problems that arise with the return of the mother from prison and the difficult re-establishment of relationships with the children that indicate that the problem with the prison has not been solved because the expected and desired resocialization was canceled by the very act of separating the mother from her children.

Conclusion

Accordingly, we see that the fact that imprisoned mothers are punished as criminals, also affects their children. Certainly, mothers in prison cannot be perfect mothers according to Winnicott's definition, but the question remains whether they are denied the right to be a "good enough mother". On the other hand, the question is whether these mothers are detrimental to the proper development and growth of their children. These questions are difficult to answer, and therefore providing any answer would raise further questions, for example, whether any mother (even a deficient one) is better than none at all. Indeed, sometimes it is healthier for a child to grow up in a favourable environment without a mother, with a substitute figure, but the fact that the child will have adequate care and upbringing does not necessarily mean the prevention of socio-emotional problems later in life due to the absence of a mother. All in all, what is indisputable is the fact that nature has made it so that the child needs a mother, but the mother also needs the child, no matter how many potential risks and consequences it entails. For this reason, incarcerating a mother, a future mother or one who already has children outside of prison, requires many more far-reaching considerations than just punishing the mother for her actions and reducing the rate of criminals at large. Because this course of action can only create a boomerang effect, except that the mother will likely return to criminal behaviour if she does not establish an adequate relationship with her child after discharge, and does not receive the support of the family and the community in terms of resocialization, her children will become potential criminals during their lives. Therefore, a mother in prison but also after release, should be given the opportunity and support to be and remain a mother. This can be done by first receiving support in solving the problems for which she was punished by imprisonment, and then granting her the right to take care of her child, either by keeping the child or through constant contact. This can consequently affect the well-being of both mothers and children.

References

- Arditti, J. A., & Few, A. L. (2006). Mothers' reentry into family life following incarceration. *Criminal Justice Policy Review*, 17(1), 103-123. <https://doi.org/10.1177/088740340528245>
- Batchelor, S. (2005). 'Prove me the bam!' Victimization and agency in the lives of young women who commit violent offenses. *Probation Journal*, 52(4), 358-375. <https://doi.org/10.1177/0264550505058034>
- Belknap, J. (2007). *The Invisible Woman: Gender, Crime, and Justice*. Thomson Wadsworth.
- Borelli, J. L., Goshin, L., Joestl, S., Clark, J., & Byrne, M. W. (2010). Attachment organization in a sample of incarcerated mothers: Distribution of classifications and associations with substance abuse history, depressive symptoms, perceptions of parenting competency and social support. *Attachment and Human Development*, 12(4), 355-374.
- Bosquet, M., & Egeland, B. (2006). The development and maintenance of anxiety symptoms from infancy through adolescence in a longitudinal sample. *Developmental Psychopathology*, 18(2), 517-550.

- Bowlby, J. (1969). *Attachment and loss: Attachment* (Vol. 1). Basic.
- Bowlby, J. (1973). *Attachment and loss: Separation, anxiety and anger* (Vol. 2). Basic.
- Bretherton, I., & Munholland, K. A. (2008). Internal working models in attachment relationships: Elaborating a central construct in attachment theory. In Cassidy, J., & Shaver, P. R. (Eds.), *Handbook of attachment: Theory, research, and clinical applications* (2nd ed., pp. 102-127). The Guilford Press.
- Carlson, E. A., Sroufe, L. A., & Egeland, B. (2004). The construction of experience: a longitudinal study of representation and behavior. *Child Development*, 75(1), 66-83.
- Cassidy, J., Ziv, Y., Stupica, B., Sherman, L. J., Butler, H., Karfgin, A., Cooper, G., Hoffman, K. T., Powell, B. (2010). Enhancing attachment security in the infants of women in a jail-diversion program. *Attach Hum Dev*, 12(4), 333-353.
- Celinska, K., & Siegel, J. A. (2010). Mothers in Trouble: Coping With Actual or Pending Separation From Children due to Incarceration. *The Prison Journal*, 90(4), 447-474. <https://doi.org/10.1177/0032885510382218>
- Chambers, A. N. (2009). 'Impact of forced separation policy on incarcerated postpartum mothers.' *Policy, Politics and Nursing Practice*, 10(3), 207-11.
- Cohen, J. A., Mannarino, A. P., Kliethermes, M., & Murray, L. A. (2012). Trauma-focused CBT for youth with complex trauma. *Child Abuse and Neglect*, 36(6), 528-541.
- Cordón, I., Pipe, M., Sayfan, L., Melinder, A., & Goodman, G. (2004). Memory for traumatic experiences in early childhood. *Developmental Review*, 24(1), 101-132. <https://doi.org/10.1016/j.dr.2003.09.003>
- Courtois, C. A. (2008). Complex trauma, complex reactions: Assessment and treatment. *Psychological Trauma Theory, Research, Practice and Policy*, 5(1), 86-100. <https://doi.org/10.1037/1942-9681.5.1.86>
- DeKlyen, M., & Greenberg, M.T. (2008). Attachment and psychopathology in childhood. In Cassidy, J., & Shaver, P. R. (Eds.), *Handbook of attachment: Theory, research, and clinical applications* (2nd ed., pp. 637-665). Guilford Press.
- Dolan, R. M., Birmingham, L., Mullee, M., & Gregoire, A. (2013). 'The mental health of imprisoned mothers of young children: A follow-up study.' *Journal of Forensic Psychiatry and Psychology*, 24, 421-439.
- Douglas, N., Plugge, E., & Fitzpatrick, R. (2009) 'The impact of imprisonment on health: What do women prisoners say?' *Journal of Epidemiology and Community Health*, 63(9), 749-754.
- Dye, H. (2018). The impact and long-term effects of childhood trauma. *Journal of Human Behavior in the Social Environment*, 28(3), 381-392. <https://doi.org/10.1080/10911359.2018.1435328>
- Elicker, J., Englund, M., & Sroufe, L.A. (1992). Predicting peer competence and peer relationships in childhood from early parent-child relationships. In Parke, R. D., & Ladd, G. (Eds.), *Family-peer relationships: Models of linkage* (pp. 77-106). Erlbaum.
- Enos, S. (2001). *Mothering from the inside. Parenting in a women's prison*. State University of New York Press.
- Erozkan, A. (2016). The Link between Types of Attachment and Childhood Trauma. *Universal Journal of Educational Research*, 45(5), 1071-1079.
- Feldman, R., & Vengrober, A. (2011). Posttraumatic stress disorder in infants and young children exposed to war-related trauma. *Journal of the American Academy of Child & Adolescent Psychiatry*, 50(7), 645-658. <https://doi.org/10.1016/j.jaac.2011.03.001>
- Feldman, R., & Vengrober, A. (2011). Posttraumatic stress disorder in infants and young children exposed to war-related trauma. *Journal of the American Academy of Child & Adolescent Psychiatry*, 50(7), 645-658. <https://doi.org/10.1016/j.jaac.2011.03.001>
- Ferraro, K. J., & Moe, A. M. (2003). Mothering, crime, and incarceration. *Journal of Contemporary Ethnography*, 23(1), 9-40. <https://doi.org/10.1177/0891241602238937>
- Fogel, C. I., & Belyea, M. (2001). Psychological risk factors in pregnant inmates: A challenge for nursing. *American Journal of Maternal Child Nursing*, 26(1), 10-16.

- Fonagy, P. (2010). Attachment, trauma and psychoanalysis: Where psychoanalysis meets neuroscience. Karnac Books
- Goshin, L. S., Byrne, M. W., & Blanchard-Lewis, B. (2014). Preschool Outcomes of Children Who Lived as Infants in a Prison Nursery. *Prison J.*, 94(2), 139-158.
- Grasso, D., Ford, J., Dierkhising, C., Branson, C., & Lee, R. (2015). Developmental patterns of adverse childhood experiences and current symptoms and impairment in youth referred for trauma-specific services. *Journal of Abnormal Child Psychology*, 44(5), 1-16. <https://doi.org/10.1007/s10802-015-0086-8>
- Hamper, C. (2023). "Can Life in Prison be in the Best Interests of the Child?." *Ohio Northern University Law Review*, 41(1), 201-225.
- Hans, S., Bernstein, V., & Henson, L. (1999). The role of psychopathology in the parenting of drug-dependent women. *Development and Psychopathology*, 11(4), 957-977.
- Harris, M. (2018) Incarcerated Mothers: Trauma and Attachment Issues. *Smith College Studies in Social Work*, 87(1), 26-42.
- Howe, D. (2005). Child abuse and neglect: Attachment, development and intervention. Palgrave Macmillan.
- Hutchinson, K. C., Moore, G. A., Propper, C. A., & Mariaskin, A. R. (2008). Incarcerated women's functioning during pregnancy. *Psychology of Women Quarterly*, 32(4), 440-453.
- Jbara, A. E. (2012). "The Price They Pay: Protecting the Mother-Child Relationship Through the Use of Prison Nurseries and Residential Parenting Programs," *Indiana Law Journal*, 87(4), 1825-1845.
- Jimenez, M., Wade, R., Lin, Y., Morrow, L., & Reichman, N. (2016). Adverse experiences in early childhood and adult health outcomes. *Pediatrics*, 137(2), 1-9. <https://doi.org/10.1542/peds.2015-1839>
- Kazura, K. (2001). Family programming for incarcerated parents: A needs assessment among inmates. *Journal of Offender Rehabilitation*, 32(4), 67-83. https://doi.org/10.1300/J076v32n04_05
- Kestermann, C. (2005). Training curriculum for women's prisons: Health aspects. In Dünkel, F., Kestermann, C., & J., Zolondek (Eds.), *Reader International Study on Women's Imprisonment* (pp. 19-40). University of Greifswald.
- Krabbe, M., & Van Kempen, P. H. (2017). Women in prison: A transnational perspective. In Van Kempen, P. H., & Krabbe, M. (Eds.), *Women in Prison. The Bangkok Rules and Beyond* (pp. 3-34). Intersentia.
- Lyons-Ruth, K., & Jacobvitz, D. (2008). Attachment disorganization: Unresolved loss, relational violence, and lapses in behavioral and attentional strategies. In Cassidy, J., & Shaver, P. R. (Eds.), *Handbook of attachment: Theory, research, and clinical applications* (2nd ed., pp. 666-697). Guilford Press.
- Martin, K., & Powell, C. (2021, June 15). *Mother-infant separations in prison: Why does context matter?*. <https://doi.org/10.31235/osf.io/a49nz>
- McKelvey, L. M., Whiteside-Mansell, L., Connors-Burrow, N. A., Swindle, T., & Fitzgerald, S. (2016). Assessing adverse experiences from infancy through early childhood in home visiting programs. *Child Abuse & Neglect*, 51, 295-302. <https://doi.org/10.1016/j.chiabu.2015.09.008>
- Melville, A. (2017). Trauma-Exposed Infants and Toddlers: A Review of Impacts and Evidence-Based Interventions. *Advances in Social Work*, 18(1). 53-65. <https://doi.org/10.18060/21287>
- Morgan, R., & Liebling, A. (2007) Imprisonment: An expanding scene. In Maguire, M., Morgan, R. & Reiner, R. (Eds.), *The Oxford Handbook of Criminology* (pp. 1100-1138). Oxford University Press.
- Myers, B.J., Smarsh, T.M., Amlund-Hagen, K. et al. (199). Children of Incarcerated Mothers. *Journal of Child and Family Studies*, 8, 11-25. <https://doi.org/10.1023/A:1022990410036>
- Najjar, F., Weller, R. A., Weisbrot, J., & Weller, E. B. (2008). Posttraumatic stress disorder and its treatment in children and adolescents. *Current Psychiatry Reports*, 10(2), 104-108.
- Nuytiens, A., & Jhaes, E. (2022). When your child is your cellmate: The 'maternal pains of imprisonment' in a Belgian prison nursery. *Criminology & Criminal Justice: An International Journal*, 22(1), 132-149. <https://doi.org/10.1177/1748895820958452>
- O'Malley, S., & Devaney, C. (2015). Maintaining the mother-child relationship within the Irish prison system: the practitioner perspective. *Child Care in Practice*, 22(1), 20-34.
- Poehlmann, J. (2005) 'Representations of attachment relationships in children of incarcerated mothers.' *Child Development*, 76(3), 679-696. <https://doi.org/10.1111/j.1467-8624.2005.00871.x>

- Pojman, L. M. (2001) "Cuffed Love: Do Prison Babies Ever Smile?." *Buffalo Women's Law Journal*, 10, 46-73.
- Powell, C. (2018). Mother-infant separation in prison: Problematising attachment theory in policy and practice (PhD thesis). Middlesex University.
- Pynoos, R. S., Steinberg, A. M., & Piacentini, J. C. (1999). A developmental psychopathology model of childhood traumatic stress and intersection with anxiety disorders. *Biological Psychiatry*, 46(11), 1542-1554. [https://doi.org/10.1016/S0006-3223\(99\)00262-0](https://doi.org/10.1016/S0006-3223(99)00262-0)
- Rincón-Cortés, M., & Sullivan, R. M. (2014). "Early life trauma and attachment: Immediate and enduring effects on neurobehavioral and stress axis development," *Frontiers in Endocrinology*, 5(33), 1-15.
- Rutter, Q. D., & Liddle, C. (1983). Parenting in two generations: Looking backwards and looking forward. In Madge, W. (Ed.), *Families at risk* (pp. 60-98). Heinemann.
- Schen, C. R. (2005). When mothers leave their children behind. *Harvard Review of Psychiatry*, 13(4), 233-243. <https://doi.org/10.1080/10673220500243380>
- Shamai, M., & Kochal, R. B. (2008) 'Motherhood starts in prison': The experience of motherhood among women in prison. *Family Process*, 47(3), 323-340.
- Shlafer, R. J., & Poehlmann, J. (2010). Attachment and caregiving relationships in families affected by parental incarceration. *Attachment & Human Development*, 12(4), 395-415. <https://doi.org/10.1080/14616730903417052>
- Sleed, M. (2013). The Assessment of Relational Risk in Early Parent-Infant Relationships (PhD thesis). University College London.
- Sleed, M., Baradon, T., & Fonagy, P. (2013). New Beginnings for mothers and babies in prison: A cluster randomized controlled trial. *Attachment & Human Development*, 15(4), 349-367.
- Sroufe, L. A. (2005). Attachment and development: A prospective, longitudinal study from birth to adulthood. *Attachment and Human Development*, 7(4), 349-367.
- Tadić, V. (2024). *Učeničko ponašanje i bezbednost u školi*. Institut za kriminološka i sociološka istraživanja. <https://doi.org/10.47152/upbs2024>
- Tadić, V. (2024). Inmates education as a function of developing socio-emotional competences. *Journal of Criminology and Criminal Law*, 62(1), 63-88. <https://doi.org/10.47152/rkcp.62.1.4>
- Tadić, V. (2022). O pristupima definisanju i operacionalizaciji pojma bezbednosti u školi. *Studies in Teaching and Education*, 71(2), 249-266.
- Tadić, V., & Kordić, B. (2022). Strategije prevladavanja stresa u vanrednim situacijama kod studenata. *Civitas*, 12(1), 74-95.
- Thompson, R. (2008). Early Attachment and later development: Familiar questions, new answers. In Cassidy, J., & Shaver, P. R. (Eds.), *Handbook of Attachment: Theory, Research, and Clinical Applications* (2nd Edition ed., pp. 348-365). The Guilford Press.
- Thompson, R. A., Lamb, M. E., & Estes, D. (1982). Stability of infant mother attachment and its relationship to changing life circumstances in an unselected middle-class sample. *Child Development*, 53(1), 144-148. <https://doi.org/10.2307/1129646>
- Thompson, R., & Meyer, S. (2007). The socialization of emotion regulation in the family. In Gross J. (Ed.), *Handbook of emotion regulation* (pp. 249-268). Guilford Press.
- Van Haegendoren, M., Lenaers, S., & Valgaeren, E. (2001). De Gemeenschap achter de tralies. Onderzoek naar de behoeften van gedetineerden aan maatschappelijke hulp- en dienstverlening. Ministerie van de Vlaamse Gemeenschap.
- Van Horn, P., & Lieberman, A. (2008). Using dyadic therapies to treat traumatized young children. In Brom, D., Pat-Horenczyk, R., & Ford, J. (Eds.), *Treating traumatized children: Risk, resilience, and recovery* (pp. 51-70). Routledge.

Systematic violation of women's human rights in prisons – study of four cases

The goal of this text is to analyse situations of drastic deviation from the international rules that should be generally applied to prisons and to penitentiary institutions for the deprivation of liberty of women in particular. Research and media reports are used as sources, and the text is organized according to a comparative penological study of four cases: rebellion in the Northern Irish prison of Armagh, Honduras - recent riots in women's prisons with several killed inmates, China – Sinkiang prison for Ujgur women, Transgender (trans women) persons in prisons. Finding drastic cases of systematic violations of women's human rights in all the mentioned cases are the main results of this text. The conclusion connects the situations in the mentioned cases of women's prisons with the general social and political situation in the countries where they are located. The widespread violation of human rights outside penitentiary institutions has a direct impact on the situation in women's prisons. The position of women (trans women as well) outside penitentiary institutions is also reflected in the situation in women's prisons. The "normality" of such organized penitentiary institutions, which are possible if there is a lack of functioning democratic institutions and constant lack of independent control of the situation in women's prisons, is alarming.

Keywords: women's prisons, Armagh, Honduras prison riots, transwomen in prisons, "normality" of women's rights violation

Introduction

Women in prisons face a multitude of challenges globally, many of which are rooted in systemic issues related to gender inequality, poverty, discrimination, and inadequate social support systems. Gender-specific risks and vulnerabilities are mentioned in all cases. Women in prisons are at heightened risk of experiencing gender-based violence, including sexual assault, harassment, and exploitation, both by fellow inmates and prison staff. Transgender and gender non-conforming individuals may face additional challenges and risks related to their gender identity.

Addressing these issues requires a holistic approach that prioritizes gender-responsive and rights-based policies and interventions within the criminal justice system. This includes implementing alternatives to incarceration for non-violent offenses, improving access to gender-specific healthcare and support services, enhancing rehabilitation and reintegration programs, and promoting gender equality and social inclusion both within and outside of prison settings.

Armagh

The prison Armagh was the scene of a protest by female Irish republican prisoners demanding the reinstatement of political status, although the numbers involved were much smaller than in the Maze (also known as Long Kesh) men's prison. As all women prisoners in Northern Ireland already had the right to wear their own clothes, they did not stage any

sort of “blanket” protest, but instead the “no-wash” protest included the smearing of menstrual blood on the cell walls.

The rebellion at Armagh Prison in 1980 lasted for several months. It began in February 1980 when female Republican prisoners staged a protest against the conditions within the prison. The rebellion garnered significant attention both locally and internationally, and negotiations between the prisoners and the authorities lasted for months. Ultimately, the protest ended in June 1980, following talks between the prisoners and the British government, which led to some concessions being made regarding the conditions within the prison. Throughout the duration of the rebellion, there were ongoing discussions and efforts to resolve the situation peacefully, and it remained a focal point for activism and advocacy regarding the treatment of women prisoners in Northern Ireland.

For the first time, we heard about the Northern Irish prison Armagh (Armaa) in 1970, when Bernadette Devlin, a member of the British Parliament, was sent to it for taking part in street riots (Mršević, 1994). Until then, only a small number of women served a short sentence there. It mainly served as a shelter for prostitutes, drunken women and vagrants. In 1971, when new laws were introduced in Ireland, the prison population grew to unprecedented proportions due to the introduction of the status of internees who were held without trial and without charge. Torture of those arrested was also introduced, and the courts began to impose draconian sentences. Women sentenced to ten, twenty or more years and even life imprisonment started coming to Armagh. Until 1976, the situation in the prison itself was tolerable, because female prisoners had the status of political prisoners, and it was usual to reduce sentences by half.

In 1976, the British government withdrew the special status of political prisoners after a public campaign to explain that the cause of the problem in Ireland was not the presence of its armed forces but inter-communal conflicts, caused by alleged criminal elements. All women convicted after March 1 of that year were given the status of criminals. They responded with a protest that consisted in refusing to participate in prison duties (washing, cleaning, etc.). In response, prison authorities locked them in their cells for 19 hours a day, only being released for meals and one hour a day for a walk. They were allowed to visit their relatives once a month for half an hour. The prospect of shortening the sentence was also abolished, which terribly affected those sentenced to life imprisonment.

Diseases were ravaging the prison, and the situation outside was getting worse. There was almost no female prisoner whose immediate family was not killed or imprisoned. Harassment of female prisoners was aggravated by not responding to their bells, due to vomiting, menstruation, diarrhoea, because of which night containers had to be introduced, which stank for hours in the cells because the guards did not open the door to empty them.

On February 7, 1980, external reinforcements were brought in to crush the resistance of the protesting women in Wing B with a new wave of terror. The reinforcements in the form of male guards took all the women out of the cells. All private belongings were confiscated, and the women were beaten, doused with jets of cold water from a hose, interrogated and abused in other ways. During these extraordinary circumstances, the doors were not opened for three days, so they were not able to use the toilet and sanitary facilities. Once a day, they

were taken out for a walk for an hour, regardless of the weather, rain, storm, etc. from which many got pneumonia.

Women were expected to change their minds and agree to work in the prison laundry, thus symbolically accepting their status as criminals, while refusing would mean portraying themselves as political prisoners while announcing to the world that the war in Northern Ireland was an integral part of life. They opted for the second option, which specifically meant the so-called "dirty strike".

They used their cells as a toilet, did not wash, comb, brush their teeth or hair. The cells reeked of menstrual blood, faeces and urine. They were closed for 23 hours every day, deprived of daylight, because the windows and ventilation openings were riveted to prevent night vessels from emptying through all the openings. Night containers were emptied in the passages between the cells when they were opened for meals or were smeared on the walls of the cells.

Television, radio and written material of any kind was prohibited. They changed their clothes once every three months, wearing the same underwear, pants and sweaters for ninety days. The beds had no sheets. Blood-soaked sanitary napkins were mandatorily searched for the alleged search for hidden tobacco. Women were losing weight due to poor food and inability to receive packages from outside, frequent bouts of vomiting and diarrhoea. They had the right to visit once a month, after which they were thoroughly searched by six members of the prison staff. In order to force them to accept the status of political prisoners, sanitary napkins were allowed in a limited number, insufficient for normal needs. When they got into a serious condition due to infections, exhaustion and weight loss, the old Cat and Mouse Law that once applied to female suffragettes didn't even apply. Releasing even the sickest from prison was out of the question, because it was considered that female prisoners had the opportunity to improve their position in the prison itself by accepting the status of criminals.

A few miles away at Long Cash Men's Prison seven men were dying on hunger strike; several hundred were on a dirty strike wearing only blankets. Both demanded the status of political prisoners and refused to accept the treatment intended for criminals. Women's organizations, formed in Catholic, patriarchal and conservative Ireland, entered the British political scene at that time. They had the primary goal of providing support to prisoners in Armagh prison, but their role is more comprehensive. They asked the public and themselves: can there be national liberation without the liberation of women, that is, can there be women's liberation without national liberation?

After a series of protests organized in Britain, Europe and America, the world public was engaged on the side of the women imprisoned in Armagh prison. In December 1980, the British government accepted most of the demands. Strikes and protests in men's and women's prisons stopped.

The women's movement has strengthened numerically and experientially, facing a new challenge - involvement in the struggle for national liberation. The women's experience of the Armagh prison protest is interesting, because usually human rights movements in some of their branches deal with women's rights, and in others, with the rights of prisoners.

Sometimes parts of the movement engage in the specific matter of defending the rights of female prisoners.

The protest of women in Armagh prison and the support they had from the outside went in the opposite direction: from the narrow, particular rights of a small group of women - prisoners in that prison, there was engagement for the rights of prisoners in general, then to the growth of the movement for national liberation and human rights. This was possible, because the real female prisoner is not some isolated, narrow issue that ultimately concerns themselves and their relatives, but rather a test question whose answer unequivocally points to the essence of a society's problems, and especially the position of women in it. This finally proves that the interest in the rights of one, no matter how small and specific, group of prisoners spreads very easily, focusing through that prism on the essential problems of the discriminated position of women and disrespect for human rights. The prison was closed in 1986. Armagh Prison was the subject of one of the so-called "black spider" memos² written by Charles, Prince of Wales to the Secretary of State for Northern Ireland in 2004. In 2009 it was announced that the prison was to become a hotel.

Honduras: two riots in women's prisons with many killed inmates

Honduras is known for corruption and gang violence, which has infiltrated government institutions, leading to a rise in homicide rates (Armstrong et al, 2023). Along with neighbours El Salvador and Guatemala, the country is a major transit route for cocaine coming from South America to the United States. It also has a history of deadly prison riots, which are often linked to organized crime. Four years before the incident in women's prison in June 2023, at least 18 people were killed in gang violence in Teli prison, a northern port city in 2019. Prisons in Honduras, which often house members of warring gangs, are notorious for violence, but mostly in the male sector.

But before the killing of 46 women inmates in 2023, in 2020 happened the first mass incident in women's prison when six inmates were killed (Beta, 2020). A group of female inmates in Honduras killed six women in a prison while guards were busy putting out an arson attack. The incident started during the night, around 11:00 p.m. when a female prisoner put fire in the part of the prison where two newly arrived women were in 14-day quarantine due to the corona virus. A group of female prisoners took advantage of the confusion caused by the fire to escape from the other two cells, after which they headed to the prison gym, where they killed six women who had recently come to serve their sentences.

The second mass killing of women inmates, when at least 46 women were killed during clashes at a women's prison in Honduras, happened in June 2023. in women's prison, which

² The "black spider" memos are letters and memorandums written by Charles III of the United Kingdom, during his tenure as Prince of Wales, to British government ministers and politicians over several years. As the modern British monarch remains politically neutral by convention, the letters were controversial as meddling in public issues. The letters were sent by Charles in a private capacity, but concerns have been raised that they may represent the exercise of undue influence over British government ministers. Issues about which Charles has expressed public views include farming, genetic modification, global warming, social deprivation, planning and architecture. This led the press to label Charles as a "meddling prince".

is located about 25 kilometres north of the capital Tegucigalpa. There are about 900 female prisoners in this institution. A fight broke out between two opposing clans, after which the members of one group started a fire.

Officials say most died from the fire and smoke, while others were shot, stabbed or beaten to death. An investigation is underway that will determine how the convicts smuggled automatic weapons and machetes into the prison. President Xiomara Castro, who announced last year that she was "going to fight the clans", wrote on social networks that she was "shocked by the monstrous murders of women" and that she would take "drastic measures" in response. The president dismissed Security Minister Ramon Sabilon and replaced him with police chief Gustavo Sanchez.

Survivors of the horrific incident told local media that the clashes were started by members of the two most notorious criminal gangs in Central America: the "18th Street Clan" and "MS-13". As they said, the members of one gang first mocked their rivals, who in turn set fire to the mattresses in their cells. Although the warring fractions are imprisoned in different parts of the prison, the wings are located close to each other. The unrest broke out early morning time. The survivors also said that many of the deceased women sought refuge from the flames in the bathroom. Their burnt bodies were found piled on top of each other. Others were killed and stabbed in the corridors and prison yard.

Some of the victims are not believed to be connected to either of the two gangs but happened to be there during the incident. Among them is a former policewoman who served a 15-year prison sentence after confessing to the murder of a fellow policeman. One of those killed was only a few days away from being released, because she had served her sentence for kidnapping.

China, minorities and accusations: Prisoners from the Uyghur camp - the systematic rape of women

Sinkiang officially are not prison camps, but places for "professional development and training centres". Women in China's Uighur "re-education" camps are exposed to systematic rape, sexual abuse and torture. According to independent estimates, more than a million men and women are being held in a vast network of camps that China says are aimed at "re-educating" Uyghurs and other minorities. „Transformation through education of key groups" is the term as a general euphemism in China for the indoctrination of Uyghurs. In one document from Kunes, the process of education" is described as "washing the brain, purifying the heart, enhancing righteousness and eliminating evil" (Hil, et al., 2021).

At the beginning of arrival nothing much happened for the first month or two. Women inmates were forced to watch propaganda shows in their cells, and their hair was forcibly cut short. In addition to the cells, another central feature of the camp included the classrooms. Teachers have been hired to "re-educate" the prisoners - a process activists say is designed to strip Uyghurs and other minorities of their culture, language and religion, indoctrinating them with mainstream Chinese culture. Depriving of food is so brutal. Female prisoners were denied food for such infractions as failing to memorize passages from a book on Xi Jinping Rape has than become regular. They are gang-raped, and the Chinese police officers not only rape them, but expose them to electric shocks. They were subjected to gruesome

torture. Screams echoed throughout the buildings. There were four types of electric shocks - chair, glove, helmet and anal rape with a stick. The women were forcibly placed inside the uterine device or sterilized. Forced sterilization of Uyghurs is a widespread practice in Xinjiang, according to Xinjiang's birth rate has plummeted in recent years, according to an independent study - an effect that the analysts have described as "demographic genocide". Anyone who leaves the camp was broken due to surveillance, confinement, indoctrination, dehumanization, sterilization, torture, rape. It is unlikely that Xi or any other high-ranking party official would personally order or authorize rape or torture, but they certainly know about it. At the top they prefer to turn a blind eye to it. A directive was issued to enforce this policy with great rigor, and that is exactly what is happening.

Transgender persons in prisons

Transwomen. The problem of transgender (but not transmen) convicts in the predominant number of cases, or even almost exclusively, is the problem of transwomen, persons born as biological men whose gender identity is incongruent with their anatomy and who are in various stages of realizing their gender aspirations to physically realize themselves as women. The problem arises because of the placement of such women in male prison institutions. The opposite problem is not recorded in the literature, i.e. it is unknown whether transmen, i.e. persons born as biological women whose gender identity is incongruent with their anatomy and who are in various stages of realizing their aspirations to physically realize themselves as men have the same regular and intense experiences of violence, sexual abuse, discrimination and threats to human dignity in prisons as which is the case with transwomen (Mršević, 2016a).

The review of position of transgender persons serving prison sentences raises the level of knowledge about the existence of high exposure to violence and sexual abuse of that group when deprived of liberty. The necessary answers are to some of the issues of crucial importance, for example, once when in prison, where are they supposed to be placed, among women or men, and could they upon request, change (reassignment) sex while in prison. Necessary are answers to basic questions of prison accommodation of transgender prisoners: in accordance with their acquired (desired, or wished) rather than with their anatomical, biological gender. How to protect them from violence, how to answer to demands of transgender people to continue hormone treatment started before serving a prison sentence, as well as on their request to begin with the process of gender reassignment process while in a prison. In situation where there is a significant lack of research data documenting involvement of trans issues in the contemporary security studies, it opens a lot of room for improvement in that area. Although it seems easy to continue ignoring penological aspects of transgender issues, failure to discuss raising level of respect for human dignity in the prison system would be irresponsible. Especially given that this group, while becoming visible in our society after legalized process of gender reassignment within the health system of the Republic of Serbia, financed by the health funds, at the same time becomes subject of further discrimination and violence (Mršević, 2016b).

Violence. The main problem of transgender persons deprived of their freedom is their exposure to violence, especially sexual, as well as endangering human dignity in various

rude and humiliating ways. Invisibility. The next problem is the relative invisibility of transgender persons deprived of their liberty. Almost nowhere are convicted persons officially registered for belonging to any third category, neutral or different from the binary division to women and men. Partly because official documents do not include the possibility of non-binary, but also because of the justified fear of transgender people from publicly declaring their gender identity.

Fewness. The number of transgender convicts serving a prison sentence constantly and everywhere represents a small, statistically insignificant percentage of the total prison population. Two different categories. There are two categories of transgender convicts, one of which is made up of those who have completed the operative process of gender adjustment (sex change, reassignment), and the other is made up of those who can be called "pre-operative" in the broadest sense, that is, who are in different stages of hormone therapy. While in the case of the first category, in most countries there is no dilemma that in the penological sense they should be treated in accordance with their acquired sex, especially in countries where the process of transition is accompanied by a change of documents, a big problem is posed by those whose gender identity differs from their physical appearance.

Laws and public policies. Prison treatment of transgender persons is generally not resolved through legal regulations. Sometimes these are documents from the domain of public policies, such as in Scotland. In Italy, there is an Action Plan and a ministerial decree, as well as the practices of certain prison institutions (Mršević, 2017).

In social environments where there is still a high degree of homophobia and transphobia, the position of transgender convicts is very bad, as indicated by rare reports from independent bodies, as is the case in Bulgaria, Ukraine, Russia, and Turkey.

In societies where there is both legal recognition of transgender identity and the practice of actualizing legal regulations in cooperation with transgender activism, the position of transgender persons serving a prison sentence is much better regulated, in the sense of the existence of numerous examples of searching for the most optimal solutions.

There is no the best. There is still no "best" model of prison treatment of transgender people serving prison terms that could be recommended for adoption in domestic settings. Neither penology, nor activism, nor interviewed trans convicts, nor the transgender community itself have a consensus about the preferred model of the prison regime for transgender people.

Solutions of a systemic nature favourable to transgender convicted persons (Mršević, 2017a): 1. separate institutions . Risks: ghettoization, pathology of closed groups, feeling rejected and classified as "abnormal", inability to use programs, activities and treatments available to other convicted persons, e.g. work, continuing education, sports, library. 2. separate wings within existing prisons with or without communication links with women's prison wards. The risks are the same as with separate institutions, but they can be solved with good organization 3. protective, non-isolating arrangements within the general male prison population (they cost the least, there are already similar arrangements for older convicts, unpopular categories, e.g. informants). Risk: pretending to be transgender to ensure more favourable treatment, relocation, fulfilment of sexual aspirations and violence, etc. 4.

individual solutions, from case to case, in accordance with the specifics of each of them. Risk: unequal treatment, uneven practice leading to discrimination, neglect of transmen. 5. enabling operated transwomen to be placed in women's prisons and transmen in men's prisons. Risks: the female prison population rejects transwomen, in the case of incomplete surgeries, some transmen may still have a vagina, making them targets for sexual assault, the possible violation of confidentiality regarding the existence of a gender reassignment operation exposes such persons to violence and rejection from the prison population, the insensitivity of prison staff about the nature of transgenderism.

Favourable treatment of transgender persons deprived of liberty (Mršević, 2017b):

1) regulation of body searches by choice or by an official of their gender identity. 2) protective, non-isolating accommodation and treatments in the general population, with preserved working, educational, therapeutic and communication opportunities with the prison community. 3) it is possible to continue the hormonal treatment started before arriving in prison. 4) it is possible to start hormonal treatment. 5) enabling the use of the procedures of the national health systems provided for operational gender adjustment of people at large. 6) psychological and other individually necessary treatments for gender dysphoria. 7) enabled regular communication with transgender activists outside the prison, regulation of all these specific situations with protocols that regulate official procedures in detail, 8) the existence of training to sensitize prison staff to the specifics of the trans population, but also a general approach to the rights and specifics of LGBTIQ people. It is necessary (and possible) to do in Serbia:

Conduct research (the first of its kind in Serbia) on the position of LGBT persons serving a prison sentence, with special reference to the position of transgender persons as a special category, in cooperation with organizations for the human rights of the LGBT population.

Lobby for the adoption of the Law on Gender Identity, because it is the only right path to the official recognition of the legal status of transgender persons deprived of their liberty as well as those at liberty.

Organize the education of prison staff on minority sexual orientation and non-binary gender identities in order to increase their understanding and acceptance of those aspects/modalities of human existence, in cooperation with organizations for the human rights of the LGBT population.

Organize scientific and professional gatherings with the aim of introducing representatives of interested and authorized institutions to the problem of transgender persons in prisons for their possible synergistic action, in cooperation with organizations for the human rights of the LGBT population.

Organize study trips to Italy, Scotland, Norway, Denmark with the aim of getting to know practical solutions for the treatment of transgender people in those countries.

Conclusion

The widespread violation of human rights outside penitentiary institutions has a direct impact on the situation in women's prisons. The situations in all mentioned cases of women's prisons are connected with general social and political situation in the countries where they

are located. The position of women (trans women as well) outside penitentiary institutions is also reflected in the situation in women's prisons. Alarming is the "normality" of such organized penitentiary institutions, which are possible if there is a lack of functioning democratic institutions and constant lack of independent control of the situation in women's prisons. All four mentioned cases also have a mutual, warning message that something similar could happen in other countries if the human rights of all persons deprived of their liberty, especially women, are not strictly respected.

References

- Armstrong, K., Baskšluter, V., & Votson, K., (2023). Honduras: 'Monstruožna ubistva' najmanje 46 žena u zatvorskim neredima. *BBC Njuz* 21 jun 2023
<https://www.bbc.com/serbian/lat/svet-65978037>
- Beta 2020 24.05. Honduras - ženski zatvor – ubistva. Horor u ženskom zatvoru: Ubijeno šest žena u okršaju u Hondurasu. / *Mondo Info* / Svet. 24.05.2020
<https://mondo.rs/Info/Svet/a1328085/Honduras-zenski-zatvor-ubistva.html>
- Black spider memos. https://en.wikipedia.org/wiki/Black_spider_memos
- Hil Metju, Dejvid Kampanale i Džoe Ganter, 2021. Kina, manjine i optužbe: Zatvorenice iz ujugorskog logora - „sistematski nas siluju" *BBC Njuz* 15 februar 2021
<https://www.bbc.com/serbian/lat/svet-56048517>
- Mršević, Z. (1994). *Ženska prava su ljudska prava*. (Women's rights are human rights). Beograd: Centar za ženske studije (Center for Women's Studies)
http://zoricamrsevic.in.rs/knjige/zenska_prava_su_ljudska_prava.pdf
- Mršević, Z. (2000). *Ženska prava u međunarodnom pravu* treće izmenjeno i dopunjeno izdanje, Banjaluka: Helsinški građanski parlament
http://zoricamrsevic.in.rs/knjige/Zenska_prava_u_medjunarodnom_pravu.PDF
- Mršević Z., (2016)a, Transgender prisoners. In Đ. Đorđević & others, Eds, *Archibald Reiss Days, Volume 1*, (pp. 150-160). Belgrade: Academy of Criminalistic and Police Studies.
<http://zoricamrsevic.in.rs/najnovije/Transgender-prisoners-Mrsevic.pdf>
- Mršević, Z. (2016)b. Status transrodnih lica na izdržavanju zatvorske kazne. Beograd: Transserbia
<https://www.transserbia.org/images/2016/dokumenta/Status%20transrodnih%20lica%20na%20izdržavanju%20zatvorske%20kazne.pdf>
- Mršević, Z. (2017)a. Analiza položaja transrodnih osuđenika/ca na izvršenju kazne zatvora.
<https://ravnopravnost.gov.rs/analiza-propisa-od-znacaja-za-pravni-polozaj-transpolnih-osoba/>
- Mršević, Z. (2017)b. *Transrodno lice pravde*. Beograd: Institut društvenih nauka
http://iriss.idn.org.rs/244/1/ZMrsevic_Transrodno_lice_pravde.pdf

Part II: Women in prisons: Regional perspectives and insights

Legitimacy and relations in Slovene prisons: views of female and male prisoners*

Studies have shown that incarceration presents a greater intervention in women's lives compared to men. This chapter focuses on the comparison of perceived legitimacy and relations between female and male prisoners in Slovene prisons. Results of statistical analyses based on a national sample of prisoners (252 male prisoners and 20 female prisoners) highlighted the differences between female and male prisoners' feelings of obligation to obey the prison staff and internalisation of subcultural norms, while no statistically significant differences were identified with other tested factors: legitimacy, trust in authority, procedural justice, distributive justice, effectiveness of the prison staff, cooperation with the prison staff, relations with the prison staff, and relations with prisoners. It seems that female prisoners are more willing to obey prison workers and are less inclined towards prison subculture. Findings indicate that the quality of treatment of prisoners is invariant in all Slovenian prisons. The implications of these findings are discussed.

Keywords: legitimacy, relations, prison, differences, Slovenia

Introduction

The problem of order in prisons arises from the lack (i.e. deficit) of legitimacy (Bosworth, 1996), since the traditional functioning of prisons is based on the element of coercion, through which prisoners are subjected to prison rules. Jackson et al. (2010) highlighted the importance of alternative paths of achieving order in prisons, as the prison environment is often hostile, and maintaining order through coercion (or the use of force) is often contra-productive, as it does not encourage prisoners' voluntary compliance. The presence of legitimacy in the prison environment, where prison workers build relations with prisoners based on fairness, equal treatment and respectful behaviour, presents an alternative to traditional control strategies. The concept of legitimacy in prison derives from prisoners' beliefs that authorities (i.e. prison workers) are trustworthy and benevolent in their interactions with them (Tyler, 2010). In such cases, prisoners are willing to voluntarily obey prison workers, due to their [appropriate] characteristics and behaviours, which instil awareness in prisoners that it is their duty to follow prison rules and control or modify their own behaviour (Franke et al., 2010).

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The main products of prison workers are not order or control but interaction with prisoners, based on which relations are formed. The complexity of relations in prison comprises expectations of prisoners who emphasise consistency and fairness of treatment, and the prison workers' acceptance of prisoners' expectations (Liebling & Price, 2001). The prison environment represents a [hostile] environment in which relations between prison workers and prisoners are formed with great effort, since the two actors are in an unequal position, which affects the recognition of the legitimacy of prison workers as bearers of authority (Weinrath, 2016). In order to establish "right" relations in prisons, which should be between formal and informal behaviour, closeness and distance, and policing by consent and imposing order, mutual restraint of all prison actors is necessary (Liebling, 2011), as prison workers with [inappropriate] authoritarian behaviour can influence deviant and antisocial behaviour of prisoners, which leads to the loss of legitimacy of their own position (Bukstel & Kilmann, 1980). Bottoms and Tankebe (2021) argued that legitimacy is influenced by the social contexts, specifically, time and place that influence the nature of interactions between powerholders and audiences, and consequently the quality of relations. Relations and perception of legitimacy in women prisons differ from prisons for men characterised by (Hacin & Meško, 2020): (1) [more] rigid relations between all prison actors, (2) stricter prison regimes and higher deprivation of liberty, and (3) the presence of physical violence. Historically speaking, women prisoners have presented only a fragment of the prison population (5.4% – European average in 2022; Aebi et al., 2023). Consequently, they are frequently "forgotten" in the criminological/penological research, as well as in the treatment during imprisonment, as most prisons for women are not organised with their specific needs in mind. As Currie (2012) highlighted, prison systems are organised from men's perspective and focused on the population of male prisoners and their needs. Besides the traditional deprivations of prison (i.e., pains of imprisonment; Crewe, 2011), female prisoners are exposed to additional deprivations comprising deprivation of the maternal role, specific health and personal care needs, and additional emotional and psychological pressures deriving from their role in the society and more concrete within a family (e.g., mother, wife, etc.) (Tomažinčič, 2023).

Aims

The study derives from two observations. First, incarceration presents a greater intervention in women's lives than men's due to their social role (Peršak, 2006), which influences adaptation to prison life, perception of prison workers and behaviour during imprisonment. Second, the nature of legitimacy is influenced by the social context (Bottoms & Tankebe, 2021), which exposes the question of whether conditions and treatment in women prisons influence the perception of legitimacy with female prisoners. The aim of the study is to conduct an empirical test of differences and similarities in perception of legitimacy and its correlates, and relations in the prison context between female and male prisoners in Slovenia.

Methods

The study took place in all six Slovenian prisons with departments and a correctional home. The survey instrument was developed based on the questionnaires used to measure prisoners' perception of the legitimacy of prison workers (Reisig & Meško, 2009), social climate (Brinc, 2011) and prison staff-prisoners' relations (Liebling et al., 2011). Prior to surveying, consent from the Slovenian Prison Administration was obtained, and the surveying itself took place from October to December 2016 in the entire Slovenian prison system. The surveying began with the introduction of the study to prisoners, after which questionnaires were distributed to individuals who decided to participate (PAPI method). Participation was voluntary and anonymous, and surveying itself was implemented in the following forms: (1) a simultaneous survey of many prisoners who gathered in common areas, and (2) a survey of individual prisoners in their rooms. Respondents personally delivered completed questionnaires to the second author or were collected at the previously agreed place (a special box was set up, in which they could put the filled-in questionnaires). The data were entered into a dataset and analysed with the SPSS program.

Participants

In total, 328 out of 1,112 prisoners (average number; in 2016 the average number of imprisoned persons amounted to 1,377) imprisoned in Slovenian prisons and a correctional home at the time of the study participated in the survey (response rate of 29.5%), however, only fully completed questionnaires were included in the sample (272 prisoners). They represented 82.9% of all participants and approximately 24.5% of all prisoners in 2016. Male prisoners presented the majority of respondents - 92.6%, which reflects the structure of the prison population in 2016, where female prisoners represented 7.1% of all prisoners. The majority of female and male prisoners were between 30 and 39 years of age and had completed high school. The percentage of individuals that were in a relationship was comparable between the groups. The majority of respondents from both groups were imprisoned in closed prison regimes. While only 25% of female prisoners were imprisoned before, the percentage of recidivism was much higher with male prisoners, as almost half of them were imprisoned in the past. Finally, the percentage of individuals who have received substitutional therapy, as part of their drug treatment therapy, was relatively low in both groups: 15% with female prisoners and 25% with male prisoners respectively (see Table 1). These data were largely representative of the composition of the prison population in Slovenia, especially in terms of age, gender, prison regime, recidivism, and substitutional therapy (Uprava Republike Slovenije za izvrševanje kazenskih sankcij, 2017).

Table 1. Sample Characteristics

	Female prisoners		Male prisoners	
	<i>n</i>	%	<i>N</i>	%
<i>Age (in years)</i>				
< 24	2	10	33	13
25–39	2	10	30	12
30–34	3	15	60	24
35–39	4	20	42	17
40–44	2	10	28	11
45 <	7	35	59	23
<i>Education</i>				
Elementary school	7	35	75	30
High school	10	50	140	55
Higher education	3	15	37	15
<i>Social status</i>				
Single	6	30	103	41
In relation	12	60	134	53
Divorced/widowed	2	10	15	6
<i>Prison regime</i>				
Open	2	10	31	12
Semi-open	6	30	72	29
Closed	12	60	149	59
<i>Recidivism</i>				
No	15	75	138	55
Yes	5	25	114	45
<i>Substitutive therapy</i>				
No	17	85	188	75
Yes	3	15	63	25

Note. *n* (male prisoners) = 252; *n* (female prisoners) = 20.

Measures

In Table 2, variables included in the factor analysis are presented. Factors were operationalised from 53 variables, using the Principal Axis Factoring method with rotation Varimax, reflecting prisoners' perceptions of the measured variables rather than

the actual measure of observed variables. All variables were measured on a 5-point Likert scale ranging from 1 “strongly disagree” to 5 “strongly agree”. Modified factors were formed based on the findings of previous legitimacy studies to fit the prison context (Reisig & Meško, 2009; Tankebe, 2008; Tankebe et al., 2016). Each of the ten factors (weighted averages of factors are reported): (1) *Legitimacy* (3 items included; Cronbach’s α [α] = 0.83, Kaiser-Meyer-Okin measure of sampling adequacy [KMO] = 0.70); (2) *Procedural justice* (11 items included; α = 0.95, KMO = 0.94); (3) *Obligation to obey* (4 items included; α = 0.95, KMO = 0.78); (4) *Trust in authority* (6 items included; α = 0.80, KMO = 0.88); (5) *Distributive justice* (4 items included; α = 0.92, KMO = 0.77); (6) *Effectiveness of the prison staff* (6 items included; α = 0.90, KMO = 0.87); (7) *Cooperation with the prison staff* (3 items included; α = 0.82, KMO = 0.72); (8) *Prison subculture* (7 items included; α = 0.87, KMO = 0.90); (9) *Relations with the prison staff* (6 items included; α = 0.87, KMO = 0.87); and (10) *Relations with prisoners* (3 items included; α = 0.79, KMO = 0.68), represents a small number of variables, simplifying the interpretation (the cut-off value was set at 0.50).

Table 2. Factor Analysis

Variable	FL	Female prisoners					Male prisoners				
		<i>M</i>	<i>SD</i>	Median	Mode	Range	<i>M</i>	<i>SD</i>	Median	Mode	Range
<i>Legitimacy</i>											
I should accept the decisions of prison workers, even if I think they are wrong.	0.71	3.70	1.22	4	5	4	3.33	1.35	4	4	4
I should do what prison workers tell me to do even if I disagree.	0.90	3.75	1.21	4	4	4	3.54	1.29	4	4	4
I should do what prison workers tell me to do even if I do not like the way they treat me.	0.77	3.45	1.19	4	4	4	3.26	1.33	4	4	4

<i>Procedural justice</i>											
Prison workers treat prisoners with respect.	0.76	3.45	1.09	4	4	4	3.21	1.10	3	3	4
Prison workers are fair toward prisoners.	0.85	3.00	1.29	3	2	4	2.97	1.12	3	3	4
Prison workers are polite toward prisoners.	0.73	3.65	0.93	4	3	3	3.28	1.06	3	4	4
Prison workers take time to explain their decisions to prisoners.	0.72	2.90	1.41	3	2	4	2.99	1.17	3	4	4
Prison workers accept fair decisions when they are addressing prisoners' problems.	0.82	2.47	1.39	2	1	4	2.80	1.09	3	3	4
Prison workers take time and listen to prisoners' problems.	0.80	3.00	1.59	3	1	4	2.81	1.21	3	3	4
Prison workers respect prisoners' rights.	0.85	3.16	1.02	3	2	3	3.00	1.15	3	3	4
Prison workers treat prisoners with	0.86	3.00	1.21	3	2	4	2.91	1.22	3	3	4

dignity.											
Prison workers treat all prisoners equally when they enforce rules.	0.82	2.50	1.39	2	1	4	2.84	1.22	3	3	4
Prison workers do not give orders to prisoners without a reason.	0.67	3.35	0.93	4	4	3	3.19	1.10	3	4	4
Privileges and sanctions are imposed fairly.	0.75	2.55	1.36	2	1	4	2.65	1.22	3	3	4
<i>Obligation to obey</i>											
I help prison workers, whenever I can.	0.55	3.40	1.23	3	3	4	3.18	1.21	3	4	4
I should obey the instructions of prison workers because that is the correct thing to do.	0.76	3.70	1.03	4	4	4	3.31	1.21	4	4	4
I should do what prison workers instruct me if I understand the reasons for such a directive.	0.86	4.00	1.03	4	4	4	3.50	1.09	4	4	4
I should do what prison workers	0.68	4.25	0.91	4	4	4	3.77	1.07	4	4	4

instruct me if their actions are lawful.											
<i>Trust in authority</i>											
I trust prison workers that they will take care of my safety.	0.79	3.35	1.46	4	4	4	3.04	1.32	3	4	4
Prison workers are good at protecting prisoners' rights.	0.88	3.05	1.27	3	2	4	2.70	1.21	3	3	4
I trust prison workers that they will make decisions, which will be fair to prisoners.	0.84	2.95	1.50	3	2	4	2.89	1.19	3	3	4
Prison workers take care that we are safe.	0.83	3.40	1.31	4	3	4	3.09	1.25	3	4	4
I can trust my problems to prison workers.	0.76	2.95	1.47	3	3	4	2.75	1.26	3	3	4
If I tell something to prison workers, they will keep it for themselves.	0.62	2.65	1.53	2	1	4	2.78	1.31	3	3	4
<i>Distributive justice</i>											
Prison	0.78	2.65	1.46	2	1	4	2.81	1.29	3	4	4

workers provide the same quality of services for all prisoners.											
Prison workers treat all prisoners the same.	0.85	2.25	1.52	2	1	4	2.54	1.34	3	1	4
Prison workers treat all prisoners equally, when they are imposing sanctions.	0.89	2.15	1.46	2	1	4	2.45	1.26	2	1	4
Prison workers treat all prisoners equally when they are granting privileges.	0.89	2.10	1.41	2	1	4	2.43	1.26	2	1	4
<i>Effectiveness of the prison staff</i>											
Prison workers are always ready to provide satisfactory help to prisoners when they are in distress.	0.73	3.00	1.49	4	4	4	2.84	1.22	3	3	4
Prison workers are always able to provide help to prisoners.	0.75	2.68	1.42	2	2	4	2.93	1.19	3	3	4

Prison workers are good at controlling violence in prison.	0.80	3.20	1.47	4	4	4	2.82	1.27	3	4	4
Prison workers perform a good job of controlling crime in prison.	0.78	2.70	1.46	3	1	4	2.72	1.29	3	3	4
Prison workers perform a good job of maintaining order in prison.	0.77	3.25	1.25	4	4	4	3.10	1.18	3	4	4
Prison is run well by prison workers.	0.78	2.80	1.39	3	4	4	2.83	1.24	3	4	4
<i>Cooperation with the prison staff</i>											
I would cooperate with prison staff if they were looking for a witness to an incident in which other prisoners were engaged.	0.79	2.85	1.63	3	1	4	2.61	1.31	3	1	4
I would cooperate with prison staff if they were looking for a witness to an incident in which other	0.80	2.60	1.35	2	2	4	2.89	1.38	3	3	4

prisoners and prison workers were engaged.											
I would volunteer as a witness if I were present at the breach of prison rules.	0.73	2.32	1.29	2	1	4	2.50	1.28	2	1	4
<i>Prison subculture</i>											
If another prisoner makes me very angry, he deserves I attack him.	0.68	1.50	0.89	1	1	3	2.22	1.25	2	1	4
Violating prison rules is not wrong.	0.67	2.00	1.21	2	1	4	2.27	1.23	2	1	4
I am always prepared to fight if someone is trying to take advantage of me.	0.82	1.60	0.88	1	1	3	2.29	1.28	2	1	4
Prison workers are trying to harm me.	0.51	1.40	0.75	1	1	2	2.34	1.26	2	1	4
If someone is trying to harm me, I will try to get him back.	0.78	1.60	0.88	1	1	3	2.37	1.24	2	2	4
It is all right to assault another prisoner if	0.79	1.75	1.07	1	1	3	2.19	1.27	2	1	4

he starts a fight.											
It is sometimes necessary to fight to protect your honour.	0.66	1.80	1.15	1	1	3	2.26	1.33	2	1	4
<i>Relations with the prison staff</i>											
I can speak about my problems with prison workers.	0.70	2.70	1.42	2	1	4	2.84	1.31	3	4	4
Most of the prison workers are fair towards me.	0.86	3.60	1.09	4	4	3	3.35	1.19	4	4	4
I have a relax relationship with most prison workers.	0.75	3.75	1.16	4	4	4	3.39	1.17	4	4	4
If you behave respectfully toward prison workers, they also behave respectfully toward you.	0.62	4.10	0.91	4	5	3	3.58	1.21	4	4	4
Prison workers are decent people.	0.77	3.75	1.02	4	4	4	3.17	1.17	3	4	4
Prison workers consider our proposals in decision-making.	0.58	2.63	1.21	2	2	4	2.84	1.14	3	4	4

<i>Relations with prisoners</i>											
I have a lot in common with other prisoners.	0.67	2.58	1.43	2	1	4	2.69	1.19	3	3	4
I have many friends in prison.	0.90	2.10	1.25	2	1	4	2.43	1.20	2	2	4
I trust other prisoners.	0.68	1.65	0.81	1	1	2	2.25	1.18	2	1	4

Note. Principal Axis Factoring, rotation Varimax; FL – Factor loadings, *M* – Average value, *SD* – Standard deviation

Results

In Table 3, the results of the discriminant analysis are presented, with which a multivariate test of differences between female and male prisoners' perception of legitimacy was conducted. Statistically significant differences between groups of prisoners were observed. Results emphasised that factors *Obligation to obey* ($F = 4.02$; $p < 0.05$) and *Prison subculture* ($F = 7.39$; $p < 0.01$), and the following variables within the factors: (1) I should do what prison workers instruct me, if I understand the reasons for such a directive ($F = 3.95$; $p < 0.05$), (2) I should do what prison workers instruct me, if their actions are lawful ($F = 3.85$; $p < 0.05$), (3) If another prisoner makes me very angry, he deserves that I attack him ($F = 6.19$; $p < 0.01$), (4) I am always prepared to fight, if someone is trying to take advantage of me ($F = 5.76$; $p < 0.05$), (5) Prison workers are trying to harm me ($F = 10.70$; $p < 0.001$), and (6) If someone is trying to harm me, I will try to get him back ($F = 7.72$; $p < 0.01$) affect differentiation between female and male prisoners. A comparison of female and male prisoners shows that female prisoners are more willing to obey prison workers, however, differences between the groups were not profound. In contrast, despite the limited presence of the prison subculture, the internalisation of subcultural norms is more characteristic of male prisoners, especially the situational use of violence against other prisoners and [negative] perceptions of prison workers. With the latter, the greatest differences in perceptions were detected between the groups. Classification of prisoners' responses shows that 92.6% of respondents were correctly classified.

Table 3. Discriminant Analysis: Comparing Perception of Legitimacy Between Female and Male Prisoners

Factor	Female prisoners		Male prisoners		Wilks' lambda	F
	M	SD	M	SD		
Legitimacy	3.64	0.85	3.38	1.16	0.99	1.02
Procedural justice	2.96	1.05	2.94	0.93	0.99	0.02
Obligation to obey	3.87	0.69	3.44	0.93	0.99	4.02*
I help prison workers, whenever I can.	3.40	1.23	3.18	1.21	0.99	0.61
I should obey the instructions of prison workers because that is the correct thing to do.	3.70	1.03	3.32	1.21	0.99	1.85
I should do what prison workers instruct me if I understand the reasons for such a directive.	4.00	1.03	3.50	1.09	0.98	3.95*
I should do what prison workers instruct me if their actions are lawful.	4.25	0.91	3.76	1.08	0.98	3.85*
Trust in authority	3.08	1.23	2.89	1.05	0.99	0.56
Distributive justice	2.28	1.38	2.54	1.14	0.99	0.99
Effectiveness of the prison staff	2.92	1.11	2.85	1.01	0.99	0.09
Cooperation with the prison staff	2.56	1.26	2.66	1.13	0.99	0.15
Prison subculture	1.69	0.74	2.29	0.97	0.97	7.39**
If another prisoner makes me very angry, he deserves I attack him.	1.50	0.89	2.20	1.24	0.98	6.19**
Violating prison rules is not wrong.	2.00	1.21	2.27	1.23	0.99	0.89
I am always prepared to fight if someone is trying to take advantage of me.	1.60	0.88	2.30	1.28	0.98	5.76*
Prison workers are trying to harm me.	1.40	0.75	2.34	1.27	0.96	10.70***
If someone is trying to harm me, I will try to get him back.	1.60	0.88	2.38	1.24	0.97	7.72**
It is all right to assault another prisoner if he starts a fight.	1.75	1.07	2.20	1.26	0.99	2.39
It is sometimes necessary to fight to protect your honour.	1.80	1.15	2.25	1.33	0.99	2.18
Relations with the prison staff	3.47	0.80	3.22	0.96	0.99	1.23
Relations with prisoners	2.07	0.95	2.45	1.01	0.99	2.59

Note. n (male prisoners) = 252; n (female prisoners) = 20; M – Average value, SD – Standard deviation; * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$.

Conclusion

Penological studies have demonstrated that the presence of legitimacy influences the stability and resilience of order in prisons (Hacin & Meško, 2020; Liebling & Price, 2001). However, differences between prison environments, especially between treatment and relations in women and men prisons, are noticeable. Consequently, it is not clear whether these differences that constitute the social environment of a prison influence prisoners' perception of legitimacy. Based on a national sample of Slovenian prisoners, the present study aimed to address this gap and advance our understanding of the impact of social context on the perception of legitimacy.

Findings showed that differences between female and male prisoners' perceptions of legitimacy exist but are not profound. In contrast to women prisoners their men counterparts are less willing to obey prison workers, which can be seen as a consequence of more intense internalisation of subcultural norms. Prison workers present the authority [of the state] to which, despite good relations, (especially) [male] prisoners often react with reservation or in some cases defiance (Weinrath, 2016). Maybe an even more important finding is that basically no differences exist between men and women prisoners' perceptions of legitimacy, trust, justice, effectiveness, and quality of relations with prison workers, and consequently, they express willingness to cooperate with them. It can be argued that the treatment of prisoners in Slovenian prisons, based on the concepts of resocialisation, is universal throughout the system, while the treatment programs and prison workers' "behaviour" is [sufficiently] modified to adhere to "individual" needs of all groups of prisoners; in this context, especially to the needs of women prisoners as they present "the minority" among imprisoned persons. Findings suggest that Bottoms and Tankebe (2021) thesis on the impact of social context on legitimacy is very limited in Slovenian prisons from the perspective of gender, however, certain differences were identified in the past between different prison regimes (Hacin, 2018). The impact of the social environment deserves further exploration in order to determine [all] variables/characteristics that influence prisoners' perception of legitimacy.

Finally, certain limitations of the study should be mentioned. First, the disproportionate sizes of the female and male prisoners can be seen as the greatest limitation of the study, however, the sizes of both samples reflect the proportion between female and male prisoners in Slovenia and the general characteristics of the prison population. To address this problem, quantitative research should be combined with qualitative methods that allow obtaining in-depth data from [relatively] small samples. Second, the problem of sincerity should be mentioned, as the possibility exists that prisoners gave socially desirable answers in the process of surveying due to fear of disclosures and possible sanctions from their supervisors. To avoid such behaviour, researchers ensured confidentiality and anonymity before surveying. Finally, in the study relations and legitimacy were measured only in one time period, which highlights the reliability of the results, as the unstable nature of legitimacy was confirmed in the prison environment (Hacin & Meško, 2024). In the future, longitudinal

studies should be conducted that would increase the reliability of results and provide a valuable insight to the [un]stable effect of social context on legitimacy.

References

- Aebi, M. F., Cocco, E., & Molnar, L. (2023). *SPACE I – 2022 – Council of Europe Annual Penal Statistics: Prison populations*. Council of Europe and University of Lausanne. https://wp.unil.ch/space/files/2023/10/231027_SPACE-I_2022_FinalReport.pdf
- Bosworth, M. (1996). Resistance and compliance in women's prisons: Towards a critique of legitimacy. *Critical Criminology*, 7, 5–19. <https://link.springer.com/article/10.1007/BF02461111>
- Bottoms, A., & Tankebe, J. (2021). Procedural justice, legitimacy and social contexts. In D. Meyerson, C. Mackenzie, & T. MacDermott (Eds.), *Procedural justice and relational theory: Empirical, philosophical, and legal perspectives* (pp. 85–110). Routledge. <https://library.oapen.org/bitstream/handle/20.500.12657/51160/9781000207668.pdf?sequence=1#page=96>
- Brinc, F. (2011). Družbeno vzdušje v zavodih za prestajanje kazni zapor in v prevzgojnem domu Radeče leta 2010 [Social climate in correctional institutions and the Juvenile detention centre Radeče in 2010]. *Revija za kriminalistiko in kriminologijo*, 62(4), 295–311.
- Bukstel, L. H., & Kilmann, P. R. (1980). Psychological effects of imprisonment on confined individuals. *Psychological Bulletin*, 88(2), 469–493. <https://doi.org/10.1037/0033-2909.88.2.469>
- Crewe, B. (2011). Soft power in prison: Implications for staff-prisoner relationships, liberty and legitimacy. *European Journal of Criminology*, 8(6), 455–468. <https://doi.org/10.1177/147737081141380>
- Currie, B. (2012). Woman in prison: A forgotten population? *Internet Journal of Criminology*. <https://docplayer.net/6235424-Women-in-prison-a-forgotten-population.html>
- Franke, D., Bieri, D., Mackenzie, D. L. (2010). Legitimacy in Corrections: A randomized experiment comparing a boot camp with a prison. *Criminology & Public Policy*, 9(1), 89–117. <https://doi.org/10.1111/j.1745-9133.2010.00613.x>
- Hacin, R. (2018). Prisoners' perceptions of legitimacy of prison staff in Slovenia. *European Journal of Crime, Criminal Law and Criminal Justice*, 26(2), 160–181. <https://doi.org/10.1163/1578174-02602003>
- Hacin, R., & Meško, G. (2020). *The dual nature of legitimacy in the prison environment: An Inquiry in Slovenian prisons*. Springer. <https://link.springer.com/book/10.1007/978-3-030-32843-6>
- Hacin, R., & Meško, G. (2024). Self-legitimacy of prison workers and treatment of correctional clients: A study in Slovenian prisons. *Criminal Justice and Behavior*, 51(1), 86–106. <https://doi.org/10.1177/00938548231206844>
- Jackson, J., Tyler, T. R., Bradford, B., Tylor, D., & Shiner, M. (2010). Legitimacy and procedural justice in prisons. *Prison Service Journal*, 191, 4–10.
- Liebling, A. (2011). Distinctions and distinctiveness in the work of prison officers: Legitimacy and authority revisited. *European Journal of Criminology*, 8(6), 484–499.
- Liebling, A., & Price, D. (2001). *The prison officer* (1st ed.). Waterside. <https://journals.sagepub.com/doi/10.1177/1477370811413807>
- Liebling, A., Arnold, H., & Straub, C. (2011). *An exploration of staff-prisoner relationships at HMP Whitemoor: 12 years on*. Cambridge Institute of Criminology, Prisons Research Centre. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/217381/staff-prisoner-relations-whitemoor.pdf
- Peršak, N. (2006). Ženske, droge in zapor – interakcije in kontraindikacije [Women, drugs and prison – Interactions and contradictions]. V Z. Kanduč (Ed.), *Droge, zapori, ženske – postmoderna družba in njene zasvojenosti [Drugs, prisons, women – Postmodern society and its addictions]* (pp. 6–40). Inštitut za kriminologijo pri Pravni fakulteti v Ljubljani.

- Reisig, M. D., & Meško, G. (2009). Procedural justice, legitimacy, and prisoner misconduct. *Psychology, Crime, & Law*, 15(1), 41–59. <https://doi.org/10.1080/10683160802089768>
- Tankebe, J. (2008). Police effectiveness and police trustworthiness in Ghana: An empirical appraisal. *Criminology & Criminal Justice*, 8(2), 185–202. <https://journals.sagepub.com/doi/epdf/10.1177/1748895808088994>
- Tankebe, J., Reisig, M. D., & Wang, X. (2016). A multidimensional model of police legitimacy: A cross-cultural assessment. *Law and Human Behavior*, 40(1), 11–22. <https://doi.org/10.1037/lhb0000153>
- Tomažinčič, L. (2023). Vsakdanje življenje žensk v zaporu [Everyday lives of female prisoners]. *Revija za kriminalistiko in kriminologijo*, 74(2), 118–136.
- Tyler, T. R. (2010). Legitimacy in corrections. Policy implications. *Criminology & Public Policy*, 9(1), 127–134. <https://doi.org/10.1111/j.1745-9133.2010.00615.x>
- Uprava Republike Slovenije za izvrševanje kazenskih sankcij. (2017). *Letno poročilo 2016 [Annual report 2016]*. Ministrstvo za pravosodje, Uprava Republike Slovenije za izvrševanje kazenskih sankcij. <https://www.gov.si/assets/organi-v-sestavi/URSIKS/Dokumenti/Letna-porocila-/Letno-porocilo-2016.pdf>
- Weinrath, M. (2016). Behind the walls: Inmates and correctional officers on the state of Canadian prisons. University of British Columbia Press.

Women in prison in Slovenia: Ig prison through time

This chapter serves as an overview of women in prison in Slovenia through the last 80 years. The Ig Prison (IP) is one of the offices of the Prison Administration of the Republic of Slovenia, a body within the Ministry of Justice; it is a prison for convicted adult women, regardless of the length of imprisonment. The prison's capacity is 103 persons and is housed in an over 500-year-old mansion at Ig. From 1956, when women from the Brestanica correctional facility were transferred to Ig, it served to enforce criminal sanctions for women (Glavica & Erpič, 2019). The specifics of Slovenian prisons for women will be delineated. Through its history, the potential reasons for lower rates will be examined, emphasising the socio-therapeutic orientation and its influence on the measured social climate.

Keywords: Ig prison, women in prison, Slovenia, socio-therapeutic orientation, social climate in prison

Introduction

Slovenia's imprisonment rates are rising but still relatively low compared to the neighbouring countries. The fourteenth edition of the World Prison Population List, using data about prison population from around the world at the beginning of April 2024 reports that almost 11 million people worldwide are incarcerated, whether as pre-trial detainees or prisoners; if the numbers for few missing countries are added, numbers vastly exceed 11.5 million; the authors (Fair & Walmsley, 2024: 2) estimate the global prison population rate to be around 140 per 100.000, and just under half of all countries/ territories (49 %) have rates below 150 per 100.000. Even though they report the rates for each continent, they emphasise that the difference between regions can be expansive; the median rate for Western European countries is 73, they report, whilst in the region of Europe on the cusp of Asia, the rate is several times higher, 267 per 100.000 (Fair & Walmsley, 2024: 3).

Slovenia, with its reported rate of 85 per 100.000, is well below the rates of the rest of Southern, Central and Eastern European countries and slightly above some Nordic states. However, as the report demonstrates, the numbers have risen from the rate of 58 in 2000, 64 in 2010 to 68 in 2015, and now the most significant leap in the last nine years to the rate of 85 (Fair & Walmsley, 2024, pp. 11-14). Correspondingly, the fifth edition of the World Female Imprisonment List (Fair & Walmsley, 2022: 2) estimates that the assessment of 740.000 incarcerated women and girls imprisoned globally is also below the actual number, the majority being imprisoned in the USA (rate of 64 per 100.000). The number of women in prisons has increased by 60 % from the turn of the century, almost three times the rate of the male prison population (22 %). Now, they are 6.9 % of the global prison population; the percentage is lower in Europe – 5.9 %. Rates per 100.000 inhabitants are around 2-4 in Nordic countries and only a little higher in Southern Europe; Slovenia is among the countries with the lowest rate of 2.7, which – contrary to the general rates of the prison population, which have seen a sharp rise - had dropped significantly from 2015 when it was

3.9¹ (Fair & Walmsley, 2022: 9-12). This chapter will delineate the specifics of Slovenian prisons for women and, through its history, show the potential reasons for lower rates.

The era of first studies: 50s and early 60s

Planned penological research in Slovenia began after the establishment of the Institute of Criminology at the Faculty of Law in Ljubljana (Institute) in 1954. It was carried out by psychologists, psychiatry specialists, and social work experts. Shortly after the Second World War, the Ig castle, where the Ig Prison (IP) has been situated for the last 67 years, was taken from the previous owners, Josip and Antonia Palma (Piškurić, 2020, p. 258), together with a large piece of land surrounding the castle. After some construction work on the building, the first (male) prisoners² began working on the land in 1947. In November of that year, they established an electro-metal company (Piškurić, 2020: 261); in one year, 249 convicts were working in this company, whilst 13 were working on the land around the castle; shortly after, the company downsized and opted out, and agriculture remained the only source of income for the imprisoned. In 1953, however, many new sources were mentioned, including shoe making, tailoring, knitting and sewing, carpentry, metalwork, bookbinding, and barbershop. In November 1954, 513 prisoners from other correctional facilities were assigned to Ig; 266 were staying at the location of the castle, and 247 were working outside on worksites (Glavica & Erpič, 2019). In that year, electric and water pipe installation was executed in the cells; flushing toilets were also incorporated in each room with the prisoners (Piškurić, 2020, p. 266). In 1956, female prisoners from the abolished KPD Brestanica correctional facility were placed in the newly formed IP (Glavica & Erpič, 2019). The reasons were twofold: the building at KPD Brestanica was impossible to renovate, and the building at Ig did not permit large-scale industrial work intended for the male prisoners. This is why a modern prison was constructed for men (now Dob prison), and women were transferred to Ig (Piškurić, 2020, p. 269). At the end of 1957, the then administration of the prison had the duty to organise an open ward for women. Ada Klanjšek participated in the selection of prisoners for this ward and the arrangement of the premises. Her work provides an interesting insight into the treatment of female prisoners at the time (Klanjšek, 1959).

In the period after World War II, when there were efforts to humanise penal systems, the tendency to successfully resocialise convicts also came to the fore. The effort went toward "making" prisoners useful for society. Klanjšek's diploma thesis "Selection of Female Prisoners for the Open Penitentiary Correctional Facility at Ig" (1959) mentions that the issue of open prisons was discussed at the first UN Congress in 1955 in connection with the

¹ Caution must be given when reporting these rates since Fair & Walmsley reported the statistics on 31.1.2021, amid the COVID-19 epidemic, when the numbers were lower. More about it further in the chapter.

² I am using the term 'prisoner' to represent incarcerated status, even though in latest research, much contemplation is given to the stigma surrounding the word; researchers are more and more utilising words like "residents"; however, when talking about the past, nothing about the experience could be assessed as being the resident of a prison; also, this harsh word is used by the women themselves in interviews, conducted by Tomažinčič (2023) and Tadič (2018).

topic of crime prevention. The women's open prison (ward), established at IP, was based on the starting points adopted at the UN Congress mentioned above (Klanjšek, 1959: 5).

The execution of sentences in such an open prison, according to Klanjšek, avoids all coercive measures for re-education. Life is based on self-discipline and responsibility towards the home community, removing all material and physical barriers to escaping (Klanjšek, 1959: 7). Thus, selecting female convicts was essential and determining factors that influenced this selection was also deemed crucial.

According to Klanjšek, an open prison is a more humane form of prison³, but the convict must make more efforts to adapt and return to society as a useful citizen. Klanjšek emphasised the importance of staff in the prison in assuring a humane treatment of incarcerated persons and their resocialisation. For the re-educational work to be effective, the institution must get appropriate professional staff as soon as possible, Klanjšek states, and this staff should work permanently and systematically, transferring their knowledge to the existing staff. She believes that there should be a full-time social worker in the institution, which could positively affect the selection of imprisoned persons for the open ward and the mental balance of the imprisoned (Klanjšek, 1959: 6).

These starting points seem important and progressive - much attention was paid to the personality traits of the imprisoned. Detailed knowledge of incarcerated women was the key to their successful resocialisation. Based on personal interviews, it was established that in most cases, the imprisoned women were already characterised by poor social conditions, a negative social environment and disordered family conditions and emotional impairment in their childhood (Klanjšek, 1959: 34).

During this period (in 1957), the selected women were transferred to a building separated from the closed part of the IP. The house rules were such that imprisoned women spent their free time in an open ward, they worked in the workshops (that were in the closed ward of the IP), and they also had meals there, but they were separated from other female convicts when eating. They could move into the immediate vicinity of their home, they were allowed unlimited correspondence with their relatives, they had unsupervised visits once a week, and any offence meant a return to the closed ward of the IP. The response of female convicts to the transfer was positive (Klanjšek, 1959).

Shortly after this important work by Klanjšek, the Institute published another study, which could be translated as "Grouping of convicts" (Vodopivec, Čerin and Skalar, 1963). Its purpose was to determine the prison/ ward types necessary in Slovenia in relation to the population of imprisoned persons and how they should be distributed. By their account, in the early 60ies, Slovenia needed at least six different types of prisons for men (first-time convicts, partial recidivists, recidivists, younger adults, sick ward, ward for old and convicts with mental health problems) and a prison for women, which would have four sections/ wings, i.e. an open ward; semi-open ward; a general ward (that would entail a wing for ill

³ The author (Klanjšek, 1959: 7) determines four advantages: it is better for social readjustment of the convicts; less stressful, which improves discipline; closer to everyday life, which in extension means stronger bonds with outside; lastly, it is cheaper to conduct this type of penitentiary.

convicts and a wing for pregnant women) and a ward for recidivists (Vodopivec, Čerin and Skalar, 1963: 42).

Interestingly, the researchers (Vodopivec, Čerin and Skalar, 1963: 42) said that the women's prison should be close to the city centre so that women from the open and semi-open prison system can commute into the city. They also suggest that a ward for female convicts with mental health problems should be merged with a ward for male convicts with mental health problems and that this institution also belongs in the city centre (Vodopivec, Čerin and Skalar, 1963: 44). The research estimates that more than a third (38 %) of imprisoned men could serve their sentence in a semi-open or open prison, while the assessed percentage of female convicts is slightly lower - 32%. They emphasise that modern buildings (prisons) are essential, but the atmosphere in which they will live is even more critical for imprisoned men and women. This depends mainly on the personnel who will be employed in the prison. Therefore, even greater care than constructing prisons must be devoted to selecting and training personnel (Vodopivec, Čerin and Skalar, 1963: 57-58). In 1968, the matter of prisons was transferred from (the Ministry of) Internal Affairs to the field of justice. As a result, new research fields were created, especially those focused on researching work with the imprisoned. In 1973, the first Law on the Enforcement of Criminal Sanctions (*Zakon o izvrševanju kazenskih sankcij*) was adopted, which marked a departure from Yugoslav penology, with the transfer of the authority to enforce criminal sanctions in the former Yugoslavia from the federal to the republic level.

Towards less oppression

In 1967, the Institute initiated an experiment that represented a milestone in the development of Slovenian penology. A less repressive, more humane and, in the long run, more effective approach came to the forefront of interest. The main idea, simply put, was that group counselling can overcome differences and bring theory closer to practice (Petrovec, 1999). The idea of an experiment was born to prove that it is possible to work more permissively with delinquent youth, and as a result, no one would be at risk (Petrovec, 2018).

In the Logatec educational institution, the experiment lasted four and a half years, and they wanted to prove that successful work with delinquent youth is possible with work methods based on humanistic psychology, and such work is less repressive and more relaxed. More permissive work, open communication, and less punishment were put in the foreground. As a result, this meant improving the well-being of inmates and staff, with the price of a few more escapes and a payoff of less crime (Petrovec, 1999).

The Republic Secretariat for Justice –Ministry of Justice in 1975 - wanted to apply the proven practice similarly in other prisons to alleviate the unfavourable conditions that prevailed. The IP was chosen to test the permissive treatment.⁴ Work in prison was

⁴ Although one could conclude that a women's prison was chosen to make achieving goals for the female population easier, Petrovec (2001: 123) believes that working with women in particular conditions, such as those in prison, is more demanding than the same work with men. He goes on to explain that such a hypothesis challenges several objections and cannot be proven but could be confirmed by the participants in

organised in such a way that all important matters, including the regime and benefits, were discussed at joint meetings of imprisoned women and employees. Although the leadership retained formal power, such a method established a kind of "convict self-government". A significant achievement was that after two years of work, most convicts could live in an open regime, they could spend every weekend outside the prison, and abuse of this benefit was very rare. In the following fifteen years, no disciplinary punishment was imposed on the convicts (Petrovec, 1999).

Petrovec (2018) explains that the "Ig experiment" was never defined as an experiment, as the latter requires appropriate protocols. However, instead, it was a gradual introduction of different practices and principles of working with convicts without predetermined goals and hypotheses and verification of results.

The director of the IP, Dunja Košir, ran the IP from 1975 to 1991, and the institution became a reference institution for serving prison sentences on an international scale (Petrovec, 2001: 123).

The proportion of imprisoned women in the open ward was 90 percent, 20 percent were reoffenders (60 percent in other Slovenian prisons) (Petrovec, 2015). Such successful work with the imprisoned continued until 1991 when the management was changed, and the new practice was slowly introduced. In the following years, the successful practice, i.e. all the previous advantages of democratising the prison system, was lost, according to Petrovec (2001: 128).

At the beginning of the 1980s, the doctrine of "socio-therapeutic orientation" was verified in the (then) parliament (assembly). Its most essential directions and characteristics were as follows: institutions should have a maximum of 100 convicts, a horizontal flow of communications and a democratic management style, openness of the institution – that is, less emphasis on security elements, trust in the positive personality traits of the imprisoned persons, these should co-decide on all essential matters, be involved in group work and the external environment. With this kind of management, the prison would become a more "democratically" organised institution, with a high degree of "self-management" compared to the rest of the hierarchically structured state administration. Group work is supposed to help train both employees and convicts in constructive interpersonal communication, as conflicts are a common problem in prisons. Depending on specific cases, an individual approach should still be maintained Petrovec, 2001: 123).

Last 25 years; sporadic studies based on interviews

Besides measurements of social climate conducted in 1980, 1985, 1990, 1995, 2000 (Brinc, 1995, 1997, 2000, 2001), 2005 (Brglez et al., 2006), 2010 (Brinc & Petrovec, 2011) and 2017 (Bokalič et al., 2017), only a few researchers conducted their studies in IP. Damijana Žist (2003) studied victimisation during prison sentences and concluded that women reported the presence of various forms of victimisation, but there were no programs available to respond to this (Žist, 2003). The same author published a book of interviews

the experiment. Women from all over Slovenia served their sentences at Ig; the length of the prison sentence varied, as did the crime itself.

with IP prisoners (Žist, 2008). Muršič (2005) determined the characteristics of the treatment of female drug users in the research "Women, drugs and prison" conducted by the Institute. The research took place at the end of 2004 in the IP. Interviews were conducted with five women who were serving sentences for drug-related crimes and whom themselves had the experience of being addicted to illegal drugs. In order to obtain a comprehensive picture of what was happening in IP, an interview was also conducted with an on-site psychologist who dealt with the problem of addiction. In his master's thesis, Ivačič (2016) addressed the discrepancy between prison and motherhood: how a prisoner can also be a mother in prison, how the time spent in prison affects children, what restrictions and losses women face and what strategies they use to maintain their maternal role in prison, and what strategies they use to manage both identities; being a mother and being in prison. She conducted interviews with eleven female prisoners at the IP⁵.

More recent is the collection of ten stories of women serving prison sentences at IP (Antić Gaber et al., 2017), which serves as a contemplation on crime, punishment and guilt, stigmatisation, the search for answers to the question of why and relationships within and outside the prison.

In her doctoral dissertation, Tadič (2018) investigates the gendered characteristics of imprisoned women and the execution of prison sentences for women in Slovenia. The author presents the reasons for the rapid increase in the number of imprisoned women in Slovenian prisons and draws attention to the peculiarities of the Slovenian prison system, which are specific to women's prisons. It draws on essential similarities between Slovenian and foreign prisons for women and highlights the multifaceted discrimination against women in the Slovenian prison system. As a primary finding of the research, it states that the Slovenian prison environment is also characterised by the peculiarities of imprisoned women (for example, compliance with prison rules, the structure of crimes, socioeconomic status, mental health, maternal role) and women's prisons (about with education, discriminatory practice of access to work).

Monography "Ženske in kriminaliteta: Značilnosti ženske kriminalitete in družbeno odzivanje nanjo" (eng.: "Women and criminality: Characteristics of female criminality and social response to it"), edited by Plesničar, Šelih and Filipčič (2018) the characteristics of female criminality, factors of female criminality and the specifics of the enforcement of criminal sanctions for women are discussed in three sections. The first part deals with views on female criminality (in our country and around the world). The second part covers the factors of female criminality and the treatment of social issues that can affect women's criminality. In the third section, which refers to the punishment of women, the emphasis is also on the enforcement of criminal sanctions.

⁵ According to the data available by the latest SPACE I report (Aebi, Cocco, & Molnar; 2023: 30), Slovenia is among countries that allow women to have children with them in prison for the shortest period – from 1 to 2 years of age (other countries with a short period are Turkey, Romania, Malta, UK – England and Wales). The majority of other countries allow children in prison until the age of 3 years. Unsurprisingly, researchers report only one child being with their mother in Slovenia in 2022.

The study of Tomažinčič (2022) amongst IP prisoners had a sample of sixteen prisoners (ages 26-67; sentences 1-11 years). Semi-structured interviews were conducted about detailed experiences of imprisonment. Women admitted to prison have different habits and self-images, and they describe various disturbing factors as a consequence of the rules of communal living. After a certain period, some of them adapt to prison life because they have no other option; some describe it as subjugation. They mostly want to avoid being sanctioned. Women find it disturbing that they are forced to live in one room with many people and, thus, feel deprived of privacy; all other facilities are shared. They lack appropriate facilities for visits, especially visits by their children (sleepovers are not possible). They describe relationships as very disturbing since verbal and physical conflict also presents a problem in the adjustment phase.

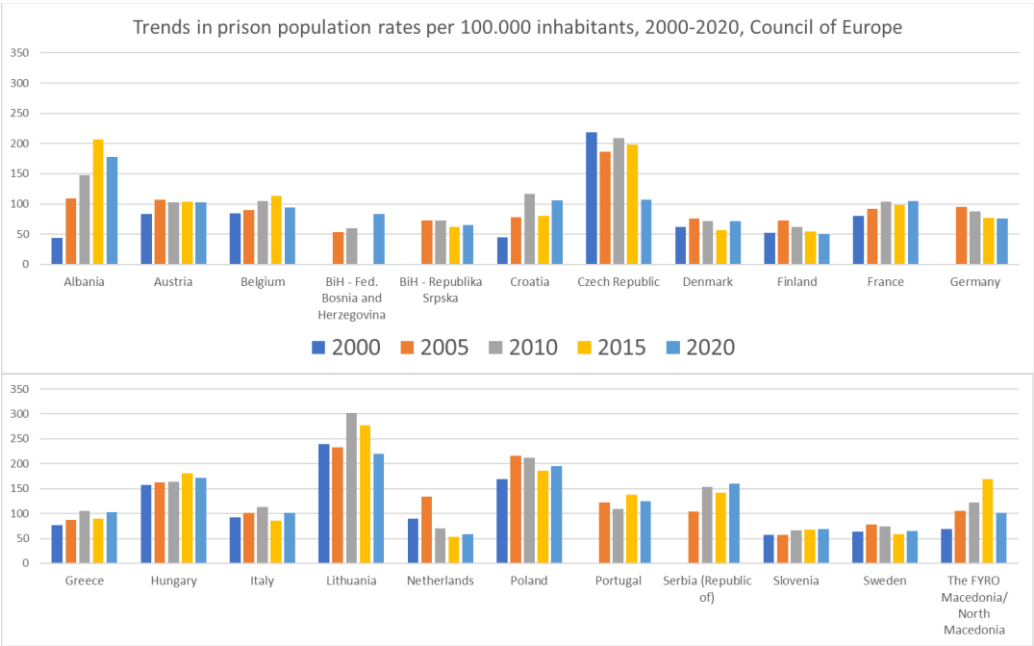
Nowadays, at IP, three prison regimens are put in place, which also impact security management (Glavica & Erpič, 2019). The open regimen features facilities outside the main prison building; life in the semi-open and closed regimens take place on separate floors, but it is intertwined to the extent that women of the semi-open regimen do not have access to certain benefits, such as mobile phones or the Internet. Supervision and observation are conducted using video surveillance and prison officers four times daily. Prison officers also monitor the surroundings of the prison. Most female prisoners are not bothered by such supervision as it makes them feel safe. Some are bothered by personal check-ups, which are conducted upon returning from their temporary release. They consider being asked to take their clothes off as degrading treatment. Some also feel that unannounced urine testing is degrading. Women point out they are being deprived of their adult status with the new dining hall procedure, which makes them feel like little children being escorted and monitored on their way to the meal and back. Such infantilisation procedures in prison involve disciplining and subjugation. Adjustment is also tricky due to inmates with mental disorders, who disturb the order and initiate verbal conflict. The most notable problem is women who are addicted to drugs, among whom are also those who have relapsed. Regarding adjustment, it means a lot to women that they can wear their clothes and style themselves however they want. They are not bothered by the uniforms worn by prison officers, or they are only bothered by them when the prison officers wear them while escorting them on a temporary release, especially if they are also handcuffed.

An insight into the state of convictions, number of people in the Ig prison, age groups

After delineating what the research outside social climate at IP in the last sixty years entailed, it would be beneficial to look at the available general statistics before we delve into social climate results.

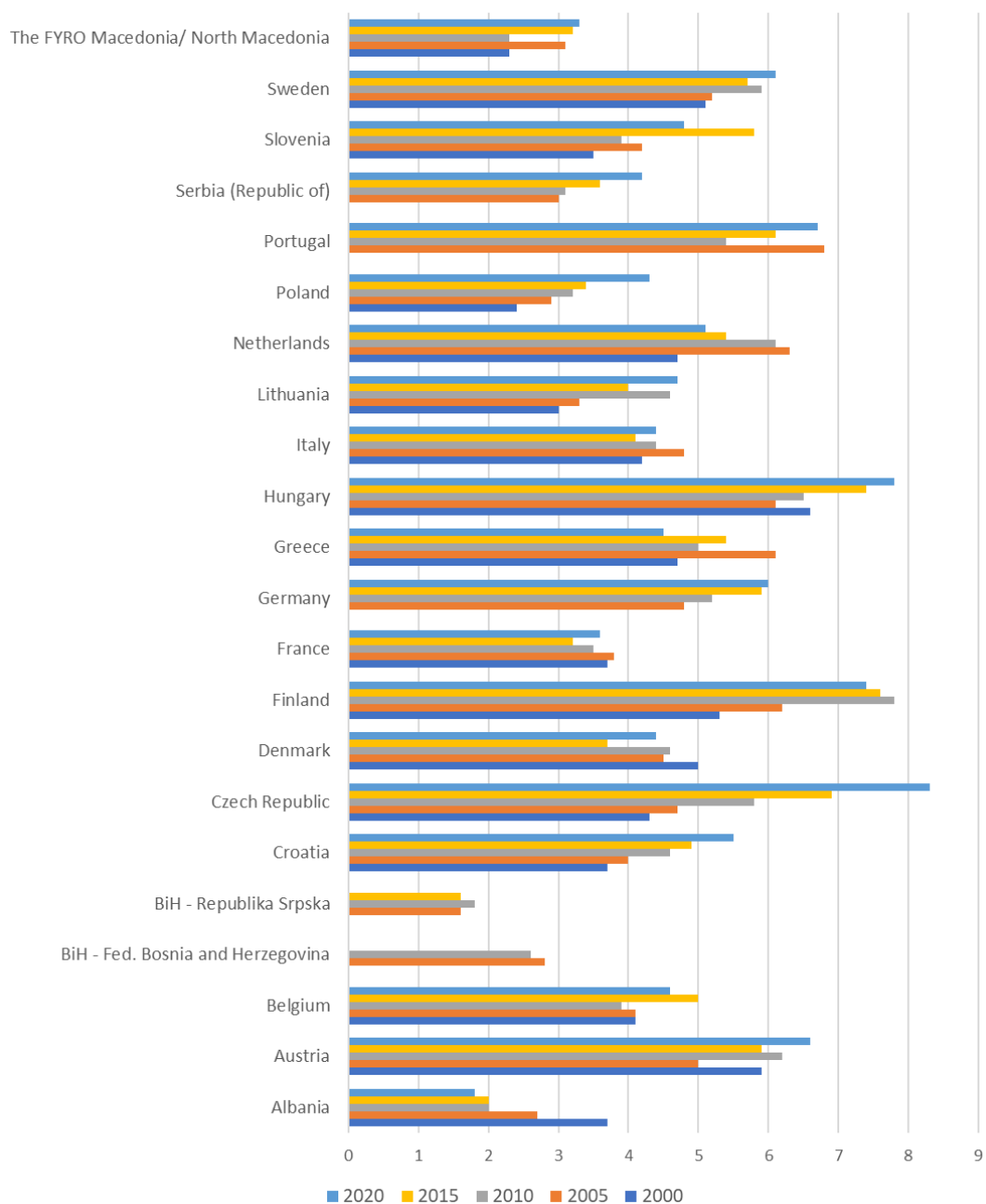
First, the overall prison population in European countries; data collected by the Council of Europe (Aebi & Stadnic, 2007; Aebi & Delgrande, 2012; Aebi, Tiago, & Burkhardt, 2016; Aebi, & Tiago, 2021; Tournier, 2001) are presented in Graph 1; according to prison population per 100.000 inhabitants, Slovenia can be grouped with countries as Sweden, Finland, Denmark and Netherlands in the last decade; slightly below Germany, Austria,

Belgium, Croatia, Serbia, Greece, Portugal, and Italy; and vastly below the numbers of countries like Albania, Czech Republic, Lithuania, Hungary and Poland (Graph 1).

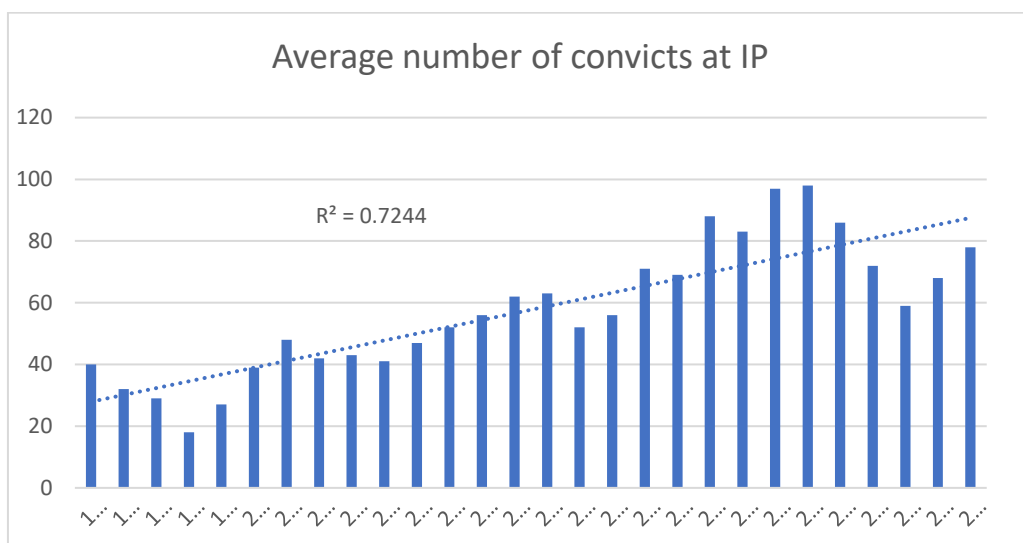


The same sources (Aebi & Stadnic, 2007; Aebi & Delgrande, 2012; Aebi, Tiago, & Burkhardt, 2016; Aebi & Tiago, 2021; Tournier, 2001) offer us another comparison - the percentage of female inmates (Graph 2), where the Nordic countries have over the time had the highest percentage of incarcerated women, closely followed by Netherlands, Portugal, Austria, Slovenia, Italy. Lately (as of 2020), Hungary and the Czech Republic are leading (Graph 2).

Percentage of female inmates per country, 2000-2020, Council of Europe



In the early days of IP, Vodopivec, Čerin and Skalar (1963: 18) offered us detailed numbers about female convicts and comparisons of the percentage of female convicts that were imprisoned for the first time (30 persons, 23 % of the female population, compared to 25 % of male population); partial recidivists (15 persons, 10 % of female population/ 15 % of the male population were partial recidivists); recidivists (12 persons, 9 % of female population/ 29 % of male population were recidivists); young adults (8 persons, 6 % of female population/ 11 % of male population were young adults); physically ill or old (34 persons, 26 % of female population/ 10 % of male population); with mental health problems (34 persons, 26 % of female population/ 10 % of male population).



In the annual report for 2022, the Administration for the Enforcement of Criminal Sanctions - Uprava za izvrševanje sankcij (2023) states that in 2022, the average number of women in Ig prison was 786. An overview of the average number of imprisoned women from 1995 to 2022 is shown in Graph 3 (Uprava za izvrševanje sankcij, 2001, 2006, 2011, 2016, 2021, 2023). The years 2014-2017 show a sharp increase in the share of imprisoned women (27 % in 2014, a drop of 5 % in 2015 and then again almost a 17 % increase in 2016). On the other hand, in the same period, the total number of incarcerated persons decreased, but only in the category of incarcerated men. In contrast, the average number of incarcerated women increased (Plesničar, 2018). After 2017, the number of women at IP decreased significantly, even before the COVID epidemic (12 % in 2018, 16 % in 2019 and 18 % in 2020) and in 2022 rose again to the pre-2014 numbers.

⁶ Interestingly, Fair and Walmsley (2022: 11) report the number of incarcerated women in Slovenia as 56 women since they have the number collected on 31.1.2021. This has a profound effect on the rate of incarcerated women since the authors report the rate to be 2.7, but with the number being 78, on average, it should be 3.7.

What can prison climate survey results tell us about what is happening inside the prison walls?

Moreover, now to the main topic of this chapter: As proof of the suitability of socio-therapeutic orientation as a treatment model, the results of the measurement of the social climate in prisons serving prison sentences, which has been held every five years since 1980, serve as evidence (Petrovec, 2018). The purpose of the longitudinal research was to measure the social climate (social atmosphere) in individual institutions and compare it with the results of past measurements. A favourable social climate created in prisons by both employees and convicts is a condition for the well-being of both (Brinc, 2001).

We are mainly interested in data on the social climate at the IP.

The theoretical starting point for the research was that the social atmosphere represents the state of psychosocial relations between group members and their attitudes towards the group. The social atmosphere is reflected in the consciousness of each member of the group, which allows us to measure it. If the atmosphere is favourable, the connection between the members is greater, and the group is more effective in action, and vice versa (Brinc, 2001). Franci Brinc, who conducted earlier measurements of social climate at Slovenian prisons, utilised Moos questionnaire about life in the institution; three dimensions are critical, namely the relationship between prisoners and workers (employees), the treatment program in the institution and the maintenance of order and discipline, which are described in more detail in Table 1 (Brinc, 2001).

Table 1. Dimensions of social climate (social atmosphere)

Relations between convicts and workers	
Engagement involvement	- How active are the staff and prisoners in implementing the program, how much do they participate, and what do they do on their own initiative?
Help	How much do the staff encourage convicts to help each other, and how much do they help them?
Openness of expression	How much does the prison program encourage prisoners and staff to express their emotions openly?
Treatment program in the institution	
Autonomy	It measures the degree to which prisoners are encouraged to participate in the planning of activities in the institution.
Practical orientation	It measures the degree to which the institution encourages prisoners to prepare for life after release.
Solving personal problems	It shows how much the workers are trying to solve the personal problems of the convicts.
Maintaining order and discipline	
Order and organisation	It measures the degree to which order and organisation are essential in implementing the prison programme, the personal appearance of the prisoners, and how the staff achieve order and organisation.
Clarity of the programme	It measures the degree to which staff and prisoners know about the day-to-day implementation of the programme and how clear the programme guidelines are.
Supervision of convicts	It measures the degree to which staff implement measures to ensure the necessary supervision of prisoners and how they formulate rules for behaviour and disciplinary action.

As mentioned, social climate was measured in 1980, 1985, 1990, 1995, 2000 (Brinc, 1995, 1997, 2000, 2001), 2005 (Brglez et al., 2006), 2010 (Brinc & Petrovec, 2011) and 2017 (Bokalič et al., 2017). In the next section, averages of measured values according to individual components of the social climate are presented. Higher values represent a more favourable social climate for all components, except for the last component of supervision, where higher values result in a less favourable social climate. The highest values are measured for the component order and organisation (5.2), supervision (5.0) and clarity of the programme (4,4).

Unsurprisingly, it was found that they experience the most favourable social atmosphere in the open wards of prisons in Slovenia (Brinc, 1995, 1997, 2000, 2001; Brglez et al., 2006; Brinc & Petrovec, 2011; Bokalič et al., 2017). On Graphs 4-12, open wards are “IG-OD” (third cluster from left), Dob – open ward - “PUŠČAVA” (fourth cluster from right), Maribor – open ward “ROGOZA” (third cluster from right). Among the closed institutions, the most favourable atmosphere was in the IP. This institution was also established as the most practically oriented and the most focused on solving the personal problems of (female) convicts. There were slight differences between the closed institutions in order and organisation, so in this case, the IP did not stand out. Even the relations between staff and prisoners, because they are in a closed institution, are less favourable than in cases of open wards. The results of the research showed that among the closed institutions, the IP is the most rehabilitation-oriented, which may be the reason for the better social climate.

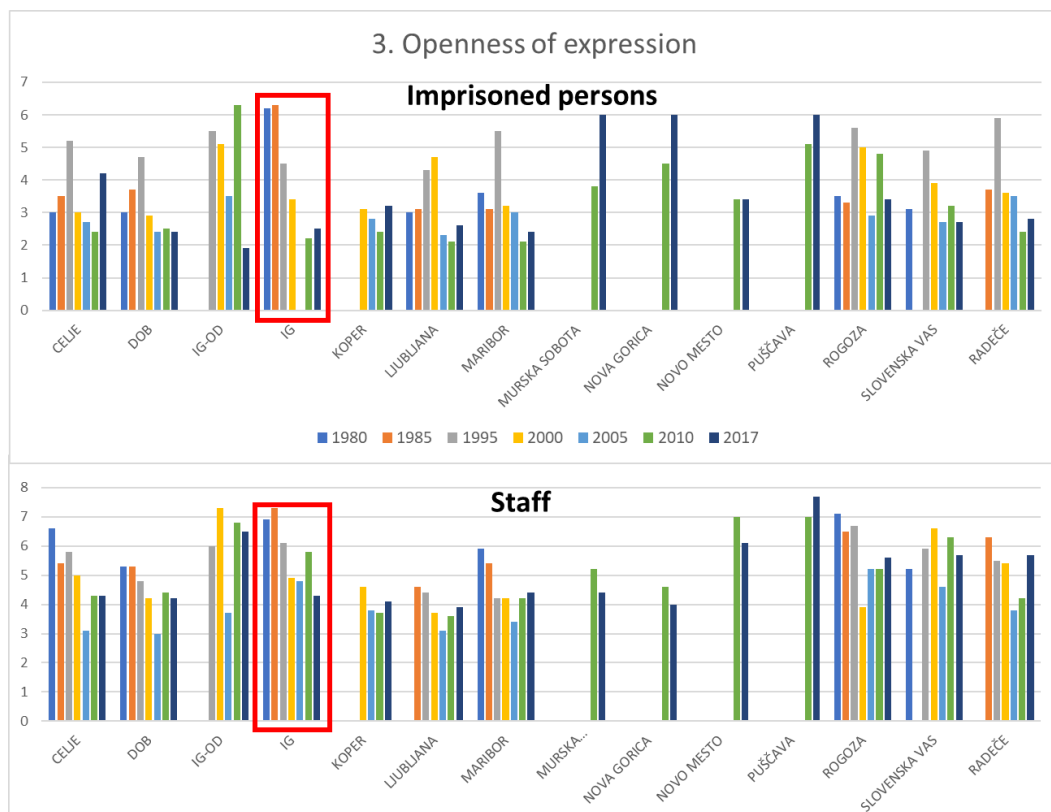
In the last measurement of climate in 2017, the highest values of the comprehensive social atmosphere among prison staff were measured in institutions: Dob - Open ward Puščava (65.7), Ljubljana – Open ward Ig (59.1) and Novo mesto (54.3), while the lowest values were measured in institutions: Ljubljana (33.7), Koper (36.1) and Ig – women's prison (36.4) (Plesničar, Petrovec, Drobnjak, Brvar and Cvikl, 2019: 57).



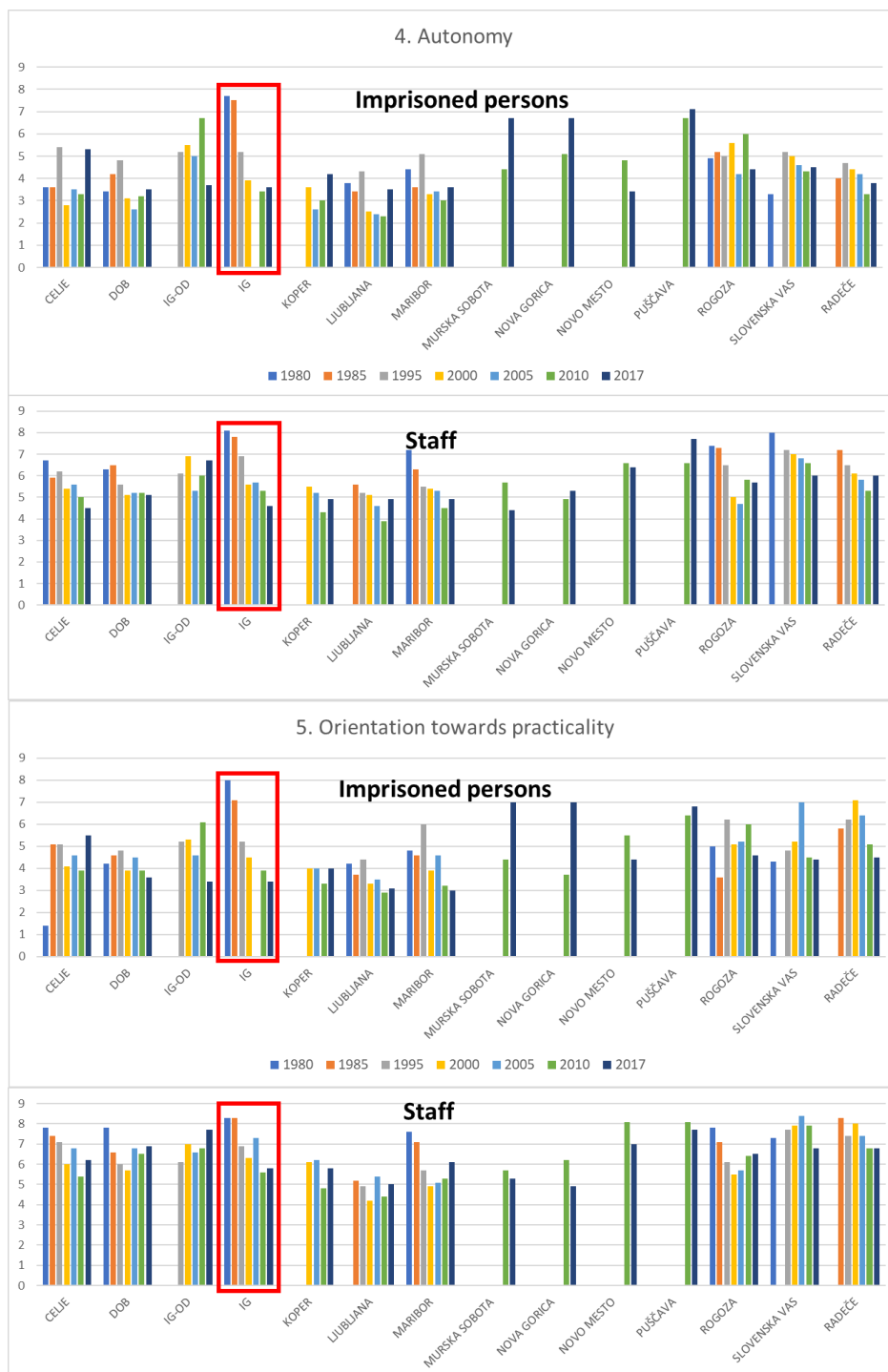
When observing the data in Graphs 4-12, it is evident that the social climate rates in all observed nine dimensions at IP (marked by a red square) have dropped considerably from 1980 to 2010 (columns from left to right in chronological order) both in the assessment of imprisoned women and staff at IP. According to the assessment, the social atmosphere at IP was worse by 58.5 percent from 1980 to 2010. Incarcerated women answered 86 identical questions, and the same methodology was used for statistical processing. During these years, the attitudes of prisoners changed less, as did their ideas about the social climate, but the attitudes and behaviour of the staff towards incarcerated women changed more. A comparison between individual years for thirty years shows that the control over prisoners constantly increases and emphasises the importance of order and rules (Brinc, 2011).

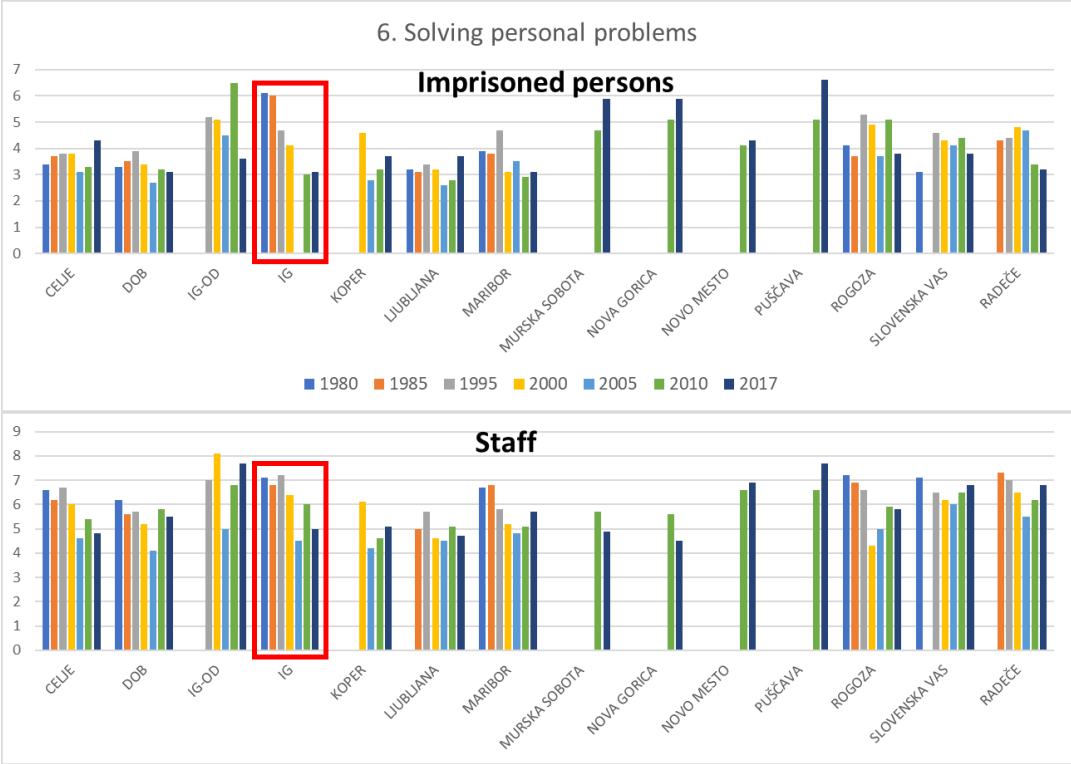


When measuring the social atmosphere in 2017, it was found that there were changes for the worse in several smaller institutions, especially the IP. In comparing 2017 with 2010, a negative trend can also be detected among the employees there. There was also a marked drop in the relationship dimension. A comparison between the overall social atmosphere as perceived by employees and as perceived by imprisoned persons shows that the differences in the perception of the social climate are significantly different. The differences are most apparent precisely in institutions where employees evaluate the social climate predominantly positively (open ward at the IP), while the assessment of imprisoned is much worse. It is established that in the IP (and the open ward of IP), no positive change of attitudes was detected (which was detected in other institutions). A comparison of the social climate in 2017 with 2010 among employees at IP showed that negative changes prevail in all components of the social atmosphere, the exceptions being practical direction and control with positive changes. In a comparison of the attitudes of male employees and female convicts, positive changes in attitudes can be detected among female employees but not among female convicts (Plesničar, Petrovec, Drobňjak, Brvar and Cvikl, 2019: 157-160).



As it was established, the results of the latest assessment of the social climate in prisons and re-education centres could be more encouraging. A downward trend in the social climate has been detected for decades, and this trend continues. This can be attributed to the fact that the area of enforcement of criminal sanctions was neglected in both the financial and personnel areas. Based on these results, better decisions should be made in the future that would stop and reverse the downward trend in the social climate (Plesničar et al., 2017).







It is difficult to say to what extent the worst results found during the measurements in 1985, 1995, and 2000 compared to 1980 are the result of supervisory policies or changes in the rehabilitation policy. The period after 1980 is still considered the "golden" age of Slovenian social therapy, which had positive effects and contributed to a favourable social climate. Brinc (2001) believes that the social climate scores achieved in the year 2000 demonstrate results that best suit the purposes of punishment and execution of prison sentences. During the observed period, the accommodation and sanitary-hygiene standards of convicts improved in prisons; they were granted new rights and benefits (rights began to be monitored by the Human Rights Ombudsman). On the other hand, workers' working conditions and wages improved; after 1991, democratisation took place, an independent Administration for the Execution of Criminal Sanctions was formed, and control over prisons was strengthened (Brinc, 2001).

Final remarks

The issue of gender and prisons is a complex one (e.g., Plesničar, 2019; Kanduč, 2001); only in the last twenty years have researchers been vocal about the way women experience incarceration and how it should be seen broadly, how it often stems from disadvantage, how it is reproducing vulnerabilities, among which Carlton (2011) includes "institutionalisation, criminalisation, ongoing state intervention and various forms of harm to self, to family and to the community". The author firmly states that not all women who experience imprisonment will have traumatic experiences, which in turn will result in their suffering; not all of them will have significant histories of trauma and disadvantage. However, as Baldry (2010) delineates in the term *structural account of liminality*, intervention by state institutions has an ongoing role in incarcerated women's lives. This role, with its emotional impacts, extends beyond imprisonment to a period before and after serving a sentence.

Although open wards in prisons are also known abroad - for a comprehensive guide, I recommend Waite (2024) - the experience at IP significantly differs from others. In prisons abroad (much like Klanjšek, 1959), prisoners were collected through selection, namely, those prisoners who were motivated to participate in group therapy. The Slovenian concept, on the other hand, was based on trust or the assumption that everyone gains something good from the open regime. Slovenian penology can thus consider as an achievement the very proof that it is possible to establish an open regime for the vast majority of convicts (about ten percent of prisoners were given a special regime). It was also shown that the openness of the prison is more influenced by the management (staff) than the structure of the prisoners. Based on the good results or experience with the IP, there were attempts to introduce a similar regime in other Slovenian prisons, with limited success. It turned out that few employees were willing to give up their power over the incarcerated and insisted on the traditional - hierarchical - structure of the prisons. When the socio-therapeutic approach was implemented, it had a positive effect on both employees and imprisoned (Petrovec, 2015).

Given the assumption that the humanisation of prisons is related to the welfare state, it is also not surprising that such a project was more accessible to implement in the 1970s and 1980s (Petrovec, 2015). Nowadays, in postmodern society, a "new penology" appears, which does not deal with the individual, his behaviour and treatment, but with the masses,

populations that do not adhere to social norms. The goal is no longer to prevent crime but to "manage" it through strict control. The goal of the new penology is no more to assess individuals but to control certain (marginal) groups deemed and stigmatised as dangerous for society (Petrovec, 2000).

Recent studies at IP show that female convicts think highly of prison officers there; they appraise their work conduct as professional and see them as helpful to the inmates. Nevertheless, communication with them is increasingly limited, which is a step back towards a total institution (Tomažinčič, 2022, p. 178).

The same study showed that the extent of supervision has increased in recent years, contrary to the proclaimed socio-therapeutic orientation, and this was felt strongly by the residents (Tomažinčič, 2022: 131). From 1991 onwards, they have put up surveillance cameras; they have established locking of passages between sections. Women are also observed and assessed based on whom they communicate and socialise with. Women who are believed to have the intention of escaping are handcuffed and escorted on their temporary release for visiting the doctor or going to court. The entrance to the prison is closed; when prisoners go for a walk in the park, they have to go through the security system (detector). Reoffenders note that the prison staff does not consider the possibility that they have changed, treating them solely based on the experience they have had with them during previous sentences. They also sense an absence of horizontal communication with the management or staff (Tomažinčič, 2022: 130-134).

References

- Aebi, M. F., & Stadnic, N. (2007). *SPACE I – Council of Europe Annual Penal Statistics: Prison populations. Survey 2005*. Council of Europe and the University of Lausanne.
- Aebi, M. F., & Delgrande, N. (2012). *SPACE I – Council of Europe Annual Penal Statistics: Prison populations. Survey 2010*. Council of Europe and the University of Lausanne.
- Aebi, M. F., Tiago, M. M. & Burkhardt, C. (2016). *SPACE I – Council of Europe Annual Penal Statistics: Prison populations. Survey 2015*. Council of Europe and University of Lausanne
- Aebi, M. F., & Tiago, M. M. (2021). *SPACE I - 2020 – Council of Europe Annual Penal Statistics: Prison populations*. Council of Europe and University of Lausanne
- Aebi, M. F., Cocco, E., & Molnar, L., (2023). *SPACE I - 2022 – Council of Europe Annual Penal Statistics: Prison Populations*. Council of Europe and the University of Lausanne.
- Antić Gaber, M., Crnović, D., Perger, N., Podreka, J., & Tadič, D. (2017). Začasno bivališče: Na grad 25, Ig: življenjske zgodbe žensk na prestajanju kazni zapora [Temporary residence: Na grad 25, Ig: life stories of women serving prison sentences]. Javna agencija za knjigo Republike Slovenije.
- Baldry, E. (2010). Women transitioning from prison to ... Current Issues in Criminal Justice: Special Issue on Women and Imprisonment, 22(2).
- Bokalič, N., Cimerman, A., Čuš, M., Dolenc, M., Lovka, A., Podgorski, K., Samobor, A., Šturm, I., Thaler, I., & Trplan, A. (2017). *Socialno vzdušje v zavodih za prestajanje kazni zapora in prevzgojnem domu leta 2017 v Republiki Sloveniji: poročilo* [Social atmosphere in prisons and re-education centre in the Republic of Slovenia in 2017: report]. Pravna fakulteta.
- Brinc, F. (1995) Družbeno vzdušje v zavodih za prestajanje kazni zapora [Social atmosphere in prisons]. Ljubljana: Inštitut za kriminologijo pri Pravni fakulteti.
- Brinc, F. (2000). Zapor za koga, kako, s kakšnim ciljem in za kakšno ceno [Imprisonment for whom, how, with what goal and at what price]. *Varstvoslovje*, 3, 229–238.

- Brinc, F. (2001). Družbeno vzdušje v zavodih za prestajanje kazni zapora in v Prevzgojnem domu v Radečah. [Social atmosphere in penitentiaries and re-education centre in Radeče]. *Revija za kriminalistiko in kriminologijo*, 52(4), 287–302.
- Brinc, F., & Petrovec, D. (2001). Družbeno vzdušje v zavodih za prestajanje kazni zapora v Republiki Sloveniji: poročilo [Social atmosphere in prisons in the Republic of Slovenia: report]. Ljubljana: Inštitut za kriminologijo pri Pravni fakulteti.
- Brinc, F., & Petrovec, D. (2011). Družbeno vzdušje v zavodih za prestajanje kazni zapora in v Prevzgojnem domu Radeče leta 2010: poročilo [Social atmosphere in prisons and re-education centre Radeče in 2010: report]. Ljubljana: Inštitut za kriminologijo pri Pravni fakulteti.
- Brglez, A. (2006). Socialno vzdušje v zavodih za prestajanje kazni zapora in prevzgojnem domu leta 2005: poročilo [Social atmosphere in prisons and re-education centre in 2005: report]. Inštitut za civilizacijo in kulturo.
- Carlton, B., & Segrave, M. (2011). Women's survival post-imprisonment: Connecting imprisonment with pains past and present. *Punishment & Society*, 13(5), 551–570.
- Drenik Bavdek, S., Pavlin, P., & Tadič, D. (2019). O posebnem položaju žensk v zaporih: Prispevki in izbrani mednarodni akti: zbornik ob 40-letnici Konvencije o odpravi vseh oblik diskriminacije žensk [On the special situation of women in prisons: Contributions and selected international acts: 40th anniversary of the Convention on the Elimination of All Forms of Discrimination against Women Anthology]. Ministrstvo za pravosodje.
- Glavica, T., & Erpič, V. (2019). Ženske na prestajanju kazni zapora v Zavodu za prestajanje kazni zapora Ig. [Women serving a prison sentence in the Prison Ig.]. In S. D. Bavdek, P. Pavlin in D. Tadič (Eds.), *O posebnem položaju žensk v zaporih* (p. 29–41). Ministrstvo za pravosodje.
- Hacin, R. (2015). Pregled slovenskega penološkega raziskovanja od sredine petdesetih let dvajsetega stoletja [A review of Slovenian penological research from the 1950ies onward]. *Revija za Kriminalistiko in Kriminologijo*, 66(3).
- Ivačič, B. (2016). Materinstvo za rešetkami: neskladje med zaporom in materinstvom: magistrsko delo [Motherhood behind bars: The discrepancy between prison and motherhood: master's thesis], Univerza v Ljubljani, Fakulteta za družbene vede.
- Kanduč, Z. (2001). Žene, zločini, zatvori: pregled nekih od središnjih kriminologijskih problemskih cjelin. In V. Grozdanič, (Ed.). (2011). *Kada žena ubije: Interdisciplinarni pristup* [When women kill: Interdisciplinary approach] (p. 5–49). Pravni fakultet Sveučilišta.
- Kanduč, Z., Mihelj Plesničar, M., Kmet, S., Petrovec, D., Završnik, A., & Zgaga Markelj, S. (2012). *Nežejši spol? Ženske, nasilje in kazenskopravni sistem* [The gentler sex? Women, violence and the criminal justice system]. Inštitut za kriminologijo pri Pravni fakulteti.
- Klanjšek, A. (1958). Selekcija obsojenk za odprti kazenski poboljševalni-dom na Igu: diplomsko delo [Selection of female convicts for the open penitentiary correctional facility at Ig: undergraduate thesis]. Univerza v Ljubljani, Višja šola za socialne delavce.
- Muršič, M. (2005). Razmišljanje ob izpovedih obsojenk z izkušnjo zasvojenosti z nedovoljenimi drogami [Reflecting on the confessions of female convicts with an experience of addiction to illicit drugs]. In *Ženske, droge in zapor* (Ed. Zoran Kanduč) (p. 41–79). Inštitut za kriminologijo pri PF.
- Petrovec, D. (1999). Ideja in realnost socioterapevtske usmeritve: študija [The idea and the reality of sociotherapeutic intervention: study] (Vol. 126). Inštitut za kriminologijo pri Pravni fakulteti.
- Petrovec, D. (2000). Konflikti med zahtevami po varnosti in resocializaciji [Conflicts between security requirements and resocialization]. In M. Pagon (Ed.), *Dnevi varstvoslovja* (conference proceedings). Ljubljana. Visoka policijska varnostna šola.
- Petrovec, D. (2001). Izvršavanje kazne zatvora v Igu. In: Velinka Grozdanič & Alenka Šelih (Eds.). *Žene i kazna zatvora* [Women and imprisonment]. Pravni fakultet Sveučilišta u Rijeci.
- Petrovec, D. (2011). Sklepno razmišljanje o družbenem vzdušju [Concluding thoughts on social climate]. In Družbeno vzdušje v zavodih za prestajanje kazni zapora in v Prevzgojnem domu Radeče leta 2010: študija [The social atmosphere in prisons and the Prevzgojne dom Radeče in 2010: study]. Ljubljana: Inštitut za kriminologijo pri Pravni fakulteti v Ljubljani.

- Petrovec, D. (2015). Penologija – zadnje poglavje kazenskega prava [Penology – the last chapter of criminal law]. In A. Šelih in K. Filipčič (eds.), *Kriminologija*. Ljubljana: GV Založba
- Petrovec, D. (2018). Ženski zapor nekoč in danes [Women's prison then and now]. In M. M. Plesničar, A. Šelih in K. Filipčič (eds.), *Ženske in kriminaliteta: Značilnosti ženske kriminalitete in družbeno odzivanje nanjo* [Women and crime: Characteristics of women's crime and social response to it]. Inštitut za kriminologijo pri Pravni fakulteti v Ljubljani.
- Piškurč, J. (2020). Začetki zapora na Ižanskem gradu (1946–1956) [The beginnings of the prison at Ig castle (1946–1956)]. *Kronika*, 68(2), 257–272.
- Plesničar, M. M. (2018). Kaznovanje žensk v Sloveniji [Punishment of women in Slovenia]. In M. M. Plesničar, A. Šelih in K. Filipčič (Eds.), *Ženske in kriminaliteta: Značilnosti ženske kriminalitete in družbeno odzivanje nanjo* (p. 131–150). Inštitut za kriminologijo pri Pravni fakulteti v Ljubljani.
- Plesničar, M. M. (2019). Zakaj drugačna obravnava zapornic? [Why the different treatment for female prisoners?]. In S. D. Bavdek, P. Pavlin in D. Tadič (Eds.), *O posebnem položaju žensk v zaporih* (p. 41–59). Ministrstvo za pravosodje.
- Plesničar, M. M., Petrovec, D., Drobnjak, M., Brvar, B., and Cvikl, L. (2019). Družbeno vzdušje v zavodih za prestajanje kazni zapora in v prevzgojnem domu Radeče leta 2017: poročilo [Social atmosphere in prisons and re-education centre Radeče in 2017: report]. Ljubljana: Inštitut za kriminologijo pri Pravni fakulteti.
- Plesničar, M. M., Šelih, A., & Filipčič, K. (Eds.). (2018). *Ženske in kriminaliteta: Značilnosti ženske kriminalitete in družbeno odzivanje nanjo: študija* [Women and crime: Characteristics of women's crime and social response to it: study] (Vol. 36). Slovenska akademija znanosti in umetnosti; Inštitut za kriminologijo pri Pravni fakulteti.
- Puhar, S. (1995). Diskriminacija žensk v kazenskem postopku in pri izvrševanju kazni [Discrimination against women in criminal proceedings and execution of sentences]. *Socialno delo*, 5: 309-320.
- Tadič, D. (2018). *Spolno zaznamovane značilnosti zapora za ženske: doktorska disertacija* [Gendered characteristics of women's prisons: doctoral dissertation]. Univerza v Ljubljani, Pravna fakulteta.
- Tomažinčič, L. (2023). *Vsakdanje življenje žensk v zaporu: doktorska disertacija* [Everyday life of women in prison: doctoral dissertation]. Univerza v Ljubljani, Fakulteta za družbene vede).
- Tournier, P. V. (2001). SPACE I – Council of Europe Annual Penal Statistics: Prison populations. Survey 2000. Council of Europe and CNRS.
- Uprava za izvrševanje sankcij (2001). *Letno poročilo 2000*. Uprava RS za izvrševanje sankcij.
- Uprava za izvrševanje sankcij (2006). *Letno poročilo 2005*. Uprava RS za izvrševanje sankcij.
- Uprava za izvrševanje sankcij (2011). *Letno poročilo 2010*. Uprava RS za izvrševanje sankcij.
- Uprava za izvrševanje sankcij (2016). *Letno poročilo 2015*. Uprava RS za izvrševanje sankcij.
- Uprava za izvrševanje sankcij (2021). *Letno poročilo 2020*. Uprava RS za izvrševanje sankcij.
- Uprava za izvrševanje sankcij (2023). *Letno poročilo 2022*. Uprava RS za izvrševanje sankcij.
- Vodopivec, K., Čerin, M., & Skalar, V. (1963). *Grupiranje obsojencev: študija* [Grouping of convicts: study] (Vol. 11, p. 2). Inštitut za kriminologijo pri Pravni fakulteti v Ljubljani.
- Waite, S. (2024). 'A whole new world ...': Exploring transcarceral habitus and women's transition from a closed to an open prison. *The Howard Journal of Crime and Justice*, 63, 82–97
- Walmsley R., & Fair H. (2024). *World prison population list. 14th edition*. https://www.prisonstudies.org/sites/default/files/resources/downloads/world_prison_population_list_14th_edition.pdf
- Walmsley R., & Fair H. (2022). *World Female Imprisonment List. 5th edition*. https://www.prisonstudies.org/sites/default/files/resources/downloads/world_female_imprisonment_list_5th_edition.pdf
- Žišt, D. (2003). Obsojenke kot žrtve nasilja v zaporu [Female convicts as victims of violence in prison]. In M. Pagon (ed.) *Dnevi varstvoslovja* (conference proceedings).
- Žišt, D. (2008). Utrinki iz življenja za rešetkami. Večer.

Interpersonal dynamics, violence and distrust in a women's prison in Slovenia

Interpersonal violence in prisons is a prevalent issue, equally characteristic of female and male correctional facilities. This article provides an in-depth analysis of the interpersonal dynamics associated with violence in Slovenia's sole female correctional institution, Ig Prison. Based on data from interviews with staff, focus groups with prisoners and sociometric testing conducted in 2019, we examine the broader interpersonal relationships within the prison and their connections to violence, with a specific focus on the pervasive distrust that suffuses most interactions within the facility. By exploring violence and distrust, we first analyze the relationships among the inmates, followed by the dynamics between the staff and prisoners. Finally, we discuss how distrust functions as a unique "engagement with the world" and a survival strategy within the prison context. This study thus aims to shed light on the intricate interplay between violence and social relations in a (female) prison.

Keywords: Ig Prison, violence, distrust, interpersonal dynamics, strategies for survival, prison culture

Introduction

Violence within prisons has garnered significant attention from scholars and researchers alike. Numerous studies have addressed various aspects of violence in prisons, such as individual and group factors (Schenk & Fremouw, 2012; Butler, McNamee & Kelly, 2022), overcrowding (Baggio et al., 2020), environmental factors (Atlas, 1984; Gaes & McGuire, 1985) and violence prevention (Steiner & Wooldredge, 2019). Indeed, violence seems to be one of the most thoroughly studied topics of research on prisons and incarceration and is a phenomenon present across a wide range of prisons. As Sykes (2007) argued, one of the core pains that prison causes is the experience of being unsafe amid living with people who may be threatening or are understood as such. "Threats to safety and well-being are embedded in the world of the prison", argue Owen, Wells and Pollock (2017: 3), and "violence /.../ continuously exists as a potential, shaped by time, place, prison culture, interpersonal relationships, and staff actions" (ibid.: 14). Less attention concerning violence in prison contexts, however, has been devoted to violence among women (Owen 1998). Existing research, however, points to an equal presence of violence in women's prisons, but in a specific gendered form—while there is a lower frequency of acts of physical violence, psychological and relational violence tend to be prevalent (see e.g. Trammell 2009; Owen, Wells and Pollock 2017: 16). The prison in Ig appears to be no exception to the presence of interpersonal violence (see Tadič 2018). This is the only prison in the country that houses female convicts and is located in the central area of Slovenia, close to its capital city. It is a relatively small prison (with the number of prisoners in the last ten years fluctuating between 59 and 97) and has in the past been the site of an "experiment" in the 1970s, which aimed to soften the control within its walls and implement a less repressive, more rehabilitative

approach to its management; such a regime then became implemented as regular practice for about two decades. While this attempt was deemed successful and fruitful, new leadership in the prison soon after taking over in the beginning of the 1990s initiated a new turn toward heightened control (Petrovec, 2018; Petrovec & Muršič 2011; Petrovec & Plesničar 2014). The repressiveness of the regime in the prison additionally heightened in recent years with increasingly strict state penal policies, the increase of which, as Tadič (2018) illustrated, is steeper in the area of female convicts than in that of male convicts. Tadič's research (2018) in this prison highlights the prevalence of gender-specific interpersonal violence and illustrates the pervasiveness of feelings of insecurity and lack of safety among convicts in the prison. Furthermore, it also points to the widespread presence of a "culture of distrust" in the prison.

In this paper, we attempt to build on previous research conducted by Tadič (2018) and to further analyze the dynamics of violence in the framework of social relations in the Ig Prison. We base our discussions in this paper on the assumption that violence is not an isolated phenomenon but rather arises from an interplay of various group dynamics. We aim to explain in what ways and to what degree interpersonal dynamics play a role in the dynamics of violence. Consequently, in this research paper, we will focus on the relationships that women prisoners form in prisons. After a brief outline of our research methodology, we will discuss the results of our field study in three subchapters. First, we will focus on the relations among female prisoners in women's prisons. Second, we will explicate the dynamics of relations between prisoners and staff. Third, we will take into account prisoners' experiences of violence and distrust and strategies for coping with them. In the last chapter, a discussion on the rehabilitative functions of Slovene prisons will follow, taking into account the development of distrust as a "mode of engagement" (cf. Mühlfried 2018), which might be transferred to the outside of prison walls.

Methodology

This chapter is based on research by Tadič and colleagues¹ in the women's prison in Ig as part of a government-funded research project on violence in women's prisons. The field research lasted from 27 May 2019 to 10 September 2019 and was based primarily on the use of qualitative methods. It was structured in three distinct phases. The first phase, through which the researchers "entered the field", encompassed conducting interviews with both prisoners and staff on the topic of violence in prison and the main problematics related to it. The second phase involved sociometric analysis of relations among prisoners, whereas staff members completed questionnaires on their knowledge of the relations among prisoners. The third and most in-depth research phase involved conducting focus groups with female convicts in the prison, with the main topic being interpersonal violence, its forms and manifestations as well as the factors leading to it.

¹ The project was carried out as part of the Faculty of Education's small research projects scheme, which aims to promote small research teams of students and researchers to work together. The project, entitled "Forms and contexts of violence among imprisoned women", was carried out by the team members: Darja Tadič (member of the Department of Social Pedagogy and project coordinator) and students of Social Pedagogy: Petra Polajžer, Eva Margon, Zala Rejc, Ana Lovšin and Neva Mole.

In the first phase, 31 semi-structured short interviews lasting approximately 10 minutes were conducted with staff members (out of 45 staff members employed at that time), and 38 interviews were conducted with prisoners (out of 51 who were incarcerated at the time). In the second phase, sociometric techniques were used among 36 prisoners to determine the nature of the social relations among them. This meant that prisoners were asked to fill in their answers to questions asking for the names of prisoners with whom they got on best. In the second part of phase two, 31 members of prison staff were asked to participate in a survey that asked them to identify the most liked and least liked, most controversial and most overlooked prisoners, the purpose of which was to gain insight into the degree to which staff is acquainted with relations among prisoners. Finally, cycles of focus groups with 24 prisoners were conducted in five separate groups (which included 4 to 7 participants), and these groups were formed based on the results of sociometric testing. Each of these groups met five times over five consecutive weeks for approximately one and a half hour to discuss various topics related to violence in their prison. Conversations that occurred throughout the focus groups were transcribed and anonymised. These transcripts were later analyzed through thematic analysis, whereby recurring themes and patterns were identified and analyzed (see e.g. Braun & Clarke, 2006; Braun & Clarke, 2017).

Results and discussion

Most of the data collected from our participants focused on interpersonal relations in the prison and prisoners' experiences of interpersonal dynamics. We will discuss these interpersonal dynamics throughout the next three subchapters, which address relations among prisoners, relations among prisoners and staff, and distrust as a particular form of engagement.

Relations among prisoners

When talking of their experience in the women's prison in Ig, the prisoners who were our interlocutors consistently indicated that social rejection is a common phenomenon in the prison. Moreover, sociometric testing showed that none of the prisoners were well liked or had a high social influence. Good interpersonal relations among convicts were rare, and many characterized social relations in prisons as hierarchical and lacking in solidarity.

"You must socialize here; it's a fact. However, you can't have friends."

Group dynamics were similarly described as negative, and sociometric testing revealed weak group cohesiveness. The valence of these overall non supportive relations was additionally impacted by lies, manipulations and gossiping, which seemed to be prevalent in interpersonal dynamics among prisoners in Ig at the time of our study.

"Some talk like that, [but] act differently. Most are two-faced, there is a lot of manipulation."

"There is a lot of hypocrisy and scheming here."

These dynamics were experienced negatively by our interlocutors, and they contributed to enforcing distrust in their cohabitants.

“You can’t have friends, confidants...”

We have found distrust was pervasive in prison. On the one hand, it was mutually reinforced in concrete everyday interactions among prisoners, through the perpetration of acts by other prisoners, which are considered immoral—offensive behaviour, lies, manipulations, etc. On the other hand, distrust was engendered by being in prison as such. Prison is understood as a place that collects and contains individuals of suspect moral status, and incarceration communicates its own moral messages (cf. Ievins 2023). Living in such a place and being in close proximity to stigmatized moral Others presents a danger of contamination (cf. Douglas 1992; Ievins 2023: 43-4), and distance is needed to avoid unwanted “moral transfer” (cf. Eskine, Novreske & Richards 2013)—the distance that prison as a setting does not afford. Consequently, many prisoners expressed dislike of others incarcerated in the Ig prison and tended to view them as untrustworthy and often as “worse” than themselves. As one of our interlocutors said,

“If you have a women’s prison, it should be a decent prison, to know who is who, why they’re here, what kind of sentence they have, and to be able to separate this nicely. That normal ones are [together] with normal ones and those not normal [should be together] with those not normal.”

Social stratification is thus common, with certain groups—primarily groups referred to as “addicts”, “recidivists” and “murderers” by imprisoned women – being at the lowest end of the hierarchy.

“They should separate the women and not lump us all together – I cannot be together with murderers and addicts!”

Moreover, our interlocutors consistently stressed the presence of psychological violence, primarily in the form of threats, provocations and offensive speech, in their interpersonal relations. These were, according to our interlocutors, prevalent forms of interpersonal violence that they experience daily.

“Because here the girls – here, there’s no physical violence, but there is a lot of verbal violence, especially blackmailing, when you trust someone with something, right...”

These relationship dynamics as described here are grounded in the normative frameworks of prisoners. They are perceived negatively; manipulations, lies and scheming on the one hand, and more tangible forms of psychological violence on the other, are understood by prisoners as morally wrong. They dislike such dynamics but often find it unavoidable to perpetuate them. In a bounded space where cohabiting with other people is necessary, participation in interpersonal dynamics is required. Participating in such dynamics, however, is most commonly reflected in a distrustful attitude of engagement, which contributes to creating distance in social relations and low social cohesiveness (Mühlfried 2018). Despite the fact that distrust permeated almost all everyday interpersonal interactions, trust was also occasionally present. Moreover, forms of solidarity were forged through common activities such as playing cards, drinking coffee, dancing or helping each other in urgent situations.

"I had an epileptic seizure; the girls, the girls always helped me".

Relationships between prisoners and prison staff

Whereas the normative frameworks that guide relations among prisoners are relatively straightforward and similar to those that exist outside of prisons, those that guide relations between prisoners and prison staff are more ambivalent. The ambivalence in the perception of prison staff is tied to the conflictual role that is ascribed to employees in prisons. On the one hand, their role demands are to offer help and develop supportive relations with prisoners, while on the other hand, they are also responsible for executing sanctioning and punishments for the same prisoners (see e.g. Hepburn & Albonetti, 1980). However, many members of the staff in the Ig Prison expressed disinterest in developing close relations with the female convicts and preferred to maintain distance in such relations. As one member of the staff told us, this is sometimes done out of fear of being manipulated by the prisoners.

"They can trick you very quickly, they see kindness [and they] use it."

Similarly, another one of our interlocutors stated the following when talking about their relationship to the prisoners:

"You can't be too good and too honest."

Such an approach was also supported by the management; staff were of the opinion that creating warm relations with prisoners was not approved by those responsible for running the prison.

"We were told to talk as little as possible with them [prisoners]"

As is evident from these statements, at the time of our fieldwork, there was a firm divide in place between staff and prisoners, accepted and perpetuated by prison staff. It was reflected in an "us and them" mental scheme (cf. Linberg 2005) that seemed to be present in both groups. This was further expressed in the dynamics of distrust which shaped relations on both sides of this boundary. With the occasional exception of some staff members who attempted to form meaningful and supportive relations with prisoners, the staff rarely attempted to significantly bridge the boundaries between them. This boundary tended to be reaffirmed by the prisoners as well, who viewed staff members as uninvolved and unreliable.

"I don't know if the educators are here to bullshit or to help you. But they don't help you."

"When everything is nice, when you're having a good time and everything is fine, the guards destroy it. When things are not okay and you need them, they make fun; they don't listen."

The lack of staff involvement was reflected in high levels of distrust by the prisoners toward them.

"If you confide in the employees, they have their own personal agenda".

Distrust in relational engagements that from both sides reaffirm the boundary between the two groups engenders more distrust in their relationships. This is reflected in the experience one of the prisoners shared with us:

“They tell us nonstop, you have to trust us, you have to trust us, we wish well for you, you need to trust us. How can we trust you when you don’t trust us?”

Benefits and sanctions

Distrust on the side of the prisoners was additionally strengthened by their perception of the arbitrariness of prison rules.

“The employees. One tells you yes, the other no. And now you don’t know anything anymore.”

Confusion as to how the rules function was especially evident in the areas of granting benefits and sanctioning. Prisoners perceived the power of prison employees upon their lives as being significant, as they are the ones who determine exits, conditional releases, etc. These represent some of the most important objectives of incarcerated women, yet the pathways to them remain unclear to them and are perceived to be largely dependent upon inconsistent and arbitrary decision-making.

“Here, they blackmail us, if you won’t do this and that, you won’t get leave and so on /.../ they exploit us with leaves and holidays. If you won’t work you won’t get leave².”

Narratives about the injustice in distributing benefits among women are also common:

“Some get a benefit immediately, while others really try, try, try /.../ but don’t get it /.../. Someone will actually work, won’t be problematic, won’t do this, won’t do that, [but still] won’t get [it].”

Similar injustice is perceived by prisoners when talking about sanctions. This was especially salient in situations where they were victims of violence committed by others but were themselves sanctioned.

“If I say now that I feel threatened by someone, they won’t move that person. They’ll move me for my own safety. But she’ll find another victim, and persist with her...”

Such perceptions of differential treatment in the sanctioning system drawn upon by the prison staff, argued by Erez, may even engender in the prisoners “a distrust for the system” (1987: 17) as such.

Snitching

A number of studies have shown that moral condemnation of snitching is common in prison contexts (see e.g. Åkerström 1988; Ugelvik 2014: 218-), as it means the crossing of the boundary “between prisoners on the one side and the System and its representatives on

² Prison leave is in the Slovene prison system used as a benefit/reward for fulfilling the personalized plan and following the “house” rules of the institutions. Taking them away for “improper” behavior is thus part of the sanctions and rewards policies of the Slovene carceral system (see e.g. URSIKS 2022).

the other” (Ugelvik 2014: 218-9). As expected, our interlocutors often condemned the practice of snitching, but the condemnation was not absolute. A high level of moral ambiguity was present in the narratives about snitching and snitchers, which is indicative of the ambivalence that is tied to the roles of prison employees. As prison guards are distrusted, snitching is considered negative, and many of our interlocutors expressed dislike for snitchers. Consequently, most instances of violence among prisoners often remain hidden from prison employees. However, it was also not uncommon to hear of snitching as a self-evident reaction when it was provoked by another prisoner.

“If someone cornered me or something, I know I’d go to the guards... definitely.”

Despite the distrust permeating the interpersonal relations between prisoners and prison employees, convicts are aware of their dependence on the staff and may seek their help – even if they perceive it as unlikely that it will extend past the concrete conflictual situation. Even in concrete situations in which prisoners seek help, staff often feel that little can be formally done due to difficulties in finding proof of violence. The divide between informal observations and bureaucratic processes often makes suitable reactions to violence by the staff difficult. The perceived ineffectiveness of the staff when dealing with information about violence, however, leads back to engendering distrust toward them from the prisoners.

Strategies for survival in a culture of distrust

One of the core topics that we encountered through our research and that cropped out particularly often in the narratives of our interlocutors was thus distrust, as is visible in the above two subchapters. The references to distrust crop up abundantly in narratives about relations among prisoners, and significantly inform the talk on relations among staff and prisoners; indeed, both “sides” consider the other to be untrustworthy. Distrust had been implicitly, and often explicitly, present in almost all descriptions of interpersonal dynamics in Ig Prison. This is not an idiosyncrasy of the women’s prison in Ig; however, it seems to be firmly embedded in the functioning of the prison as such. Greer (2002), for example, in her description of relations among female convicts in the context of a women’s prison, claims that due to the “inherent interpersonal distrust that prison perpetuates, most of the women hesitated to share their feelings with any but their closest associates in the institution” (ibid.: 134). A similar argument – that distrust is embedded in prison dynamics – is made by Ugelvik, who, when describing the strong divide between prisoners and staff, states that “institutionalized professional distrust is built into the routines of the institution and is a vital part of the prison officer’s role” (2022: 627).

Distrust, however, is rarely studied as its own construct, as opposed to trust. While research on trust in prisons has made headway in recent years (Johnsen, Granheim, & Helgesen 2011; Liebling & Arnold 2012; Linberg 2005; Ugelvik 2022), distrust tends to be often written off as simply being the opposite end of the trust continuum (see Hawley 2014; Mühlfried 2018). This, however, is conceptually inaccurate, as distrust has been shown to be a separate construct from trust, and consequently forms its own distinct continuum (Hawley 2012: 8-9; Lewicki, McAllister & Bies 1998; Mühlfried 2018: 10-13). It is thus not the opposite of trust; rather, both can coexist as distinct modes of relating to the environment

Distrust is thus a particular form of engagement (Mühlfried 2018:16), a “mode of relating to human beings and the world as a whole” (ibid. 11), one that engenders distance and weakening of social ties (ibid.). It should not be surprising, then, that according to the prisoners of the Ig prison, the most common strategies for managing conflict and violence are primarily individualized modes of (dis)engagement. Many women consider withdrawal from the conflictive situation to be one possible strategy for avoiding being victimized.

“At the beginning, I was wondering why some girls tend to be by themselves; they just say “hi”, “good morning”, and that’s it. I said, how can you survive twenty-four hours on your own? She doesn’t hang out with anyone, isn’t interested in anything; if she is working, she works. She goes to her room, and you don’t see her anywhere. And now I understand that that’s the smartest thing [to do].”

Indeed, some of the prisoners understand withdrawal as the only possible strategy for getting by in their prison.

“You have to isolate yourself to survive.”

On the other hand, some prisoners also stressed the need to attack others to protect themselves (cf. Owen, Wells & Pollock, 2017), expressed most commonly in the idiomatic Slovene phrase “showing one’s teeth”, which indicates the need to fight back and stand one’s ground.

“You need to show your teeth /.../, be strong.”

Standing up for themselves was a way for convicts to carve out a position where they would no longer be attacked.

“I said [this is] the first and last time and you should never again throw an insult. From then on, it’s been peaceful, it’s okay, normal, as if nothing happened.”

Group strategies for managing conflictive relations and dealing with violence were much less common, as women perceived themselves as being on their own in finding ways to cope with it. Making use of individualized strategies for dealing with interpersonal violence – violence that permeates group dynamics in Ig – reflects the widespread “culture of distrust” (cf. Lindberg 2005) in prison. Indeed, some of our interlocutors made it clear that prison taught them particular strategies for dealing with conflict and violence, strategies that they would not make use of on the outside where supportive relationship networks exist.

“At Ig, you have to learn how to protect yourself differently than on the outside. Definitely!”

Conclusion

The culture of distrust that permeates the Ig Prison significantly affects the dynamics of violence in various ways. First, its effects are visible in the way it shapes interpersonal relationships among prisoners. Second, it determines how employees become involved in these dynamics. Lastly, it structures prisoners’ strategies for coping with conflictive and violent situations. Within a culture of distrust, Sztompka claims, people are “constrained to

exhibit /.../ distrust in all their dealings, independent of individual convictions, and departures from such a cultural demand meet with a variety of sanction” (1996: 42). Such learned distrust, Hardin argues, is one of the most harmful long-term consequences of incarceration, as it makes convicts “less fit for return to society than they would otherwise be” (2002: 106-7). Furthermore, as he claims, distrust is hard to unlearn even when the conditions that engender it may change. Moreover, as distrust becomes embodied in a habituated person, it may impact relationships formed outside of prison. Concurrently, learned individualized strategies for dealing with conflict and violence in prisons may be transferred to the outside world where they may prove to be ill-suited within its framework. These concerns are especially relevant in the context of Slovene penal policies. In Slovenia, prison regimes are formally required to follow rehabilitative logic in their operation. This, however, has in practice been negatively affected by an increase in punitiveness in the country’s policies, which has been on the rise since the neoliberalization of Slovenia in the late 1990s (see e.g. Flander & Meško, 2016: 568; Plesničar & Drobnjak, 2019). In this research, we hoped to highlight the pervasiveness of interpersonal psychological violence occurring within the context of a culture of distrust in Ig Prison. We argued that both violence and distrust are intimately tied to the wider prison culture and regime. Therefore, attempts to influence forms, prevalence or intensity of violence among imprisoned individuals must surpass the idea of personality or behavior changes of individuals who are marked as “problematic” or “violent”; rather, prison violence interventions ought to be tightly linked to changes in prison culture. This, among others, also implies challenging increasingly punitive state policies that work toward adding further strain to already harsh prison environments.

We feel that further concluding remarks are necessary. While we do make the claim that violence and culture of distrust are embedded in the wider prison culture and regime, our findings do not imply that this characteristic is specific to women’s prisons. Further and careful research about how (and whether) these findings could be understood as gender-specific is still needed.

References

- Atlas, R. (1984). Violence in Prison: Environmental Influences. *Environment and Behavior*, 16(3), 275-306. DOI: 10.1177/0013916584163001
- Åkerström, M. (1988). The social construction of snitches. *Deviant Behavior*, 9(2), 155–167. doi:10.1080/01639625.1988.9967776
- Baggio, S., Peigné, N., Heller, P., Gétaz, L., Liebrezn, M., & Wolff, H. (2020). Do Overcrowding and Turnover Cause Violence in Prison? *Frontiers in Psychiatry*, 10. doi:10.3389/fpsyt.2019.01015
- Braun, V., & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative Research in Psychology*, 3, 77–101. DOI: 10.1191/1478088706qp063oa
- Braun, V., & Clarke, V. (2017). Thematic analysis. *The Journal of Positive Psychology*, 12(3), 297–298. DOI: 10.1080/17439760.2016.1262613
- Butler, M., McNamee, C. B., & Kelly, D. (2022). Risk Factors for Interpersonal Violence in Prison: Evidence From Longitudinal Administrative Prison Data in Northern Ireland. *Journal of Interpersonal Violence*, 37(15-16), NP14610-NP14632. <https://doi.org/10.1177/08862605211006363>
- Caputo-Levine DD (2013) The yard face: The contributions of prisoner interpersonal violence to the carceral habitus. *Ethnography*, 14(2): 165–185.
- Douglas, M. (1992). *Risk and Blame: Essays in cultural theory*. London: Routledge.

- Erez, E. (1987). Rehabilitation in Justice. *Journal of Offender Counseling Services Rehabilitation*, 11(2), 5–19. DOI:10.1300/j264v11n02_02
- Eskine, K. J., Novreske, A. & Richards, M. (2013). Moral contagion effects in everyday interpersonal encounters. *Journal of Experimental Social Psychology*, 49(5), 947–950. DOI: 10.1016/j.jesp.2013.04.009
- Flander, B., & Meško, G. (2016). Penal and Prison Policy on the “Sunny Side of the Alps”: The Swan Song of Slovenian Exceptionalism? *European Journal on Criminal Policy and Research*, 22(4), 565–591. DOI:10.1007/s10610-015-9299-1
- Gaes, G. G., & McGuire, W. J. (1985). Prison Violence: The Contribution of Crowding Versus Other Determinants of Prison Assault Rates. *Journal of Research in Crime and Delinquency*, 22(1), 41–65. DOI: 10.1177/0022427885022001003
- Greer, K. (2002). Walking an Emotional Tightrope: Managing Emotions in a Women’s Prison. *Symbolic Interaction*, 25(1), 117–139. DOI: 10.1525/si.2002.25.1.117
- Hardin, R. (2002). Trust and trustworthiness. New York: Russel Sage Foundation.
- Hawley, K. (2014). Trust, Distrust and Commitment. *Noûs*, 48(1), 1–20. DOI: 10.1111/nous.12000.
- Hepburn, J. R., & Albonetti, C. (1980). Role Conflict in Correctional Institutions. An Empirical Examination of the Treatment-Custody Dilemma Among Correctional Staff. *Criminology*, 17(4), 445–460. DOI: 10.1111/j.1745-9125.1980.tb01308.x
- Howerton, A., Byng, R., Campbell, J., Hess, D., Owens, C., & Aitken, P. (2007). Understanding help seeking behaviour among male offenders: qualitative interview study. *BMJ*, 334(7588), 303. DOI:10.1136/bmj.39059.594444.ae
- Ievins, A. (2023). The Stains of Imprisonment: Moral Communication and Men Convicted of Sex Offenses. Oakland: University of California Press.
- Johnsen, B., Granheim, P. K., & Helgesen, J. (2011). Exceptional prison conditions and the quality of prison life: Prison size and prison culture in Norwegian closed prisons. *European Journal of Criminology*, 8(6), 515–529. <https://doi.org/10.1177/1477370811413819>
- Lewicki, R. J., McAllister, D. J., & Bies, R. J. (1998). Trust and Distrust: New Relationships and Realities. *The Academy of Management Review*, 23(3), 438–458. DOI: 10.2307/259288
- Liebling, A., & Arnold, H. (2012). Social relationships between prisoners in a maximum security prison: Violence, faith, and the declining nature of trust. *Journal of Criminal Justice*, 40(5), 413–424. DOI:10.1016/j.jcrimjus.2012.06.003
- Lindberg, O. (2005). Prison cultures and social representations: The case of Hinseberg, a women’s prison in Sweden. *International Journal of Prisoner Health*, 1(2/3/4), 143–161. DOI:10.1080/17449200600553076
- Mühlfried, F. (Ed.). (2018). *Mistrust: Ethnographic Approximations*. Bielefeld: Transcript Verlag.
- Owen, B. (1998). *In the Mix: Struggle and Survival in a Women's Prison*. New York: State University of New York.
- Owen, B., Wells, J. & Pollock, J. (2017). *In search of safety: confronting inequality in women's imprisonment*. Oakland: University of California Press.
- Petrovec, D. (2018). Ženski zapor nekoč in danes. In M. M. Plesničar, A. Šelih & K. Filipčič (Eds.), *Ženske in kriminaliteta: značilnosti ženske kriminalitete in družbeno odzivanje nanjo* (151 – 162). Ljubljana: Inštitut za kriminologijo pri Pravni fakulteti v Ljubljani.
- Petrovec, D. & Muršič, M. (2011). Science Fiction or Reality: Opening Prison Institutions (The Slovenian Penological Heritage). *The Prison Journal*, 91(4), 425–447. DOI: 10.1177/0032885511424392.
- Petrovec, D. & Plesničar, M. M. (2014). The societal impact and role of imprisonment: an example from Slovenia. In: E. Carrol & K. Warner (Eds.), *Re-imagining imprisonment in Europe : effects, failures and the future* (71 – 89). Liffey Press.
- Plesničar, M. M. & Drobňak, M. (2019). Kaznovanje in kaznovalna politika v Sloveniji: konceptualni premiki in praktične posledice. *Revija za kriminalistiko in kriminologijo*, 70(2), 119–128

- Schenk, A. M., & Fremouw, W. J. (2012). Individual characteristics related to prison violence: A critical review of the literature. *Aggression and Violent Behavior*, 17(5), 430–442. DOI:10.1016/j.avb.2012.05.005
- Steiner, B. & Wooldredge, J. (2019). Understanding and Reducing Prison Violence: An Integrated Social Control-Opportunity Perspective. New York: Routledge.
- Sztompka, P. (1996). Trust and Emerging Democracy. *International Sociology*, 11(1), 37–62. DOI:10.1177/026858096011001004.
- Sykes, G. M. (2007). The society of captives: a study of a maximum security prison. Oxford: Princeton University Press.
- Tadič, D. (2018). *Spolno zaznamovane značilnosti zapora za ženske* [PhD thesis]. Ljubljana: University of Ljubljana.
- Trammell, R. (2009). Relational Violence in Women's Prison: How Women Describe Interpersonal Violence and Gender. *Women & Criminal Justice*, 19(4), 267–285. doi:10.1080/08974450903224246
- Ugelvik, T. (2014). *Power and Resistance in Prison: Doing Time, Doing Freedom* (S. Evans, Trans.). New York: Palgrave Macmillan.
- Ugelvik, T. (2022). The Transformative Power of Trust: Exploring Tertiary Desistance in Reinventive Prisons. *The British Journal of Criminology*, 62(3), 623–638. <https://doi.org/10.1093/bjc/azab076>
- URSIKS (Uprava Republike Slovenije za izvajanje kazenskih sankcij) (2022). *Priročnik za obsojence ob nastopu kazni zapora*. Ljubljana.

Human rights of female prisoners in the Croatian prison system

The crime of women is the subject of interest of a relatively small number of researchers due to their “marginal” representation in criminality, and this interest is even less when we talk about women in the prison system. The aim of this paper was to analyse the implementation of human rights laws and standards for female prisoners in the Croatian prison system and to assess current practice with special focus on the Bangkok Rules. In order to achieve the aim of this paper, three research questions were set up: 1) What do we know about female offenders and prisoners in Croatia from official statistics? 2) Does Croatia have a sufficient legal framework to protect the rights of prisoners, especially women's? 3) What is the situation regarding the rights of female prisoners from the perspective of national and international protection and monitoring bodies? Results showed that although the official data of the National Bureau of Statistics on the number of reported, accused and convicted adults in Croatia show decreasing trend in the period from 2000 to 2022, there has been an increase in the proportion of women in the number of reported, accused and convicted persons in that period. In terms of the implementation of international standards, it can be concluded that Croatian national legislation has reached a satisfactory level. Analysis of the reports of the protection and monitoring bodies showed negative effects of the problem of overcrowding, the insufficient co-operation between the Ministry responsible for the penitentiary sentences and the one responsible for health care, and the inadequate application of mechanisms for the protection of prisoners' rights.

Keywords: human rights, female prisoners, Bangkok rules, Croatia

Introduction

The crime of women is the subject of interest of a relatively small number of researchers due to their “marginal” representation in criminality, and this interest is even less when we talk about women in the prison system. The fact that women are underrepresented in crime and in penal systems cannot be a justification for their marginalization in a scientific, professional, and political sense, as feminist criminologists have been warning since the 1960s (Adler, 1975; Chesny-Lind, 1997; Heidensohn, 1968, 1985; Pollock, 1999; Simon, 1976). Today, the field of feminist criminology, which has evolved from one variable (the gender of the offender) to the entire field, can be viewed within the framework of three “lines” of interest: one line deals with the criminality of women (which also includes the issues of criminal sanctions imposed on women), the second deals with the victimization of women, while the third deals with the experts employed in the criminal justice system (Britton, 2000). Looking back at the development of criminological research in this area, Heidensohn (2012) recognizes, among other things, that considerable development is noticeable in some specific areas, such as women's experiences in criminal courts and the penological treatment of women.

One of the main initial criticisms of criminologists who focused on explaining male criminality and creating responses to it based on scientifically verified findings from

research on male criminality was that female criminality and the response to it cannot be based on findings about men due to the different nature of female criminality (Carrington & Death, 2014). The same remark applies to criminal sanctions imposed on offenders, especially imprisonment. Imprisonment is the ultimate measure with which all societies respond to criminality. Its severity stems from the fact that it represents the deprivation of a fundamental human right to liberty and indirectly leads to the restriction of a whole range of other rights as a result of imprisonment (Babić et al., 2006). This underlines the importance that national legislations and prison systems must attach to the human rights of prisoners. There are more than 11.5 million people in prison worldwide, 7% of them are women and girls. Since 2000, the number of female prisoners¹ has been increasing at faster rate than male prisoners (60% for women, and 22% for men). Around 120 countries have overcrowded prison systems (Penal Reform International, 2023). Given that in most modern societies the resocialization of prisoners (i.e. preparing prisoners for a life in accordance with social norms), which includes respecting the constitutionally guaranteed rights of the citizens of that particular society, is one of the purposes of serving a prison sentence, it is important that this process is based on respecting the human rights of the prisoners.

The protection of prisoners' rights today is achieved in three ways: 1. by protecting general human rights, which apply to everyone, including prisoners; 2. by protecting the rights of prisoners in general; and 3. by providing special protection for certain categories of prisoners (such as women, minors, patients, etc.) (Šeparović, 2003, p. 36). The human rights of male and female prisoners derive from three categories of sources: international treaties², international instruments³ and domestic laws (Krabbe & van Kempen, 2017). The main human rights instruments at the global level are the UN International Covenant on Civil and Political Rights (ICCPR)⁴ and UN International Covenant on Economic, Social and Cultural Rights⁵. In addition, there are several instruments that have been developed specifically for the protection of persons deprived of their liberty. The UN Standard Minimum Rules for the Treatment of Prisoners⁶ were adopted by the 1st UN Congress on the Prevention of Crime and the Treatment of Offenders in 1955 and revised in 2015, now better known as "the Nelson Mandela Rules"⁷. This instrument is the main global document that sets out minimum standards that each country should develop for the detention of prisoners. There are other specific documents for specific prisoner population or conditions: The Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment

¹ It is worth noting that Europe is the only region documenting decrease in the number of women in prison (from 99.9000 in 2000 to 87.324 in 2020 which is decrease of 12.6%) (Penal Reform International, 2023)

² Legally binding obligations

³ So-called "soft-law", non-legally binding standards

⁴ https://treaties.un.org/doc/treaties/1976/03/19760323%2006-17%20am/ch_iv_04.pdf

⁵ https://treaties.un.org/doc/treaties/1976/01/19760103%2009-57%20pm/ch_iv_03.pdf

⁶ https://www.unodc.org/pdf/criminal_justice/UN_Standard_Minimum_Rules_for_the_Treatment_of_Prisoners.pdf

⁷ <https://documents.un.org/doc/undoc/gen/n15/443/41/pdf/n1544341.pdf?token=NDmFJLIX1HX1ZpH8g5&fe=true>

(1988)⁸, The Basic Principles for the Treatment of Prisoners (1990)⁹, the Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) (2010)¹⁰, the Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) (1985)¹¹, and UN Rules for the Protection of Juveniles Deprived of their Liberty (1990)¹². These developed standards are important because, although they fall into the category of so-called soft instruments, they represent an important tool for monitoring and improving prison conditions (Barberet & Jackson, 2017). At regional level, the main human rights instrument is the Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms (1950)¹³. This convention is important because it established the European Court of Human Rights (Article 19), which is an important legal remedy for prisoners who think that the state has violated their human rights¹⁴. From the prisoners' perspective, the European Minimum Rules for the Treatment of Prisoners¹⁵ (1973) and the European Prison Rules (1973, 1987, 2006, 2020) are important documents. The latest revisions of European Prison Rules¹⁶ have implemented improved standards of the UN Mandela Rules and the Bangkok Rules, specifically in the following eight areas: 1. separation and solitary confinement; 2. women; 3. foreign nationals; 4. instruments of restraint; 5. requests and complaints; 6. adequate prison staffing levels and minimum service guarantees; 7. records and file management; and 8. inspections and monitoring (Van Zyl Smit & Slade, 2020, p. 213). Van Zyl Smit and Slade (2020, p. 220) explained that amendments to the rule on women addressed weakness in the 2006 Rules with the general clause¹⁷ and recognise the need for more systematic standard regulation on this topic by the Council of Europe.

Beside human rights international instruments, there are other important instruments that prohibit torture and other cruel, inhuman or degrading treatment or punishment as serious human rights violations. At the global level, there is the UN Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (1984)¹⁸ with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2002)¹⁹. The Optional Protocol established “a system of regular

⁸ <https://digitallibrary.un.org/record/53865?v=pdf>

⁹ <https://digitallibrary.un.org/record/105348?v=pdf>

¹⁰ https://www.unodc.org/documents/justice-and-prison-reform/Bangkok_Rules_ENG_22032015.pdf

¹¹ https://www.unodc.org/pdf/compendium/compendium_2006_part_01_02.pdf

¹² <https://digitallibrary.un.org/record/105555?v=pdf>

¹³ <https://rm.coe.int/1680063765>

¹⁴ The violation of Article 3 is the most common article in prisoners' applications (Article 3: Prohibition of torture: “No one shall be subjected to torture or to inhuman or degrading treatment or punishment”).

¹⁵ <https://rm.coe.int/16804fac9a>

¹⁶ https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016809ee581

¹⁷ Rule 34.1. “Specific gender sensitive policies shall be developed and positive measures shall be taken to meet the distinctive needs of women prisoners in the application of these rules”

¹⁸ https://legal.un.org/avl/pdf/ha/catcidtp/catcidtp_e.pdf

¹⁹ https://treaties.un.org/doc/source/docs/A_RES_57_199-E.pdf

visits undertaken by independent international and national bodies to places where people are deprived of their liberty in order to prevent torture and other cruel, inhuman or degrading treatment or punishment” (Article 1) and obliges each state party to designate visiting bodies – national preventive mechanisms. At regional level, the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (2002)²⁰ was created with regard to Article 3 of the CoE Convention for the Protection of Human Rights and Fundamental Freedoms, with the idea that “the protection of persons deprived of their liberty against torture and inhuman or degrading treatment or punishment could be strengthened by non-judicial means of a preventive character based on visits” (European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, p. 4) through the establishment of a European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (known as CPT: Committee for Prevention of Torture). These supranational bodies are important when prisoners find that their complaints have not been adequately addressed at national level. In addition to the aforementioned instruments and standards that prescribe the protection of fundamental human rights and the rights of prisoners, there is also a “line” of general instruments aimed at the application of fundamental human rights for women. In this context, the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (1979) is a fundamental document. At European level a document that, among other issues, addresses all forms of discrimination against women is CoE Convention on Preventing and Combating Violence Against Women and Domestic Violence²¹ (2011), known as the Istanbul Convention.

The Bangkok Rules

As it has been noted in preliminary observations, the Bangkok Rules are consistent with various UN conventions and declarations and their main idea is to complement and supplement the Mandela Rules to assist prison authorities and criminal justice agencies in administering criminal sanctions and community-based measures. They apply to all categories of women deprived of liberty, regardless of their age, type of procedure, the stage of procedure, and the measure or sanction imposed. The Bangkok Rules consists of four sections. Section 1 comprises generally applicable rules, section 2 the rules for special categories, section 3 the application of non-custodial sanctions and measures, while section 4 comprises rules for research, evaluation, public awareness-raising and sharing of information. The distinctive needs of women prisoners are set as a basic principle and the topics covered in each section are listed in Table 1. It is assumed that providing specific needs of women will enhance the principle of non-discrimination in the Mandela Rules and thus increase gender equality (Barberet & Jackson, 2017).

²⁰ <https://rm.coe.int/16806dbaa3>

²¹ <https://rm.coe.int/168008482e>

Table 1. Topics covered in the Bangkok Rules

Section I: general application	Section II: special categories	Section III: noncustodial measures	Section IV: research, planning, evaluation and public awareness-raising
Admission Register Allocation Personal hygiene Health-care services: Medical screening on entry Gender-specific health care Mental health and care HIV prevention, treatment, care and support Substance abuse treatment programmes Suicide and self-harm prevention Preventive health-care services Safety and security: Searches Discipline and punishment Instruments of restraints Information to and complaints by prisoners; inspections Contact with the outside world Institutional personnel and training Juvenile female prisoners	A. Prisoners under sentence Classification and individualization Prison regime Pregnant women, breastfeeding mothers with children in prison Foreign nationals Minorities and indigenous peoples B. Prisoners under arrest or awaiting trial	Post-sentencing dispositions Pregnant women and women with dependent children Juvenile female offenders Foreign nationals	Research, planning and evaluation Raising public awareness, sharing information and training

Although the Bangkok Rules have been welcomed with applause, Barberet and Jackson (2017) offered a critique from a queer and critical feminist perspective. They noted that the Bangkok Rules “represent an unusual but important tension in mainstream human rights for women: protection versus protectionism” and asked following questions: “Are we protecting women, or do we assume women need protection based on sexist stereotypes? Are we asking women what types of protections they want and need, or a state officials, academics, and NGOs assuming that their plans for protection are sound and moral?” (Barberet & Jackson, 2017, p. 222). They found that the Bangkok Rules are based on stereotypes and a cisgender definition of “woman” as well as heteronormative assumptions about sexual identity and family and focus their critique on three themes: “a) real gendered needs and

heteronormative gender role expectations, b) fragile femininity and women's specialness as victims of crime and circumstance, and c) absence of gender diversity and intersectionality” (Barberet & Jackson, 2017, p. 223). This is connected to the paternalistic hypothesis of the treatment of women in the criminal justice system.

Human rights frame and prison system in Croatia

The Constitution of the Republic of Croatia is the fundamental document in which respect for human rights is stated as one of the highest values of the constitutional order. Article 14 of the Constitution describes the principle of equality²² and Article 16 the limitation of freedoms and rights²³. The prohibition of forced and compulsory labour is described in Article 23²⁴, while the treatment of convicted persons is addressed in Article 25²⁵. In the context of the topic of this paper, it is important to mention Article 46, which states that “everyone has the right to submit petitions and complaints, make proposals to state and other public bodies, and receive responses from them”. The Constitution establishes two institutions that guarantee the enforcement of the rights guaranteed by the Constitution: The Ombudsman and the Constitutional Court. The Ombudsman²⁶ is the authorised representative of the Croatian Parliament for the promotion and protection of human rights and freedoms established by the Constitution, laws and international legal instruments on human rights and freedoms accepted by the Republic of Croatia. “Everyone may file a complaint to the Ombudsman if he/she deems that his/her constitutional or legal rights have been threatened or violated as a result of any illegal or irregular act by state bodies, local and regional self-government bodies and bodies vested with public authority” (Article 93 of the Constitution). The Constitutional Court, among other things, “decide on constitutional complaints against individual decisions taken by state bodies, bodies of local and regional self-government and legal persons vested with public authority where such decisions violate human rights and fundamental freedoms” (Article 125).

The fundamental law that regulates the enforcement of prison sentences is the Law on Enforcement of Prison Sentence²⁷ (NN 14/21, 155/23). When drafting this law, special attention was given to integrating international standards and decisions into national

²² Article 14: “All persons in the Republic of Croatia shall enjoy rights and freedoms, regardless of race, colour, gender, language, religion, political or other conviction, national or social origin, property, birth, education, social status or other characteristics. All persons shall be equal before the law.”

²³ Article 16: “Freedoms and rights may only be curtailed by law in order to protect the freedoms and rights of others, the legal order, and public morals and health. Any restriction of freedoms or rights shall be proportionate to the nature of the need to do so in each individual case.”

²⁴ Article 23: “No one may be subjected to any form of abuse or to medical or scientific experimentation with his or her consent. Forced and compulsory labour shall be forbidden.”

²⁵ Article 25: “Any arrested and convicted person shall be accorded humane treatment, and the dignity of such individual shall be respected.”

²⁶ Besides the “general” Ombudsman, Croatia also has special ombudsman for children, persons with disabilities, and gender equality.

²⁷ This law regulates the enforcement of prison sentence for adults, while the enforcement of prison sentence for juveniles is regulated by the Law on Enforcement of Sanctions to Juveniles for Crimes and Misdemeanours (NN 133/12).

legislation: the Convention for the Protection of Human Rights and Fundamental Freedoms, the Mandela Rules, the European Prison Rules, decisions of the European Court of Human Rights, recommendations and warnings of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), the National Preventive Mechanism and the Ombudsman (Nacrt prijedloga zakona o izvršavanju kazne zatvora, 2020). Although the explanatory memorandum cites the implementation of all relevant international standards, it is evident that some previously existing standards have been “abandoned” (e.g. the provisions on spatial standards of 4m² or medical supervision during the disciplinary measure of solitary confinement, which has been reduced from once every 24 hours to twice a week, etc.), as the Ombudsman noted in his 2019 report (Pučki pravobranitelj, 2020). This “abandonment” of previous provisions can be understood as a kind of expression of powerlessness when it comes to addressing systemic issues within the prison system – overcrowding and numerous challenges in providing prisoners with adequate medical care.

Prison sentences are carried out in penitentiaries²⁸ and prisons²⁹. Prisoners serve their sentences collectively. The basic classification of prisoners in penal institutions³⁰ relates to gender (men and women serve their sentences separately), age (young adults usually serve their sentences separately from adults), legal status (prisoners convicted of criminal offences are sentenced separately from those on remand or in misdemeanour proceedings) and recidivism (first-time convicts usually serve their sentences separately from those who have already served a prison sentence). According to the level of security and the restrictions on prisoners' freedom of movement, there are closed, semi-open and open penitentiaries, while prisons are of the closed type³¹. The prison system in Croatia is under the authority of the Ministry of Justice and Public Administration, Directorate for Prison System and Probation. Besides the Central Office, it includes six penitentiaries, a prison hospital, 14 prisons, two juvenile correctional institutions³² and two centres (the Diagnostic Centre in Zagreb and the Centre for Education and Training of Prison Staff). Prison sentences imposed on adult women (in closed, semi-open and open conditions) is served in Požega Penitentiary, the only penitentiary for women. The women's penitentiary in Požega has existed in its present form since 1946 (Geber, 1986). Due to the poor physical conditions, the women's penitentiary was completely renovated in 2023³³ in accordance with legal and international standards. The Law on Enforcement of Prison Sentence defines the enjoyment of fundamental rights³⁴ and

²⁸ In penitentiaries, imprisonment sentences are executed, and exceptionally, a special department for the enforcement of pretrial detention may be established.

²⁹ In prisons, pretrial detention, detention ordered in misdemeanour proceedings, imprisonment sentences or monetary fines substituted with imprisonment are executed.

³⁰ The term “penal institutions” is used as a collective term for penitentiaries and prisons.

³¹ Penitentiaries and prisons can have closed, semi-open, and open wards.

³² In juvenile correctional institutions, the educational measure of referral to correctional institution is enforced. This is the only educational measure for juveniles that is carried out within the judicial system.

³³ <https://www.ombudsman.hr/hr/pravobraniteljica-i-zamjenik-obi-li-novoure-enu-kaznionicu-za-ene-u-po-egi/>

³⁴ Prisoners enjoy the protection of fundamental rights established by the Constitution of the Republic of Croatia, international treaties and laws.

prescribes the circumstances in which they can be restricted³⁵ (Article 4). The fundamental principles of executing imprisonment sentences include the prohibition of any unlawful treatment³⁶ (Article 11) and the prohibition of discrimination³⁷ (Article 12).

Prisoner rights in Croatia include (Article 16): accommodation respecting human dignity and health standards, protection of personality and ensuring confidentiality of personal data, regular portions of food and water in compliance with medical standards, work, training, expert legal assistance and legal remedies for protection of his or her rights, medical care and protection of maternity, contacts with the outside world, a minimum of two hours a day to be spent outdoors within the prison or penitentiary, correspondence and conversation his/her attorney, exercise of religion and contacts with authorized religious representatives, getting married in prison or penitentiary, the right to vote on general elections.

The protection of prisoners' rights falls within the jurisdiction of the enforcement judge and is enforced through the submission of appeals or complaints. Oversight of compliance with human rights and fundamental freedoms is carried out by the Ombudsman and special ombudsmen, as well as by international bodies on the basis of international agreements to which the Republic of Croatia is a party (Article 20). The enforcement judge was introduced into the penal system by the law of 1999 as a mechanism for judicial oversight of the enforcement of imprisonment sentences (Josipović & et al., 2001). The enforcement judge protects the rights of prisoners, oversees the legality of the enforcement of imprisonment sentences and ensures the equality and equal treatment of prisoners before the law (Article 49), as well as undertakes actions and decides on a range of activities, starting with referring them to serve the imprisonment sentence. In the context of prisoners' rights in the penal system, it is important to mention the mechanism of professional supervision carried out by Central Office of the Directorate for the Prison System and Probation. The Central Office monitors, improves and supervises the legality of the work and conduct in penal institutions, conducts professional supervision over the work of penal institutions, monitors and examines the application of regulations in the prison system, takes and proposes measures to improve the prison system and collects and processes statistical data (Article 30). The implementation is determined by the Ordinance on the Professional Supervision in the Prison System (NN 137/21).

Parliamentary oversight of the protection of human rights of prisoners in Croatia is carried out by the Ombudsman and special ombudspersons through the examination of complaints about illegalities and irregularities in the work of state bodies, bodies of local and

³⁵ Fundamental rights of a prisoner may be restricted by the enforcement of a prison sentence only to the extent necessary for the achievement of the purpose of punishment and restrictions of fundamental rights must be proportionate to the reasons for their application.

³⁶ Prisoners are guaranteed respect for human dignity of prisoners and any treatment submitting prisoners to any form of torture, maltreatment or humiliation, or medical or scientific experiments, shall be prohibited and punishable. A prisoner who suffered from prohibited practices shall be entitled to the compensation of damages.

³⁷ It is prohibited to discriminate against prisoners based on race or ethnic origin, colour, sex, language, religion, political or other beliefs, national or social origin, property status, education, social status, marital or family status, age, health, disability, genetic heritage, gender identity, expression or sexual orientation.

regional self-government and legal entities with public authority (Article 4) (Zakon o pučkom pravobranitelju NN 76/12). In terms of authority, the Ombudsman provides recommendations, opinions, proposals, and warnings (Article 15) and submits regular annual reports to the Croatian Parliament on the assessment of the state of protection of rights and freedoms in the Republic of Croatia.

In addition to the aforementioned ways and mechanisms for protecting the rights of prisoners, there are two other important mechanisms that need to be briefly described. The first of these is the National Preventive Mechanism for the Prevention of Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (NPM), which was established in 2011 (in accordance with the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment) and whose activities are prescribed by the Act on the National Preventive Mechanism for the Prevention of Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (NN 18/11, 33/15). The activities of the NPM are: visits to premises occupied by or potentially occupied by persons deprived of liberty for the purpose of strengthening their protection against torture and other cruel, inhuman or degrading treatment or punishment, offering recommendations to competent authorities and institutions, offering proposals of and comments about laws and other regulations, cooperation with UN Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. The activities of the NPM are performed by the Ombudsman in cooperation with associations registered to perform activities in the field of human rights protection, as well as with independent experts and specialized ombudsmen (Article 2).

The second important mechanism for overseeing rights of prisoners is the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), a specialized independent body of the Council of Europe. It was established in 1989 in accordance with Article 1 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. The CPT (consisting of impartial experts – “persons of high moral character, known for their competence in the field of human rights or having professional experience in this area”, Article 4) visits countries and examine the treatment of persons deprived of their liberty³⁸. The main idea is to prevent torture and inhuman and degrading treatment or punishment. Visits are conducted on a periodic (regular) or ad hoc (unannounced) and the CPT delegation has unlimited access to places of detention and can move around the places without restrictions and communicate freely with anyone who can provide relevant information. The CPT have a preventive, not investigative function. After a visit, the CPT delegation provides feedback to the management staff and relevant authorities and writes a report to which the national authorities are requested to provide a response. The reports and states' responses are published on the CPT website³⁹ and are a valuable resource for evaluation of the human rights of persons deprived of their liberty.

³⁸ Common facilities visited by the CPT are police stations, prisons, juvenile correctional institutions, detention centres, psychiatric hospitals and social care homes.

³⁹ <https://www.coe.int/en/web/cpt/home>

Aim and methods

Official statistics on women in prison do not provide information on the state's compliance with human rights standards (both for males and females). Beside quantitative or qualitative studies with prisoners, the analysis of human rights protection in the prison system can also be carried out using a “proxy” approach – by analysing existing data from different sources about prisoners' complaints or analysis of the conditions in the prison system. In this paper we took the second approach in answering the question of the protection of women's human rights in the Croatian prison system. The aim of this paper is therefore to analyse the implementation of human rights laws and standards for female prisoners⁴⁰ in the Croatian prison system and to assess current practice with special focus on the Bangkok Rules. In order to achieve the aim of this paper, three research questions were set up:

- 1) What do we know about female offenders and prisoners in Croatia from official statistics?
- 2) Does Croatia have a sufficient legal framework to protect the rights of prisoners, especially women's?
- 3) What is the situation regarding the rights of female prisoners from the perspective of national and international protection and monitoring bodies?

In answering to these questions, several analyses were conducted:

analysis of crime and prison statistics for female offenders

analysis of the implementation of human rights of (female) prisoners in the Croatian Law on Enforcement of Prison Sentence

analysis of the reports of Croatian Ombudsman, National Preventive Mechanism, CPT visits reports and European Court of Human Rights decisions.

Results

What do we know about female offenders in Croatia from official crime and prison statistics?

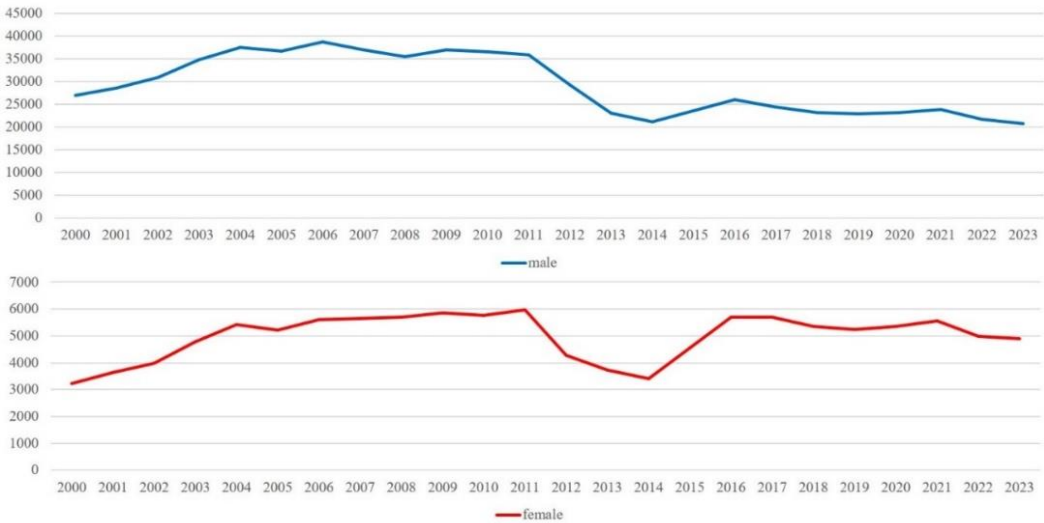
The fundamental question in the field of monitoring crime trends of women is their visibility in official statistics. Official crime data in Croatia can be obtained from the annual reports of the Ministry of the Interior, the Croatian Bureau of Statistics (which consolidates data from public prosecutors' offices and courts) and the annual reports of the Ministry of Justice (Central Office for the Prison System and the Central Office for Probation). Each of these sources has its own advantages and disadvantages regarding the type and quality of data they provide. When it comes to women in crime, the question of their visibility in official statistics arises. Kovčo Vukadin (2019) conducted an analysis of the visibility of women in official crime statistics and concluded that, in general, there is a noticeable development in the statistical representation of crime (measured by the increase in the

⁴⁰ In this paper we are focusing on adult female prisoners.

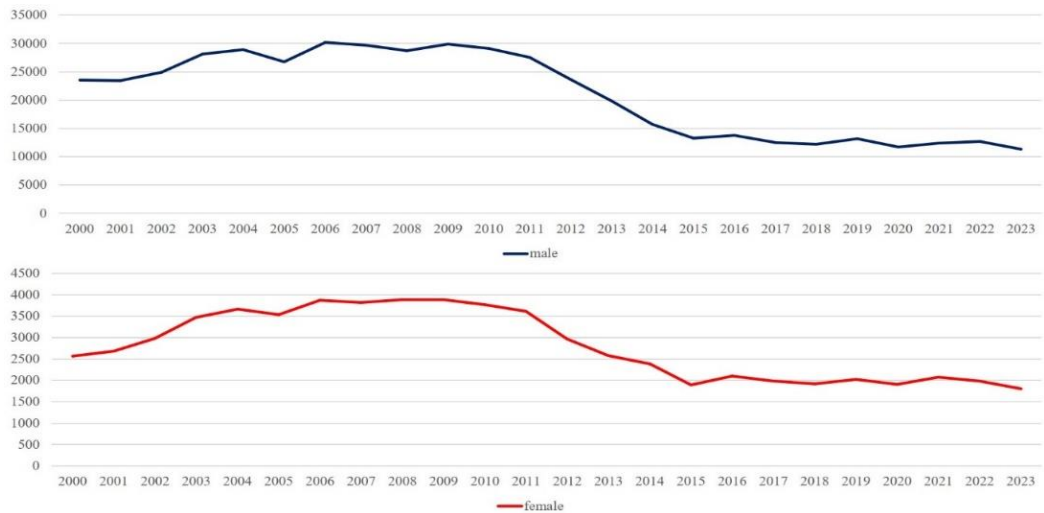
number of pages in the annual reports of the Ministry of the Interior, the Croatian Bureau of Statistics, and the Central Office of the Prison System). There has also been an increase in the number of characteristics relating to the gender of offenders. Data from the Croatian Bureau of Statistics on the number of reported, accused and convicted adult men and women from 2000 to 2023 are presented in graphs 1, 2 and 3. These graphs show that the crime trends for men and women (regardless of whether we look at the data on reports, accusations, or convictions) show very similar patterns. The data indicates a decline in the number of reports, accusations, and convictions that is particularly pronounced in the data on accusations and convictions for both males and females. This may suggest that the same factors influence male and female criminality according to the official data.

When interpreting the statistical data on crime, it should be borne in mind that a new Criminal Code came into force on 1 January 2013, bringing with it a certain change to the individual incriminations, the classification of certain offences in other groups of offences, etc., which makes it difficult to compare the data over time.

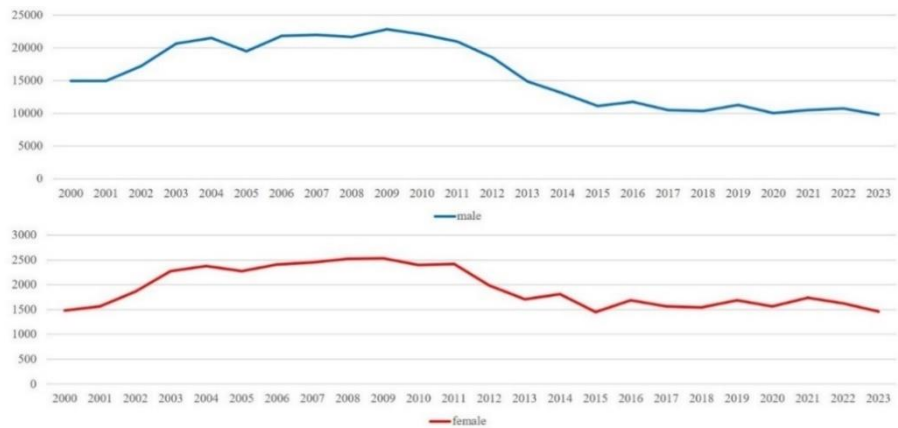
Graph 1. Number of reported (known) adult individuals by gender (Source: CBS)



Graph 2. Number of accused adult individuals by gender (Source: CBS)



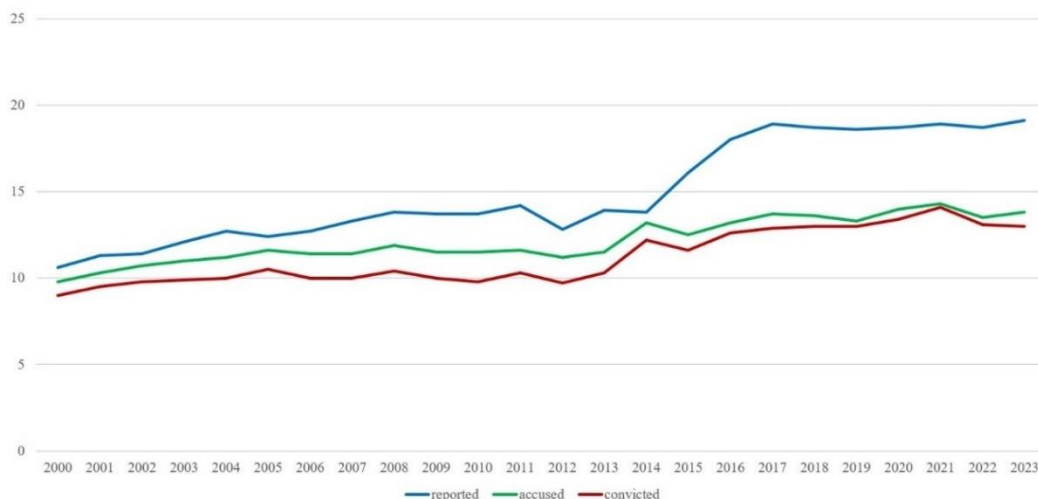
Graph 3. Number of convicted adult individuals by gender (Source: CBS)



Data from the Croatian Bureau of Statistics on the proportion of women in the total number of reported, accused, and convicted adults shows that the proportion of women in all three groups has increased significantly. A significant increase in the proportion of women can be observed from 2015 to 2017, while similar upward trends can also be observed in the other categories. These changes lead us to question the possible reasons for the increase in female involvement in crime. This increase in the proportion of women can, among other factors, be analysed in the context of the hypotheses discussed by Belknap (2007) about the position or treatment of women within the criminal justice system: the equal treatment hypothesis, the chivalrous treatment hypothesis (paternalistic hypothesis) and the “evil”

women hypothesis. Unlike the equal treatment hypothesis, which posits no differential treatment between male and female offenders within the criminal justice system, the chivalrous treatment hypothesis suggests more lenient treatment towards women. It is based on the idea that women are victims and that a male-structured criminal justice system must protect women. The “evil” women hypothesis explains the harsher treatment of female offenders by their “double” deviance – they not only commit a criminal offence, but also violate the social expectations associated with their gender. In addition to the question of actual changes in the extent of female criminality, the question of changes in attitudes (and consequently treatment) towards female offenders also deserves additional attention. In Croatia, there is a noticeable feminization of the criminal justice system⁴¹, which raises the specific question of how experts in the criminal justice system perceive women in crime.

Graph 4. Percentage of females in total number of reported, accused, and convicted adults (Source: CBS)



The dominant group of criminal offences in Croatia are property crimes, followed by offences against the public safety of persons and property and safety of traffic, and in third place are drug-related offences.

Data on females in the Croatian prison system are presented in Table 2. The table contains data on women serving a prison sentence, women in pre-trial detention and the total number of women in the prison system on 31 December of each year (stock data). The total number of women includes those sentenced in misdemeanour proceedings, women whose fine was replaced by a prison sentence, those subjected to detention, as well as minors sentenced to juvenile prison sentences and correctional measures. The data on the proportion

⁴¹ Kovčo Vukadin (2018) notes that the number of women employed in public prosecution' offices and women judges at all levels increased from 2000 to 2019.

of women in the total number of people serving prison sentences imposed as part of criminal proceedings shows a relatively stable participation ranging from 4 to 5.5 %.

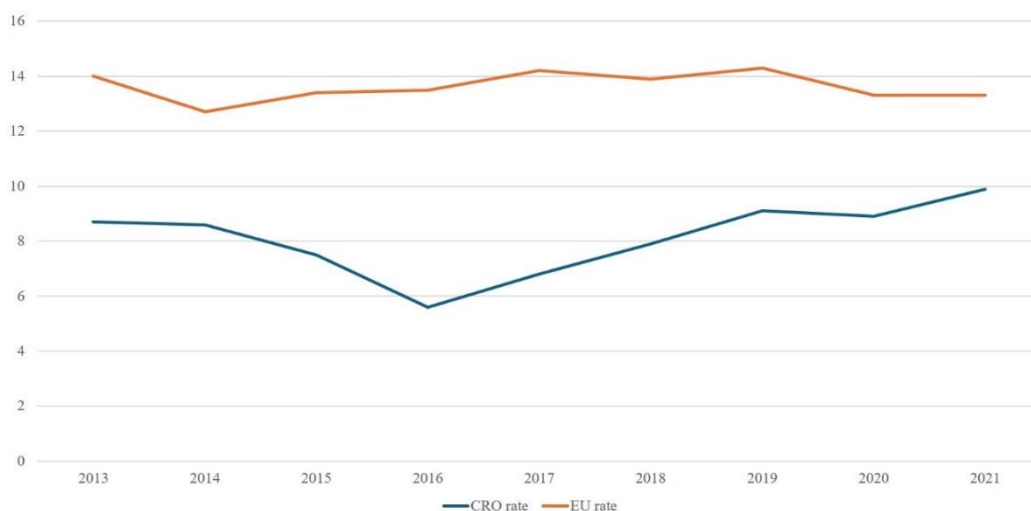
Table 2. Women in Croatian prison system according to legal status (frequencies and percentage in relation to total number of persons in prison system) (Source: Prison administration statistics)

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
% in relation to the total number in a certain category	f %	f %	f %	f %	f %	f %	f %	f %	f %	f %
Prison sentence	127 4.0	140 5.0	134 5.4	89 4.0	105 4.9	108 5.2	111 5.2	105 4.9	135 5.5	130 5.2
Investigative imprisonment	56 5.9	42 5.2	25 3.4	27 3.5	35 3.9	55 5.5	71 5.7	73 5.7	57 4.3	78 5.2
Total	194 4.4	190 5.0	164 4.9	123 3.9	147 4.6	170 5.3	194 5.5	188 5.3	207 5.3	219 5.3

According to the United Nations Office on Drugs and Crime (UNODC), the incarceration rate of women in Croatia for a comparable period (2013 – 2021) is below the average rate of EU countries (Graph 5) and ranges from 5.6 to 9.9.

Rate per 100.000 population. The data is collected from national authorities as part of the annual United Nations Crime Trends Survey (UN-CTS). Further data is sourced from the World Prison Brief - Institute for crime and justice research (WPB-ICPR). All data is submitted to UN member states for verification and validation. The female rates are calculated based on the female population of the corresponding age.

Graph 5. Female incarceration rate in Croatia and average female incarceration rate in EU countries (Source: UNODC, data UNODC: <https://dataunodc.un.org/dp-prisons-persons-held>)



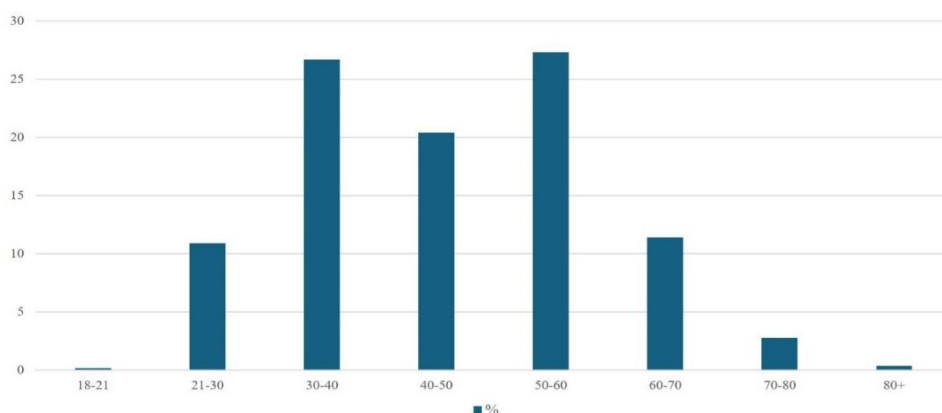
The data (all data pertains to so-called stock data.) on the structure of female prisoners' criminality, length of prison sentences imposed, age of prisoners and education are presented for the period from 2013 to 2018, as in 2019 the structure of the report was changed so these data are no longer shown by prisoner gender.

According to stock data, from 2013 to 2018, female prisoners most frequently served prison sentences for criminal offenses against property (N=293), criminal offenses against life and limb (N=102), criminal offenses of drug abuse (N=71) and criminal offenses against marriage, family and youth – most frequently the crime of violating the rights of the child (in the previous Criminal Code, this criminal offense was titled “child abuse and neglect”). (N=41).

Aggregated data on the length of prison sentences imposed on female prisoners from 2013 to 2018 show that the most common length of prison sentences was 1 to 3 years (45.8%), followed by sentences between 3 and 5 years (18.3%), 6 months to 1 year (13.2%) and 5 to 10 years (12.6%). All other sanctions imposed accounted for less than 5% of the total amount. It is noteworthy that a relatively large proportion of the sentences imposed were so-called short prison sentences – those of up to one year (15.4%). This raises the question of whether it was possible in such cases to impose alternative sanctions, such as community sanctions, instead of an unconditional prison sentence. For some time now, the Criminal Code has permitted the execution of prison sentences of up to one year at home.

The aggregated average data (2014 – 2018) on the age of female prisoners shows that female prisoners are most frequently in the age range of 50 to 60 years (27.3%), followed by 30 to 40 years (26.7%) and 40 to 50 years (20.4%). However, it is noticeable that a certain number of female prisoners are older.

Graph 6. Average age of female prisoners in period 2014 – 2018 (Source: Prison administration statistics)



In terms of education, the average data (2013 – 2018) shows that female prisoners mostly have a secondary or vocational school qualification (48.7%) or a primary school qualification (19.8%).

This gives us following “picture” of female prisoners in Croatia: there is low rate of female prisoners. They are middle aged, with secondary education, serving shorter prison sentence for property crimes.

Is the Croatian Law on Enforcement of Prison Sentence gender-sensitive?

The Law on Enforcement of Prison Sentence was written in gender-neutral language. In the introductory part of the Act (Meaning of terms, Article 2) there is a provision stating that terms with a gender significance apply equally to both male and female genders unless the law stipulates otherwise. The fundamental principles of dealing with prisoners are described in the previous chapters. This chapter outlines the procedure for referral for enforcement of a prison sentence and the process of enforcement of a prison sentence with particular reference to the Bangkok Rules.

The enforcement judge refers a person to serve a prison sentence. The sentenced person, his/her authorised representative or a family member (with their consent) may apply to the enforcement judge for a postponement of the enforcement of the prison sentence. The reasons for postponement are outlined in Article 61: 1) serious acute illness or substantial escalation of an existing chronic illness which cannot be treated in prison or penitentiary; 2) death of convict's family member; 3) necessity of performance or completing indispensable seasonal works and works caused by natural catastrophe or other disaster, if there is no other person in convict's family who is capable to work; 4) obligation of convict to complete works if non-completion could cause substantial damage; 5) end of a school year or examination; 6) custody of child younger than one year; 7) pregnancy – less than six months before delivery; 8) risky pregnancy; 9) upbringing and care for minors or for another family member who is without income and unable to care for themselves, and whom the convict has been caring for (as determined by the competent social welfare centre). All postponements of the enforcement of the sentence (except for reasons of serious acute illness or substantial escalation of an existing chronic illness) can last for a total maximum of 20 months. The reasons for postponement mentioned (such as custody of a child younger than one-year, advanced pregnancy, hazardous pregnancy and caring for other family members) testify to the gender-sensitive nature of the Croatian legal solution (Bangkok Rule 2).

Convicted persons sentenced to prison sentence up to six months' or convicted persons who have to serve the remainder of their prison sentence of not more than six months shall be sent to the nearest prison to his/her place of residence. Other convicts are sent to the Diagnostic Centre in Zagreb for the purpose of the performance of expert tasks, for the purpose of proposing individual sentence plan and proposing of penitentiary or prison in which the sentence is going to be executed (Article 56). The classification of prisoners in penal institutions or prisons is based on criminological and other characteristics, as well as the specific needs of the individual sentence plan, such as security measures imposed, vocational training and education, general health and treatment, length of sentence and other factors (Article 13). There is a limitation to this provision with regard to women, as there is only one penitentiary for women in Croatia (Bangkok Rule 4).

The law prescribes procedures for handling prisoners on admission to serve a prison sentence (Bangkok Rule 2). On arrival to serve a prison sentence, the identity of the person

shall be established (Article 64) and a thorough search of the prisoner and a body check are conducted (the search and body check are carried out by an officer of the same gender). The prisoner shall be photographed, his/her height and weight measured, a personal description and biometric data recorded (Article 65). The admission report contains the date and time of admission of the prisoner, the decision on referral, and any important observations about the prisoner. The admission report is kept in the prisoner's file. A prisoner's personal file is also created (Article 78), which contains information and documents necessary for monitoring the legal course of the enforcement of prison sentence and for the implementation of individual sentence plan. This file contains information about the prisoner, the judgement and sentence, findings and opinions of the treatment staff, medical care and other duties, the individual sentence plan and its amendments, as well as other information and documentation⁴². The prisoner's medical file is part of the personal file but is kept separately from other documents (Bangkok Rule 8). The information from the personal file is official and professional secrets (Article 80) (data confidentiality protection). After inclusion in the register, the prisoner is examined by a doctor (Article 71) (Bangkok Rule 6a). Upon admission to the prison, the prisoner receives a written notice of his/her rights and obligations while serving the prison sentence and, if requested, a copy of the relevant part of the law on serving the prison sentence and a copy of the house rules of the prison (Article 72). On arrival, prisoners are placed in a designated reception area where they can stay for up to 30 days (Article 74). This provision is based on the recognition of the importance of adjustment to serving a prison sentence (Bangkok Rule 13).

An individual sentence plan is developed for each prisoner in order to fulfil the purpose of the prison sentence⁴³. This plan consists of psychosocial, socio-educational, educational, vocational, health and safety measures that correspond to the risks, needs and characteristics of the prisoner, according to the possibilities of the penal institution⁴⁴. This plan is reviewed regularly while the prisoner is serving his/her sentence (Article 75).

The provisions of the law relating to the accommodation, equipment and nutrition of prisoners guarantee accommodation that meets health, hygiene and spatial standards as well as climatic conditions (Article 81). Prisoners with disabilities shall be provided with accommodation appropriate to the kind and degree of their disability (Article 82). Penal institutions must have sanitary facilities that allow for the fulfilment of physiological needs in clean and appropriate conditions, and drinking water must always be accessible to prisoners. Prisoners shall have the opportunity to wash themselves daily and shower at least twice a week. The penal institutions shall provide water and toiletries for personal hygiene and the cleanliness of laundry, clothing, footwear and bedding (Article 83). The penal institutions shall provide prisoners with clothing, footwear and bedding appropriate to the

⁴² The documentation and records maintained in penal institutions are further defined by the Ordinance on Registers, Personal Records, Registers, Personal Files, and Records Kept in the Prison System (NN 133/22).

⁴³ "The main purpose of enforcement of prison sentence is, in addition to human treatment and respect of dignity of the person serving prison sentence, to enable him/her for life in freedom in accordance with law and social rules, thus contributing to the protection of the social community." (Article 3)

⁴⁴ The rehabilitation aspect of serving a prison sentence in Croatia is based on the assessment of prisoners' risks and needs.

climatic conditions, but prisoners may also wear their own clothing and footwear and use their own bedding (Article 84)⁴⁵. Prisoners receive at least three meals a day that meet nutritional and hygiene standards in terms of quality and quantity and are appropriate to their age, health, nature of work and religious preferences. A doctor or other medical professional may prescribe a modification of a prisoner's diet if this is necessary for health reasons. For pregnant prisoners, nursing mothers and sick prisoners, food shall be prepared according to the type and quantity determined by the doctor (Article 85). The accommodation and nutritional standards for prisoners are further specified by a special regulation (Pravilnik o standardima smještaja i prehrane zatvorenika NN 78/22).

Health care for prisoners is regulated in a separate chapter of the law (Chapter XVI: Medical Service and Treatment of Patients) (Bangkok Rule 10). Prisoners who do not have health insurance receive it at the expense of the Ministry of Justice and Public Administration. Within the framework of health care, the legal provisions cover the following: mandatory medical examination, orthopaedic and other devices, accommodation for purpose of medical treatment, specialist medical examination, dental care, biomedical research and treatment, donation of cells, tissues or organs, procedure in case of refusal of food, protection of maternity, procedure for mentally ill prisoners, notice of illness, right to medical documentation and procedure in case of death of the prisoner. The Croatian system does not allow female prisoners to choose the gender of their doctor or other medical staff (Rule 10/2), but all medical procedures are carried out in accordance with the standards of medical care, without the presence of non-medical staff of the penal institution (Rule 11/2).

The law guarantees gender-specific health care, i.e. comprehensive health care for female prisoners regarding pregnancy, childbirth and maternity (Article 119)⁴⁶. Six months before childbirth (and on the doctor's recommendation), the pregnant woman is placed in the maternity ward. After childbirth she is transferred to the mother and child unit, where she (usually) remains until the child reaches the age of three (at the mother's request and based on the social welfare centre's assessment that this is in the best interests of the child – Bangkok Rule 49)⁴⁷. If a pregnant woman is serving a prison sentence in a penal institution that does not have a maternity ward, she will be transferred to a facility with such a ward (or to the nearest specialised public health facility on the doctor's recommendation). The childbirth of the pregnant woman is conducted in a specialised public health institution outside the penal system. The equipment for the child and the appropriate care and health protection for the child will be provided by the penal institution (Bangkok rule 51/1). The penal institution cooperates with the relevant social welfare centre regarding the care of the child. The pregnant prisoner, as well as the mother and child, have the right to weekly visits from family members. The doctor suggests tasks that the pregnant woman, the new mother and the mother caring for the child can undertake. The penal institution will ensure that the

⁴⁵ The provisions regarding clothing, attire, footwear, and bedding for prisoners are further described in the Ordinance on Clothing, Attire, Footwear, and Bedding for Prisoners (NN 66/22).

⁴⁶ For real-life stories of mothers prisoners, see Zanze (2015)

⁴⁷ In 2022, five children under the age of three were accommodated with their mothers in the Parenting and Mother-Child Unit at the Požega prison (Vlada Republike Hrvatske, 2024).

child is placed in a pre-school institution outside the penal system (Bangkok rule 51/2). These provisions apply appropriately to female detainees and minors.

The protection of prisoners' mental health (Bangkok rule 12) is not gender-specific in the law and mainly refers to dealing with cases of mental illness or serious mental disorders while serving a prison sentence. In such situations, the enforcement judge initiates proceedings in accordance with the provisions of the Law on Protection of Persons with Mental Disorders (Article 120). In the context of the Bangkok Rules on Mental health and care (Rule 12), it is relevant to briefly describe the treatment of prisoners as prescribed by special regulations. The treatment of prisoners includes a range of general and specific treatment interventions and programmes based on the assessment of criminogenic and security risks and treatment needs, aimed at reducing the risk factors that contributed to the commission of the offence and strengthening the protective factors that allow positive changes to occur and be maintained in order to achieve the purpose of serving the prison sentence (Article 3 of the Ordinance on Treatment of Prisoners NN 123/21). Treatment is provided as part of an individual sentence plan for the enforcement of prison sentence, based on the assessment of criminogenic and security risks and treatment needs, ensuring compliance with the principle of individualisation (Bangkok rule 40). The general treatment programmes include work and work-related activities, education, as well as creative, cultural, artistic, sports and recreational and other leisure activities aimed at achieving the principle of normalisation⁴⁸. In addition to the general programmes, there are specialised treatment interventions within the treatment framework that are implemented through group and individual work in various formats, such as special treatment programmes, educational-development programmes, psychoeducation, motivational interviewing, psychotherapeutic counselling, cognitive-behavioural interventions and others. Specialised treatment programmes include, for example, drug and alcohol treatment programmes⁴⁹, the pilot programme Psychosocial Treatment of Gambling Addicts, the treatment of sex offenders, the treatment of offenders with characteristics of violent crime, aggression control training, the treatment of offenders of criminal acts in traffic and social skills training. Examples of educational-development programmes include the Prisoner as Parent programme and the Driver – Traffic Safety Factor programme. In addition to these formats, the prison system also provides psychosocial support for prisoners with post-traumatic stress disorder⁵⁰. This brief overview of treatment options proves that there are specific treatment programmes that are gender neutral. Therefore, it would be advisable to conduct an analysis of the adaptation, i.e. the differences in the application of these programmes based on the gender of the prisoners.

⁴⁸ Article 14 of the Law on Enforcement of Prison Sentence: "Penitentiaries and prisons shall do everything possible in order to make life of prisoners serving their prison sentence as similar to actual general life conditions as possible."

⁴⁹ These are the oldest treatment programs in the Croatian prison system. For each type of addiction, there are two programs – a program that functions as a modified therapeutic community and newly created structured treatment programs.

⁵⁰ During the year 2022, a total of 787 prisoners participated in the aforementioned programs.

Under Croatian law, contacts with the outside world (Bangkok Rules 26, 27, 28 & 43) include visits to prisoners, correspondence, telephone conversations, receiving packages, special leave and visits of consular and diplomatic representatives. Children (up to the age of 18) can visit an incarcerated parent once a week and on holidays. Visits take place in areas specifically set up for child visits (Article 124), which is in accordance with Bangkok rule 28 for all prisoners. The current law, enacted in 2021, has implemented “pandemic experience”. Thus, the law contains a provision that allows visits to be conducted via audio-video conferencing, which is particularly important for female prisoners (Bangkok rule 26). Other family members can visit twice a month and on holidays, with each visit lasting at least one hour.

In the context of contacts with outside world, it is necessary to mention the benefits, which are defined as a set of encouraging measures aimed at reducing the detrimental effects of confinement and promoting the implementation of the prison sentence program (Article 137). The benefits are divided into two groups: benefits to mitigate the consequences within the penal institution and benefits of more frequent contact with the outside world. The benefits of more frequent contacts with the outside world are: 1) more frequent and longer visits of family members and third persons, either supervised or not supervised; 2) telephone conversations without supervision; 3) stay with a spouse or a common law spouse in a separate room without supervision; 4) going out for the purpose of participating in a specific program conducted in the community; 5) going out to local community with a visitor; 6) going out without a visitor; 7) going out to the place of residence; and 8) annual leave at the place of residence. In the Ordinance on the treatment of prisoners (NN 123/21), within the framework of benefits, the disadvantaged position of female prisoners is recognized (due to the fact that there is only one prison for women). Therefore, the conditions for allowing more frequent interactions with the outside world are equalised between departments and penitentiaries of different security levels (Article 26).

A special chapter of the Bangkok Rules deals with security, in which there are rules on body searches, discipline and punishment, instruments of restraint and information to and complaints from prisoners; inspections. It is stipulated by law that only an officer of the same gender may search a prisoner (Article 142, Bangkok Rule 19). The Croatian legal provisions on close confinement and disciplinary segregation do not contain specific provisions regarding pregnant women, women with infants, and breastfeeding mothers in prison (Bangkok Rule 22). Regarding instruments of restraint (Bangkok Rule 24), there are provisions that are gender-sensitive, prohibiting the use of restraints and the application of force against visibly pregnant women (Ordinance on Security Measures in the Prison System NN 16/22). The complaints procedures (Bangkok Rule 25) have already been described in the previous chapter, so it is not necessary to further elaborate on them.

The conducted analysis of the gender sensitivity of the Croatian legal framework for the enforcement of prison sentences shows that the existing norms are largely in line with the Bangkok Rules. However, the trauma-informed approach⁵¹ emphasised in the Bangkok

⁵¹ There are several terms currently in use: trauma-informed correctional care (Lehrer, 2021; Levenson & Willis, 2019; Miller & Najavits, 2012), trauma-informed corrections (Kubiak et al., 2017), trauma-informed practise (Mueller et al., 2023), to name a few.

Rules has not yet been implemented in Croatian legislation. This approach is relatively new to the Croatian prison system and considering contemporary knowledge about the negative effects of adverse childhood experiences, it should be applied to all prisoners, not just women. This valuable approach should be implemented throughout the criminal justice system, not only in the prison system, which requires a paradigm shift in the common view of criminal offending (Krider et al., 2024; Levenson et al., 2022).

Reports of national and international human rights protection and monitoring bodies

Regardless of the existence of international standards and national laws that protect the rights of prisoners, it is important that in every society there are institutions outside the criminal justice system whose task it is to protect or supervise the enjoyment of the rights of prisoners. Precisely for this reason, in this part of the paper we will refer to the reports of such bodies, starting with the report of the ombudsman who carries out parliamentary supervision of the protection of human rights, including the rights of prisoners (the Ombudsman's report also includes the reports of the National Preventive Mechanism), the report of the CPT, as well as the practice of the European Court of Human Rights.

Ombudsman's reports

Respect for dignity and the prevention of torture and other forms of ill-treatment of prisoners are two fundamental principles on which the work of the Ombudsman's Office in this area is based. The Ombudsman's Office carries out regular visits and follow-up visits. We have analysed the Ombudsman's reports since the adoption of the Bangkok Rules.

Table 3 lists the fundamental objections to respect for the human rights of prisoners in Croatia. Looking at the continuity of the remarks, it can be concluded that the main problems of the Croatian penal system are problems of overcrowding, as well as all other problems resulting from overcrowding. The second most important problem is health care of prisoners, which is largely inadequate due to poor equipment and systemic problems in co-operation with the ministry in charge of health care. The third problem is the legal protection of prisoners and the fourth is the treatment of the staff towards the prisoners. The rights of female prisoners were rarely the subject of observations (marked in italics in the table), but it can be assumed that the inadequate conditions for serving a prison sentence apply equally to female prisoners, especially in view of the inadequate accommodation conditions. The Bangkok Rules were not mentioned in these comments. Considering that the full renovation of the women's penitentiary has just been completed, it remains to be seen (in future reports by the Ombudsman's Office) whether it was really built in accordance with international standards.

Table 3. Ombudsman observations about human rights of prisoners

Year	Prison system visits and prisoners' complaints
2010	The Ombudsman examined 4 prisons and 2 penitentiaries: overcrowding (150% occupancy level) and lack of adequate equipment for persons with disabilities (wheelchair users). Persons deprived of their liberty lodged 217 complaints (excluding gender specification): most complaints referred to accommodation conditions and health protection.
2011	The Ombudsman examined (regularly or for monitoring purposes) 5 prisons and 2 penitentiaries: overcrowded conditions (135% occupancy level – expansion of the prison system's capacity – newly opened facility in Glina). Persons deprived of their liberty filed 212 complaints: most complaints concerned accommodation conditions and health protection. The Constitutional Court (2010) for establishment and efficient monitoring of the quality of health care in a prison system has not been established. Overcrowding jeopardises treatment programmes (lack of space and staff).
2012	Similar number of complaints as in 2011: accommodation conditions, health care, failure to exercise prisoner privileges, transfers and similar problems. Recommendations: The prison administration needs to make effort to reduce the negative effects of overcrowding. The Ministry of Health must establish and conduct an inspection of health care in all penal institutions. The prison administration needs to ensure the privacy for prisoners during medical examinations if this does not pose a security risk.
NPM	Visits to 2 prisons. Joint recommendations.
2013	Visits to 2 prisons and 2 penitentiaries. Prisoners' complaints: accommodation conditions, health protection, conduct of judicial police, non-approval of the use of privileges and transfers.
NPM	Visits to 2 penitentiaries, 2 prisons and a prison hospital. Remarks: the protection of prisoners' rights can be significantly strengthened. Overcrowded accommodation is one of the main causes of violations or restrictions of prisoners' rights and freedoms. Health protection: problems with availability and quality. Questionable efficiency of legal remedies to protect their rights.
2014	Main complaints about the quality of health care and the conduct of judicial police officers. Recommendations: align accommodation conditions with international and legal standards; separate health care system from the judicial system and include it into the health care system; ensure sufficient numbers of health care workers and improve the quality of health care; harmonise law on prison sentence with other relevant legislation; carry out systematic education of correctional officers on the protection of prisoners from all cruel, inhuman or degrading treatment.
NPM	No visits to penal institutions.
2015	165 prisoners' complaints: overcrowded accommodation, health care, legal protection, measures taken by judicial police and violation of the right to contact with the outside world.
NPM	Visits to 9 prisons and 2 penitentiaries. Recommendations: full investigation of all allegations of possible torture and inhuman or degrading treatment; adoption of a new Prison sentence law; provision of additional health insurance for all prisoners who do not have a regular income; adaptation of the space and equipment in the medical facilities of penal institutions to the prescribed minimum requirements; adoption of a protocol for dealing with hunger strikes.

2016	156 prisoners' complaints: health care, judicial police officers' behaviour and accommodation conditions.
NPM	Visit to 5 prisons and 3 penitentiaries. Joint visit with the Ombudsman for persons with disabilities and the Ombudsman for children. Issued 13 warnings and 77 recommendations. There were no significant changes in the prison system in 2016 and the human rights situation of prisoners is similar to the previous year.
2017	136 prisoners' complaints: health care, treatment by officers and accommodation conditions. Occupancy level 82.7% (in 7 high-security institutions 159%). Insufficient number of treatments by officials.
NPM	Visits to 7 prisons and 2 penitentiaries: 20 warnings and 132 recommendations. Systematic problems still exist. Lack of psychiatrists (out of 8 employed psychiatrists, only one has remained), contracts with external specialists.
2018	169 complaints, visits to 6 penal institutions: health care (lack of physicians and specialists), treatment by officers of the Security and Treatment Department, accommodation conditions, transfer to other prisons and prisoners' benefits. <i>One female prisoner complained about the possibility of having family member visits (distance of the penitentiary from her home), the recommendation for a transfer to penal institution closer to her family remained unaddressed.</i> Prison violence represents a problem.
NPM	Visits to 3 prisons and 3 penitentiaries, Zagreb prison hospital (4 follow-up visits): 27 warnings and 58 recommendations. Occupancy rate in high security units 100% and more (161% in Osijek prison), lack of treatment officials. Positive opinion about judicial policeman's conduct with some exceptions (unprofessional and humiliating behaviour). <i>Treatment officials inform female prisoners verbally (not in writing) about decisions on the type and scope of benefits. A female judicial police officer is not present during medical examinations in penitentiary, but is present during all examinations and small scale surgeries in healthcare facilities outside the prison system. Female prisoners feel particularly disturbed by this presence during gynaecological examinations, which is tantamount to degrading treatment. The presence of a female judicial police officer may only be ensured at the physician's request. There is only one isolation room for female prisoners, so if this measure is applied to two female prisoners, one of them is placed in a solitary confinement room in much worse conditions, which contributes to a feeling of injustice and arbitrariness among the prisoners. Female prisoners complained about unclear criteria for conducting searches of prisoners after labour (randomly selected), some prisoners are more likely to be searched than others. Institution does not keep records of searches carried out (this practise is against Mandela Rules). The results of a survey have shown that 57% of female prisoners in the high security unit have been attacked or threatened by other prisoners, and 19% have been threatened. A national plan against violence in prison should be developed.</i>
2019	203 cases, 35 warnings, recommendations and suggestions: health care, conditions of accommodation, prisoners' benefits, non-efficient legal remedies.
NPM	Visits to 5 prisons: 11 warnings and 44 recommendations. increased overcrowding (in 6 penal institutions occupancy level above 120%), lack of prison staff. The results of a survey of prison staff showed concerns about inadequate equipment, too many administrative tasks, lack of staff and exhaustion. Violence between prisoners is still not properly addressed.

2020	In 183 cases, in addition to “regular” complaints, new complaints related to preventive epidemiological measures were filed. Requests to maintain the possibility of video conferencing for “visits” with family members in order to avoid transportation fees. Inadequate response of Head of prisons in case of complaints – responses are “uniformed” and without valid argumentation.
NPM	Limited visits due to the pandemic. Prisons and penitentiaries were contacted via phone call to check the implementation of the epidemiological measures and the challenges. In September, an anonymous survey was conducted among prisoners in Glina on issues related to the pandemic: 2/3 of prisoners believe that protective supplies are sufficient, but perceive prison staff as a risk so they watched if the prison staff wear protective masks. The protective masks have affected the quality of communication during visits. During the pandemic, activities in prison were restricted, prisoners were bored and felt that some of their rights were restricted. In addition to the pandemic, there was also an earthquake in parts of Croatia. The Prison in Zagreb suffered a minor material damage, while the damage of Prison in Sisak was significant, which led to the closure of this prison. All prisoners (and some of the prison staff) were transferred to other penal institutions. The Prison in Karlovac and the Prison Hospital were also affected.
2021	210 cases: 20 warnings, recommendations and suggestions. In 2021, all prisoners and staff had the opportunity to be vaccinated. Complaints: health care, treatment (limited activities, high charges for telephone calls, limited opportunities for video calls), accommodation conditions (overcrowding – occupancy rate 104%, in high-security units 123%), legal protection (reactions of heads of institutions and the Head of the prison system to complaints; the duration of measures taken by the enforcement judge), behaviour of judicial police officers.
NPM	Inspection of 1 prison– thematic visit in relation to health care and timely detection of COVID-19: appropriate cooperation between prison physician and relevant health authorities (epidemiological measures). The time for testing for COVID-19 is not harmonised in the prison system. Anonymous survey among prisoners (N=49): ¾ of prisoners think they are well informed about COVID-19, 44% is satisfied with the quantity of protective means, complaints about overcrowding.
2022	176 cases, 17 warnings, recommendations and suggestions. Main issues: health care and accommodation conditions. Additional issues: conduct of officials, the use of benefits and requests for assistance regarding transfers. Overcrowding: occupancy level: 108%, in high security units 125%. Lack of correctional treatment officers; inconsistent practices of penal institutions. Recommendations: ensure the prerequisites for providing healthcare services within the prison system in accordance with the Healthcare Act; enhance professional capacity in penal institutions, particularly in the areas of security, correctional treatment and health care, to increase the level of human rights protection for persons deprived of their liberty.
NPM	Visits to 2 penitentiaries and 1 prison. Overcrowded conditions; <i>female prisoners (in closed ward) were accommodated in a dilapidated building that is more than 100 years old</i> ; inappropriate conditions in the premises designated for the disciplinary measure of solitary confinement for female prisoners.
2023	156 cases, most of the complaints concern health care, accommodation conditions and the conduct of prison officials. The situation in the prison system is largely unchanged and has unfortunately worsened compared to the previous year.

	Overcrowded conditions, questionable quality of medical care, staff shortages in prisons, normative shortcomings of the relevant legislation (Law on Enforcement of a Prison Sentence, Criminal law, Law on Criminal Proceedings), violence among prisoners is still present without valid data on prevalence due to the high number of unreported cases.
NPM	Visits to 2 prisons and 1 penitentiary; 14 warnings and 22 recommendations. Overcrowding is a constant problem, lack of prison staff, insufficient standards on special measures to maintain order and security.

Reports of the Committee for prevention of torture (CPT)

The CPT visits countries to examine the treatment of persons deprived of their liberty. These visits can be periodic (regular) or ad hoc (unannounced). After a visit, the CPT delegation gives feedback to the management staff and relevant authorities and writes a report to which the national authorities are asked to respond. To date, the CPT has visited the Republic of Croatia a total of seven times, including one ad hoc visit. As regards the institutions under the authority of the Ministry of Justice and Public Administration of the Republic of Croatia, in 2003 the delegation visited Lepoglava Penitentiary, Požega Juvenile Correctional Institution, Split Prison (where nine female prisoners were being held at the time of the visit) and Osijek Prison (with five female prisoners). In 2007, follow-up visits were made to Lepoglava Penitentiary and Osijek Prison, as well as visits to Rijeka prison (with two female prisoners) and Požega Juvenile Correctional Institution. During the visit in 2012, there were a total of 20 female prisoners in Zagreb Prison, one in Sisak Prison and five in the Prison Hospital. Besides the mentioned institutions, the CPT also visited Glina Penitentiary. In 2017, the CPT delegation visited Osijek Prison (one female prisoner), Split Prison (two female prisoners), Zagreb Prison (27 female prisoners), the Prison Hospital (six female prisoners) and Turopolje Juvenile Correctional Institution. An ad hoc visit was carried out in 2020, which did not include facilities under the jurisdiction of the Ministry of Justice. Lepoglava Penitentiary, Zagreb Prison (with 34 female prisoners) and the Prison Hospital (with 12 female prisoners) were visited in 2022, and that year the CPT visited the only women's prison in Croatia, Požega Penitentiary, for the first time. Based on the observations made during the visit, the CPT provided a series of recommendations to the Republic of Croatia, and Table 4 highlights those concerning female prisoners. The recommendations aim to improve the living conditions of female prisoners, increase the range of meaningful activities tailored to their needs, increase the presence of women prison officers and ensure that all staff involved in the management of women's prisons receive comprehensive training, including on the gender-specific needs and respect for the human rights of women prisoners, etc.

Table 4. Recommendations of CPT

Year	CPT's recommendations
2007	<p>The CPT's delegation received several allegations of physical ill-treatment of prisoners at Rijeka Prison, one of which was reported by a female prisoner. The CPT therefore recommended that the management of Rijeka Prison send a clear message to prison staff that both physical ill-treatment and verbal abuse of prisoners, as well as psychological pressure, are unacceptable and will have serious consequences.</p> <p>In Osijek Prison, male staff were responsible for various tasks related to female prisoners, such as escorting them to the showers. In view of this observation, the Committee suggests increasing the presence of female staff in the prisons visited.</p>
2012	<p>Women (both prisoners and detainees) in Zagreb Prison were locked in their cells 22 hours a day and had minimal activities. Unlike male prisoners, they did not have access to the indoor basketball court and could only exercise in the outdoor parking area. In addition, female prisoners could not participate in the theatre and music groups. In view of the above, the CPT recommended "that the Croatian authorities take immediate measures in order to allow female prisoners access to a properly dedicated exercise yard as well as the basketball court. Further, the recommendation made in paragraph 40⁵² concerning the programme of activities applies equally to female prisoners."</p>
2017	<p>Although some cells at Zagreb Prison have been renovated in accordance with the CPT's recommendations from the 2012 visit, some cells, including the female prisoners' section (Unit 10), remain inadequate. In particular, the sanitary facilities are only partially separated from the rest of the cell, the toilets are dilapidated and the communal showers are in poor condition. The CPT's recommendation was aimed at ensuring that the Croatian authorities step up their efforts to improve conditions in the prisons visited. In particular, they should press ahead with the complete renovation of the unrenovated cells in Zagreb Prison, focussing on the dormitories for offenders in Module 7 and the improvement of the sanitary facilities and communal showers in Module 10.</p> <p>Compared to the CPT's previous visit to Zagreb Prison and taking into account the recommendations made at that time, improvements were noted during this visit with regard to outdoor recreation for women. However, apart from paid work (two jobs), no meaningful activities were offered to female prisoners. Of particular concern was the situation of two female prisoners in Split Prison and one female prisoner in Osijek Prison, as they were held in conditions similar to solitary confinement and were not offered any meaningful activity other than the right to regular outdoor exercise. In cases where there was only one female prisoner in the institution, she could <i>de facto</i> be subjected to a regime similar to solitary confinement. The CPT therefore advised the Croatian authorities to step up their efforts to prevent the <i>de facto</i> solitary confinement of women prisoners. They should ensure that these prisoners have purposeful activities, regular access to a psychologist and adequate human contact.</p> <p>In the Prison Hospital, female patients did not take part in group activities and could only benefit from individual therapy sessions. However, they could take part in board</p>

⁵² Paragraph 40: "The CPT calls upon the Croatian authorities to improve the programme of activities, including work and vocational training opportunities, for prisoners at Glina State Prison, Zagreb and Sisak County Prisons and, where appropriate, at other prisons in Croatia... Further, the CPT invites the Croatian authorities to consider extending the period of outdoor exercise, until such a time as a programme of meaningful activities is put in place."

	<p>games, read books and attend theatre performances by other patients. The CPT's recommendation was "that further efforts should be made to develop the range of rehabilitative psychosocial activities and to ensure that all psychiatric patients may access them. In this connection particular attention should be given to the situation of female patients, who could, for example, be allowed to participate in some of the activities offered to male patients under appropriate supervision. Where required, additional qualified staff should be recruited. Further, individual treatment plans should be established for all patients."</p>
2022	<p>At the beginning of the visit, the Croatian authorities discussed plans to build a new prison in Gospić with a separate unit for female prisoners in order to facilitate family visits for female prisoners from southern Croatia. The CPT requested information on additional detention units for women in order to overcome their geographical isolation. It also requested a copy of the prison administration's strategy for the treatment of female prisoners and emphasised the importance of using non-custodial measures to address prison overcrowding, including for female prisoners.</p> <p>The CPT delegation visited Požega Penitentiary for the first time. Most of the female prisoners at Požega Penitentiary with whom the members of the CPT delegation spoke reported fair treatment by prison staff. However, the CPT received some allegations of physical ill-treatment (slapping, occasional hits with hands) by prison staff towards prisoners. Several prisoners complained about the excessive use of force in the form of pushing and sudden arm pulling during escorting or in cases of disobedience. Prisoners in the closed section of the penitentiary mentioned that prison staff often addressed them in a rude and derogatory manner and frequently shouted at them in order to maintain order. The CPT recommended that the Croatian authorities clearly communicate to prison staff that physical ill-treatment, excessive use of force and disproportionate use of restraints are unacceptable and will be addressed accordingly. In order to manage high-risk situations without unnecessary force, prison staff should be trained in crisis prevention, tension reduction and safe control methods. This training should also include elements of anti-discrimination, particularly in relation to Roma prisoners. In addition, the proportionality of force and the causes of injuries should be rigorously assessed in reports to the Ministry of Justice. Special training modules should also be developed for the supervisory staff of Požega Penitentiary to deal appropriately with unruly behaviour and unrest among women prisoners.</p> <p>Violence among female prisoners (in particular physical fights and derogatory shouting) was commonplace in the closed wards of Požega Penitentiary, which was exacerbated by their placement in large cells and lack of activities. The CPT recommended the development of a national strategy to prevent inter-prisoner violence, taking into account the poor material conditions at Požega Penitentiary, the accommodation in the dormitories and the underlying tensions between prisoners, based on specific risk assessments and criminological profiles.</p> <p>The conditions in the closed and semi-open sections of Požega Penitentiary were inadequate: impersonal dormitories, poorly maintained and inadequate communal sanitary facilities and mold and water leaks due to hail damage. In section Z1, 36 prisoners shared 2 toilets and 2 showers. The CPT was informed that extensive renovation work is planned for sections Z1 and Z2, including the creation of smaller dormitory units with individual sanitary facilities and an increase in the number of showers and toilets. The CPT emphasised the need for personal lockers for prisoners, improved sanitary facilities and additional access to washing facilities, especially for</p>

	<p>women. The CPT requested updates and photographic evidence of the progress of the renovation.</p> <p>Despite adequate recreational activities and work opportunities, factors such as the architectural environment and the lack of treatment staff had a negative impact on the quality of life and rehabilitation of female prisoners. The CPT recommends that the Croatian authorities assist the management of Požega Prison in remedying these shortcomings by renovating the closed wards (Z1 and Z2), providing adequate personal space in smaller rooms and allowing female prisoners to personalise their living areas. Each department should have a common room and weather protection in the inner courtyard. Restrictions on personal belongings and clothing should be based on an individualised security risk assessment so that women can wear their own clothes outside of working hours. Vacancies for treatment officers should be filled and the semi-open unit should be relocated outside the prison grounds, replacing the existing open regime unit.</p> <p>Special attention was paid to the mother-child unit in Požega Penitentiary. The hygienic conditions in this unit are acceptable, but the walls are damp and traces of peeling paint were found in one of the rooms. The unit is poorly equipped with cots and prams. As far as the mothers' diet is concerned, they were offered the same menu as the others prisoners. Prisoners mothers complained that they only had two sets of trousers and short-sleeved shirts. In view of this, the CPT recommended “that the management of Požega Prison upgrade the equipment of pushchair and baby carriers of the mother and child unit as well as to provide adequate access to stocks of clothing to mothers. Further, additional efforts should also be made to ensure that a wide variety of food is made available in the right proportions to enable nursing mothers and their children to maintain an adequately nutritious, sufficiently calorific and well-balanced diet.” Furthermore, the CPT recommended increasing the outdoor time for female prisoners in the mother and child unit to at least four hours per day and providing additional staff where necessary. The CPT also suggested repairing and adequately maintaining the swing in the courtyard, as well as providing and installing additional play equipment.</p> <p>Immunisation against hepatitis B was not proactively offered, and there was no injury register or screening for gender-based violence. The CPT recommended that the Croatian authorities improve prison admission procedures for female prisoners, including comprehensive screening for prior gender-based violence and the implementation of proactive hepatitis B vaccination alongside the establishment of an injury register.</p> <p>The infirmary was also adequately equipped, but did not have a defibrillator. Medication was mostly administered by nurses, except during night shifts and at weekends when prison staff were responsible for this. The CPT therefore recommends that an automatic external defibrillator be made available in Požega Prison, that staff be trained in its use and that, as a rule, medication be prepared and administered only by qualified health-care staff.</p> <p>Some female prisoners complained about the inadequate communication skills of prison staff and a lack of empathy towards women. In view of this, the CPT recommended that all staff involved in the management of women’s prisons receive training on the gender-specific needs and human rights of women prisoners, including the prohibition of discrimination. The Croatian authorities were urged to ensure gender-sensitive and trauma-informed treatment and care of women prisoners as an integral part of the curriculum for prison staff in women’s prisons. Furthermore, the Committee emphasised that the open carrying of batons is not conducive to the development of</p>
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	<p>positive relationships between staff and prisoners and recommended that the Croatian authorities establish a timetable for the phasing out of batons as standard equipment for prison officers working in the detention areas at Požega Prison. Finally, the Committee requested information on the special training modules for prison staff working with female prisoners offered at the Prison Staff Training Centre in Vukomerec.</p> <p>In the cell, where female prisoners are under increased surveillance to maintain order and security, there is a metal grille on the windows that restricts natural light. The prisoners spend the whole day reading and have no other activities apart from two hours of yard time. The decision on placement lacks information on duration and appeal options. The CPT recommends modernising the cell in Unit Z1 by removing the triple bars above the window and repairing the sanitary facilities. In addition, prisoners under enhanced supervision should receive a written decision detailing the duration and appeal options. They should also be provided with a more substantial regime.</p> <p>The material conditions in the two isolation cells in the basement were inadequate. The cells were 4 square metres in size, extremely dark and damp and had one washbasin and one toilet without partitioning. “At the end of the visit, the delegation invoked Article 8, paragraph 5, of the Convention establishing the CPT and requested that the two disciplinary cells be taken out of use and that the adjacent cell intended for the separation of prisoners be used as an alternative. By letter of 21 November 2022 the Croatian authorities informed the Committee that the two above-mentioned disciplinary cells at Požega Prison had been put out of service as of 30 September 2022.”</p> <p>The cells in the Zagreb prison where female prisoners are held are more overcrowded than those of the male prisoners. Eight women are housed in a 19.5 m² cell, which means less than 2.4 m² per person. The communal shower can be used twice a week. The observations on the material conditions and occupancy of Zagreb Prison set out in paragraph 42⁵³ also apply in this context. Furthermore, the Committee considers that the cumulative detrimental conditions of severe overcrowding, combined with the poor regime and lack of activities on offer, may well amount to inhuman and degrading treatment.</p> <p>Female prisoners at Zagreb Prison were only allowed to spend 2 hours a day in the transportation vehicle parking lot, spending the rest of the day in cells with no activities. The CPT considered that they should have had access to a comprehensive programme of activities, including work, training, education and sport. Despite the small number of female prisoners, setting up workshops exclusively for them might not have been sustainable and could have reinforced outdated stereotypes about the social role of women. The CPT called on the Croatian authorities to develop a programme that guarantees female prisoners at least eight hours of out-of-cell activities, including work, vocational training, education, recreation and sport.</p>
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⁵³ Paragraph 42: “The CPT recommends that rigorous action is required to bring the prison population down below the number of places available within the prison estate and to put an end to overcrowding. In this respect, emphasis should be placed on the full range of non-custodial measures capable of providing judicial supervision during the period preceding the imposition of a sentence, as well as on measures to accelerate a prisoner's release, including through supervisory means tailored, inter alia to the prisoner's personality and the nature of the sentence.”

Decisions of the European Court of human rights

As regards the rights of women prisoners, an examination of the practise of the European Court of Human Rights has revealed two cases of women prisoners against the Republic of Croatia. In both cases, a violation of Article 3 of the Convention for the Protection of Human Rights and Fundamental Freedoms was found. Here is presented a brief overview of the violations of prisoners' rights and the court's judgement.

Table 5. Decisions of the European Court of Human Rights

Year	Short description and type of decision
2007	The applicant was serving a prison sentence in Požega Penitentiary, where she did not receive adequate medical care despite suffering from hepatitis C: she was not allowed to rest without a doctor's permission and was not examined by a hepatologist. Furthermore, the applicant was not accommodated in appropriate conditions: the spatial capacities were below the recommended standards, the sanitary conditions were inadequate, and there was a lack of or insufficient furniture, among other things. The ECHR found that there had been a violation of Article 3 of the Convention and the Republic of Croatia was ordered to pay the applicant: 1. 15,000 euros for non-pecuniary damage; 2. 3,200 euros for costs and expenses; and 3. all taxes that may be levied on the aforementioned amounts.
2023	The applicant was serving a prison sentence in Prison in Zagreb where conditions were inadequate: overcrowding, lack of privacy for toilets, lack of fresh air, lack of or insufficient furniture, lack of or insufficient physical exercise in the fresh air, insufficient hygiene conditions, limited access to showers, lack of hygiene supplies. Similar conditions prevailed at Požega Penitentiary, where the applicant was also serving a prison sentence. The ECHR found that there had been a violation of Article 3 of the Convention and the Republic of Croatia was ordered to pay her compensation: 1. 8,300 euros for non-pecuniary damage, 2. 250 euros for costs and expenses and 3. all taxes that may be levied on the aforementioned amounts.

Conclusion

The aim of this paper was to analyse the implementation of human rights laws and standards for female prisoners in Croatia and to assess current practice, with a particular focus on the Bangkok Rules. For this purpose, specific questions were asked to which the following answers can be given:

1. What do we know about female offenders and prisoners in Croatia from official statistics? Although the official data of the National Bureau of Statistics on the number of reported, accused and convicted adults in Croatia show decreasing trend in the period from 2000 to 2022, there has been an increase in the proportion of women in the number of reported, accused and convicted persons in that period. This is information that deserves a more detailed criminological analysis. Women are often sentenced to prison for property crime (average length 1 – 3 years). They are mostly in the 50 to 60 age group and have a secondary or vocational education.

2. Does Croatia have a sufficient legal framework to protect the rights of prisoners, especially women's? Generally speaking, it can be stated that the implementation of international standards for the protection of prisoners' rights in Croatian national legislation

has reached a satisfactory level (although there are some areas where improvements can be made, as pointed out by the Ombudsman's Office). Nevertheless, it is worrying that the "previously adopted standards for the protection of prisoners' rights have been "abandoned" in the new Law on the Enforcement of Prison Sentence.

3. What is the situation regarding the rights of female prisoners from the perspective of national and international protection and monitoring bodies? Although the analysis of the Croatian national provisions on respect for the human rights of prisoners may lead to an optimistic conclusion, the real verification of the state of human rights of this sensitive group can be seen from the reports of the bodies responsible for monitoring and protecting the human rights of prisoners. The reports of the Ombudsman's Office shed light on the actual situation of the Croatian penal system. They show the negative effects of the problem of overcrowding, the insufficient co-operation between the Ministry responsible for the penitentiary sentences and the one responsible for health care, and the inadequate application of mechanisms for the protection of prisoners' rights.

All of the above leads to the conclusion that the human rights of prisoners are an issue that requires constant monitoring and continuous improvement. Permanently raising awareness and educating all employees of the prison system about the importance of human rights and the application of international standards (the Mandela Rules and the Bangkok Rules), as well as the appropriate application of national regulations, is the fundamental task of a society that takes care of all its citizens, including this sensitive one in particular - a group that is expected to live in accordance with social norms after completing their prison sentence.

References

- Adler, F. (1975). *Sisters in crime*. New York: McGraw-Hill.
- Babić, V., Josipović, G., & Tomašević, G. (2006). Hrvatski zatvorski sustav i zaštita ljudskih prava zatvorenika. *Hrvatski ljetopis za kazneno pravo i praksu*, 13(2), 685-743.
- Barberet, R., & Jackson, C. (2017). UN rules for the treatment of women prisoners and non-custodial sanctions for women offenders (the Bangkok rules): a gendered critique. *Papers*, 102(2), 215-230. [10.5565/rev/papers.2336](https://doi.org/10.5565/rev/papers.2336)
- Belknap, J. (2007). *The invisible women: Gender, crime, and justice*. 3rd ed. Thomson Wadsworth.
- Britton, D. (2000). Feminism in criminology: engendering the outlaw. *Annals, AAPs*, 571, 57-76. <https://doi.org/10.1177/000271620057100105>
- Carrington, K., & Death, J. (2014). Feminist criminologies' contribution to understandings of sex, gender, and crime. In R. Gartner & B. McCarthy (Eds.), *The Oxford handbook of gender, sex, and crime* (pp. 99-117). Oxford University Press. [10.1093/oxfordhb/9780199838707.013.0006](https://doi.org/10.1093/oxfordhb/9780199838707.013.0006)
- Chesney-Lind, M. (1997). *The female offender: Girls, women and crime*. Thousand Oaks: Sage Publications.
- Committee for the Prevention of Torture. (2007). Report to the Croatian Government on the visit to Croatia carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). Council of Europe. <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168069555e>
- Committee for the Prevention of Torture. (2008). Report to the Croatian Government on the visit to Croatia carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). Council of Europe.

<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680695561>

- Committee for the Prevention of Torture. (2014). Report to the Croatian Government on the visit to Croatia carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). Council of Europe. <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680695591>
- Committee for the Prevention of Torture. (2018). Report to the Croatian Government on the visit to Croatia carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). Council of Europe. <https://rm.coe.int/16808e2a0e>
- Committee for the Prevention of Torture. (2021). Report to the Croatian Government on the visit to Croatia carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). Council of Europe. <https://rm.coe.int/1680a4c199>
- Committee for the Prevention of Torture. (2023). Report to the Croatian Government on the visit to Croatia carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). Council of Europe. <https://rm.coe.int/1680ad6168>
- European Court of Human Rights. (2007). Case of Testa v. Croatia. <https://hudoc.echr.coe.int/?i=001-81641>
- European Court of Human Rights. (2023). Case of Prpic v. Croatia.
- Geber, J. (1986). Kronologija razvoja kazneno-popravnog doma i doma za preodgoj maloljetnica Slavonska Požega. U Ž. Marenić (ur.), *Kazneno popravni dom, dom za preodgoj maloljetnica Slavonska Požega* (pp. 1946-1986). Narodne novine.
- Heidensohn, F. (1968). The deviance of women: A critique and an enquiry. *British Journal of Sociology*, 19, 16-175. [10.1111/j.1468-4446.2009.01242.x](https://doi.org/10.1111/j.1468-4446.2009.01242.x)
- Heidensohn, F. (1985). *Women and crime*. London: Macmillan Press.
- Heidensohn, F. (2012). The future of feminist criminology. *Crime, Media and Culture*, 8(2), 123-134. <https://doi.org/10.1177/1741659012444431>
- Josipović, M., Tomašević, G., & Tripali, D. (2001). Nova uloga suca u izvršavanju kazne zatvora. *Hrvatski ljetopis za kazneno pravo i praksu*, 8(2), 85-116.
- Kovčo Vukadin, I. (2018). Kriminalitet žena u Hrvatskoj: opseg, struktura i odgovor. U M.M. Plesničar, A. Šelih, K. & Filišćić (ur.), *Ženske in kriminaliteta: značilnosti ženske kriminalitete in družbeno odzivanje nanjo*. Slovenska akademija znanosti in umetnosti (SAZU) i Inštitut za kriminologijo pri Pravni fakulteti v Ljubljani.
- Kovčo Vukadin, I. (2019). Women and crime in Croatia. Unpublished presentation at the International conference: *Gender and justice: Theory and practice across contexts*. October 28-30, Sarajevo, Bosnia and Herzegovina.
- Krabbe, M. J. M., & van Kempen, P. H. P. H. M. C. (2017). Women in prison: a transnational perspective. In M. J. M. Krabbe & P. H. P. H. M. C. van Kempen (Eds.), *Women in prison: the Bangkok rules and beyond* (pp. 3-34). Intersentia Ltd.
- Krider, A. E., Ihara, E., Hope, E. C., Noether, C. D., Parker, T. W., & Desmarais, S. L. (2024). A mixed-methods evaluation of a program for promoting trauma-informed responses among criminal legal system professionals. *International Journal of Forensic Mental Health*. Advance online publication. [10.1080/14999013.2024.2311409](https://doi.org/10.1080/14999013.2024.2311409)
- Kubiak, S. P., Covington, S. S., & Hillier, C. (2017). Trauma-informed corrections. In D. Springer & A. Roberts (Eds.), *Social work and criminal justice systems*, 4th edition (pp. 92-104), Charles C. Thomas.
- Lehrer, D. (2021). Trauma-informed care: the importance of understanding the incarcerated women. *Journal of Correctional Health Care*, 27(2), 121-126. [10.1089/jchc.20.07.0060](https://doi.org/10.1089/jchc.20.07.0060)
- Levenson, J. S., Prescott, D. S., & Willis, G. M. (2022). Trauma-informed treatment practices in criminal justice settings. In E. Jeglic & C. Calkins (Eds.), *Handbook of issues in criminal justice reform in the United States*. Springer, Cham.

- Levenson, J. S., & Willis, G. M. (2019). Implementing trauma-informed care in correctional treatment and supervision. *Journal of Aggression, Maltreatment & Trauma*, 28(4), 481-501. [10.1080/10926771.2018.1531959](https://doi.org/10.1080/10926771.2018.1531959)
- Miller, N. A., & Najavits, L. M. (2012). Creating trauma-informed correctional care: a balance of goals and environment. *European Journal of Psychotraumatology*, 3(s1). [10.3402/ejpt.v3i0.17246](https://doi.org/10.3402/ejpt.v3i0.17246)
- Mueller, S., Hart, M., & Carr, C. (2023). Resilience building programs in US corrections facilities: an evaluation of trauma-informed practices in place. *Journal of Aggression, Treatment & Trauma*, 32(1-2), 242-261. [10.1080/10926771.2021.2008082](https://doi.org/10.1080/10926771.2021.2008082)
- Penal Reform International (2023). *Global prison trends 2023*. Penal Reform International. <https://cdn.penalreform.org/wp-content/uploads/2023/06/GPT-2023.pdf>
- Pollock, J. M. (1999). *Criminal women*. Cincinnati, OH: Anderson Publishing Company.
- Pravilnik o stručnom nadzoru u zatvorskom sustavu. *Narodne novine*, 137/21.
- Pravilnik o tretmanu zatvorenika. *Narodne novine*, 123/21.
- Pučki pravobranitelj. (2011). *Izješće o radu za 2010. godinu*. <https://www.ombudsman.hr/hr/download/izvjesce-o-radu-za-2010-godinu/?wpdmdl=4731&refresh=6651e47b40bb21716642939>
- Pučki pravobranitelj. (2012). *Izješće o radu za 2011. godinu*. <https://www.ombudsman.hr/hr/download/izvjesce-o-radu-za-2011-godinu/?wpdmdl=4733&refresh=6651e432685f31716642866>
- Pučki pravobranitelj. (2013). *Izješće o radu za 2012. godinu*. <https://www.ombudsman.hr/hr/download/izvjesce-o-radu-za-2012-godinu/?wpdmdl=4735&refresh=6651e3f1a85561716642801>
- Pučki pravobranitelj. (2014). *Izješće pučke pravobraniteljice za 2013. godinu*. <https://www.ombudsman.hr/hr/download/izvjesce-pucke-pravobraniteljice-za-2013-godinu/?wpdmdl=4737&refresh=6651e3c4d830c1716642756>
- Pučki pravobranitelj. (2015). *Izješće pučke pravobraniteljice za 2014. godinu*. <https://www.ombudsman.hr/hr/download/izvjesce-pucke-pravobraniteljice-za-2014-godinu/?wpdmdl=4739&refresh=6651e35f0d4811716642655>
- Pučki pravobranitelj. (2016). *Izješće pučke pravobraniteljice za 2015. godinu*. <https://www.ombudsman.hr/hr/download/izvjesce-pucke-pravobraniteljice-za-2015-godinu/?wpdmdl=4741&refresh=6651e311567d51716642577>
- Pučki pravobranitelj. (2017). *Izješće pučke pravobraniteljice za 2016. godinu*. <https://www.ombudsman.hr/hr/download/izvjesce-pucke-pravobraniteljice-za-2016-godinu/?wpdmdl=4743&refresh=6651e2e797d3b1716642535>
- Pučki pravobranitelj. (2018). *Izješće pučke pravobraniteljice za 2017. godinu*. <https://www.ombudsman.hr/hr/download/izvjesce-pucke-pravobraniteljice-za-2017-godinu/?wpdmdl=4745&refresh=6651e2985d4d91716642456>
- Pučki pravobranitelj. (2019). *Izješće pučke pravobraniteljice za 2018. godinu*. <https://www.ombudsman.hr/hr/download/izvjesce-pucke-pravobraniteljice-za-2018-godinu/?wpdmdl=4747&refresh=6651e24d323551716642381>
- Pučki pravobranitelj. (2020). *Izješće pučke pravobraniteljice za 2019. godinu*. <https://www.ombudsman.hr/hr/download/izvjesce-pucke-pravobraniteljice-za-2019-godinu/?wpdmdl=7580&refresh=66519607242dc1716622855>
- Pučki pravobranitelj. (2021). *Izješće pučke pravobraniteljice za 2020. godinu*. <https://www.ombudsman.hr/hr/download/izvjesce-pucke-pravobraniteljice-za-2020-godinu/?wpdmdl=10845&refresh=6651b5ace7a371716630956>
- Pučki pravobranitelj. (2022). *Izješće pučke pravobraniteljice. Analiza stanja ljudskih prava i jednakosti u Hrvatskoj 2021*. <https://www.ombudsman.hr/hr/download/izvjesce-pucke-pravobraniteljice-za-2021-godinu/?wpdmdl=13454&refresh=6651bee215d441716633314>

- Pučki pravobranitelj. (2023). *Izješće pučke pravobraniteljice. Analiza stanja ljudskih prava i jednakosti u Hrvatskoj 2022.* <https://www.ombudsman.hr/hr/download/izvjesce-pucke-pravoraniteljice-za-2022-godinu/?wpdmdl=15489&refresh=6651cf3e6e4921716637502>
- Pučki pravobranitelj. (2024). *Izješće pučke pravobraniteljice. Analiza stanja ljudskih prava i jednakosti u Hrvatskoj 2023.* https://www.ombudsman.hr/hr/download/izvjesce_pucke_pravoraniteljice_za_2023_godinu/?wpdmdl=18399&refresh=6651d96ec5d941716640110
- Simon, R. (1975). *Women and crime*. Lexington, MA: Lexington.
- Šeparović, Z. (2003). *Kazneno izvršno pravo i uvod u penologiju*. Pravni fakultet u Zagrebu.
- Ustav Republike Hrvatske. *Narodne novine*, 56/90, 135/97, 08/98, 113/00, 124/00, 28/01, 41/01, 55/01, 76/10, 85/10, 05/14.
- Van Zyl Smit, D., & Slade, H. (2020). What's new in the 2020 European Prison Rules? Innovative provisions on separation, solitary confinement, and other prison practices. *The Art of Crime*, 9, 210-222. <https://theartofcrime.gr/whats-new-in-the-2020-european-prison-rulesinnovative-provisions-on-separation-solitary-confinement-and-other-prison-practices/>
- Vlada Republike Hrvatske. (2020). Nacrt prijedloga zakona o izvršavanju kazne zatvora.
- Vlada Republike Hrvatske. (2024). Izješće o stanju i radu kaznionica, zatvora, odgojnih zavoda i centara u 2022. godini. https://www.sabor.hr/sites/default/files/uploads/sabor/2024-01-05/093102/IZVJESCE_RAD_KAZNIONICA_ZATVORA_ODGOJNIH_ZAVODA_2022.pdf
- Zakon o izvršavanju kazne zatvora. *Narodne novine*, 14/21, 155/23.
- Zakon o izvršavanju sankcija izrečenih maloljetnicima za kaznena djela i prekršaje. *Narodne novine*, 133/12.
- Zakon o pučkom pravobranitelju. *Narodne novine*, 76/12.
- Zakon o Nacionalnom preventivnom mehanizmu za sprečavanje mučenja i drugih okrutnih, neljudskih ili ponižavajućih postupaka ili kažnjavanja. *Narodne novine*, 18/11, 33/15.
- Zanze, I. (ur.). (2015). *Roditeljstvo iza rešetaka: Priče bivših zatvorenica*. Roditelji u akciji - RODA.

Female crime rates and figures in the Republic of North Macedonia

Studies on female crime have long been on the margins of criminological studies. By the 1960's, most criminologists have focused on male offenders and on the criminal justice system's responses to male crime. The lack of attention to female crime stemmed from the fact that the majority of crimes at that time were committed by men. Considering that in the last two decades of the 20th century, the rate of female incarceration has increased, there is a growing need for research on girls and women as both offenders and victims, on female crime, and also, about the criminal justice response to female crime (Sharp F. Susan, 2009: 245). Main research questions refer to analyses of female patterns, types of female crimes, the link between the victimisation and later criminal behaviour, causes of female crime, women incarceration and women behind the bars. This paper reviews some research studies on female crime with special focus on female crime rate and figures in Macedonia in the last 5 years. The purpose is to examine the patterns of arrest, sentencing and incarceration of women offenders compared to male, as well as to examine the dynamic and trends of those patterns during a five-year period. Another aim of this study is to analyse certain the socio-demographic features of women prisoners that were obtained through access and review of women prisoner's files. A short questionnaire instrument was prepared for data collection on which a descriptive analysis was made.

Keywords: Female crime, female offenders, female prison, crime rate

Introduction

Studies on female crime have long been on the margins of criminological studies. By the 1960s, most criminologists have focused on male offenders and on the criminal justice system's responses to male crime. The lack of attention to female crime stemmed from the fact that the majority of crimes at that time were committed by men. Moreover, traditional criminology's neglect of female criminality also side-lines other issues such as the role of the criminal justice system in their criminalization and victimization. Considering that in the last two decades of the 20th century, the rate of female incarceration has increased, there is a growing need for research on girls and women as both offenders and victims, on female crime, and also, about the criminal justice response to female crime (Sharp F. Susan, 2009: 245).

Main research questions refer to analyses of female patterns, types of female crimes, the link between the victimisation and later criminal behaviour, causes of female crime, women incarceration and women behind the bars. Apart of traditional positivist approach within criminological studies, there are feminist perspectives on gender and crime. Feminist theories in contrast to traditional theories of crime do not treat women and men as homogenous groups but recognize that gender privilege varies across different groups of

women and men. Also, they offer alternative analyses of various crimes, including crimes of violence against women.

In addition, questions about the status and treatment of female offenders during the judicial process in all stages of the criminal procedure, from detection to sentencing, are becoming more and more relevant. The attitude and approach of police officers, prosecutors, judges, and even prison staff towards female offenders can affect future women criminalisation and victimisation. Their gender sensitivity and familiarity with gender-feminist paths in female offending or gender stereotyping determine paternalistic or stricter treatment of female offenders within the criminal justice system.

This paper reviews some research studies on female crime with special focus on female crime rate and figures in Macedonia in the last 5 years. The purpose is to examine the patterns of arrest, sentencing and incarceration of women offenders compared to male, as well as to examine the dynamic and trends of those patterns during a five-year period. Another aim of this study is to analyse certain socio-demographic features of women prisoners that were obtained through access and review of women prisoner's files. A short questionnaire instrument was prepared for data collection on which a descriptive analysis was made.

Women in crime

Certain research findings on female offenders

In the last decades of the 20th century and in the beginning of 21st century, there has been an increase in female offenders in both, total crime and prison population. In Europe, the number of female offenders is increasingly approaching the number of male offenders (25% Denmark, 33% Italy, 40% Spain). Regarding the types of crimes, certain data in North America show that 25% of women's crime is drug-related. Violent crime is also increasing, argued by the fact that women are increasingly taking on dominant roles in traditionally male-dominated groups. Robbery increases by 44 percent and other physical attacks by 21 percent. Generally, female offenders are not professionals but have a criminal history of petty thefts, fraud, forgery, prostitution, drug trafficking (Chesney-Lind & Pasko, 2013: 15). Also, they have problems with drug addictions, property crime, prostitution and sex work and can be part of organized crime groups, especially the young girls. Namely, the young girls usually enter the youth gangs to find shelter, protection and group affiliation because most of them run away from home (Mallicoat L. Stacy, 2019: 225).

As argued, in the last decade of the previous and the first decade of 21st century, female incarceration has grown by 108%, mostly as a result of female drug offenders (involved in drug distribution or in property crimes due to addictions). In 2012, 25% of the female prisoners are drug offenders (men are 16 %). Having in mind that in 2008, 9 % of female prisoners are drug offenders, there has been increased growth for 4 years. Primary pathways leading to drug abuse are: exposure to alcohol and drugs in childhood, early childhood victimization and trauma, mental health problems, and economic challenges. Drug abuse by other family members is a high-ranking predictor of early onset (Ibid, 226). In USA, at federal level, 72% of incarcerated women are convicted for drug-related offenses and most

of them include women who are users of illegal substances. But, even when they are involved in illegal drug trafficking, they are rarely members of organized crime groups. The problems with drug addiction are main predictors for property crimes (most for shoplifting) committed by women. According to one study (Johnson, 2004), 52% of female perpetrators of property crimes have problem with drug addiction (Ibid, 230). As a result, 'typical profile', of a female offender is that they are likely to have a history of trauma, suffer from mental illness and have substance abuse and alcohol issues. Most of them are illiterate and have a long history of unemployment. Usually have violent relationships and are primary caregivers in child development. Also, large number has trouble accessing adequate accommodation, especially if they have children.

Internationally, the proportion of females in prison population (including juveniles and those on remand) ranged from 4.1% in the UK to 10.3% in the United States, with the United States, Australia and New Zealand all demonstrating increases in these proportions since 2000 (Institute for Crime & Justice Policy Research, 2019, stated in Gower, Spiranovic, at all (2023). In general, female prisoners make up between 2% and 9% of the total prison population in around 80% of prisons systems in the world (Walmsley, 2012 stated in Barberat, 2014: 161). Those countries with the largest female prisoner populations are the United States, China, Russia, Brazil and Thailand (ibid, 2014:161). Statistics in America show that since 1980, the number of women incarcerated in the United States has multiplied dramatically. At the end of 2015, there were 111,495 women in prison, which is 7% of the prison population. It is most often the result of petty property crimes that indicate the economic vulnerability that women experience in society, or crimes related to drugs and addiction. According to race, in the United States, 48% of female prisoners are African American, 33% are white, while 15% are Hispanic. Taking into account the percentage representation of citizens according to racial structure in American society (according to the 2016 census, 13.3% are black (African-American), 17.8% Latino, two or more racial are 2.6% and 75.5% are white), incarceration statistics show a disproportionate number of incarcerated African-American women.

While white women are most often punished for property crimes, women of colour are punished for violent and drug-related crimes. In terms of other socio-demographic characteristics, poverty is a significant demographic factor as almost half (48%) were unemployed at the time of their arrest. They also tend to come from poor backgrounds and communities which explain why women commit property and drug -related crimes and are engaged in prostitution. Also, in prison, overcrowding often causes mental illnesses, such as anxiety, depression, self-harm. Additionally, the pain of confinement and separation from family worsens mental health. Overall, 12% of the female population suffers from mental illness, compared to 75% of the female population in prisons. According to Rodriguez's study (1983), the largest percentage of female offenders is single mothers, $\frac{3}{4}$ are drug addicts and almost all have a history of prostitution. Average age is 30 years. 17 out of 20 have dropped out of secondary education, while 13 out of 20 have run away from home as younger girls. They were also victims of rape and physical attacks. 15 out of 20 live with a violent man, 13 have history of early pregnancy, but only 4 kept their first baby (Chesney Lind & Pasko, 2013: 109-112). Furthermore, prisons are the result of much oppression, such as race, ethnicity, class and indigenous status. Prisons discriminate against women in a

number of ways, often because women are such a small percentage of prisoners. Women prisoners are thus more invisible than men prisoners. They are provided with fewer programs and training schemes than men, due to economies of scale. In that regard, prisons have a tendency to infantilize women and pathologize them, further oppressing them (Barberet, 2014: 160).

As far as girl delinquency and crime are concerned, in the 21st century, their scope is increasing, much more than that of boy's delinquency. For example, crime rate has been increased *more than 82% for young girls versus 36% for young boys*. However, there is a different rhetoric and explanation of girls' delinquency by race. Black girls are said to have inappropriate lifestyles, while white girls have low self-esteem, they are easily suggestible, and are often abandoned by their parents. The existing racism in the juvenile justice system in relation to delinquent girls can also be seen through certain statistics. Namely, 74% (vs. 26%) of white girls in the welfare (social protection) system (outside the criminal justice system) were treated as children at risk and not as children in conflict with the law, in contrast to the black girls who were more likely to be processed through the juvenile justice system. In addition, there are a disproportionate number of black girls held in juvenile correctional facilities compared to the overall Afro-American population (Chesney Lind & Pasko, 2013: 107).

Female offenders in the criminal justice system

More recent research shows that female offending is changing due to changing practices of social control and women's liberalization has a greater effect on the practices of the criminal justice system more than on women's behaviour.

Regarding the police, research shows that women as perpetrators are not often in the focus of police attention, except when their crimes are related to prostitution, escapes, fraud and embezzlement. Also, the police can apply a patriarchal and paternalistic approach to female offenders, which means that they treat them as less dangerous, misguided, naive and less capable of committing crimes. With such an approach, the formal system reinforces and supports patriarchal practices (Daly & Chesney-Lind, 1988: 613). But a paternalistic approach is much more observed among white female offenders, in contrast to the harsher treatment of black female offenders. Such a double standard is probably the result of the perception that black women is less expected to conform to expected traditional roles within the family and society. In the later stages of the court procedure, women are treated differently, both according to the type of crime, family status, and according to their ethnic and racial origin. Certain indicators show that women are treated more severe when they are punished for non-traditional female crime such as physical assaults or robberies. Or, women who are addicted to drugs are more likely to receive harsh sentences. In addition, certain data show that young girls are treated more harshly for minor status offenses (running away, drunkenness) because the system treats such offenses as a threat to their expected feminine behaviours according to traditional patriarchal society (Albonetti A. Celesta, 2012). But on the other hand, court statistics show that family women receive lenient sanctions, taking into account their family ties and obligations to children. This means that those women who have family status are punished more lightly than those who are not married. Some call this

approach "family justice." This means that the courts reflect the needs and interests of the patriarchy where inequalities between men and women are reproduced. Family-based justice is a visible manifestation of patriarchal needs to maintain and protect the nuclear family where gender and reproductive relations are supported and maintained (Albonetti A. Celesta, 2012). And in prisons there are different approaches that differ according to the race of women prisoners. A dual system arises because of the different view of female nature. Usually, female prisoners belong to economically and socially vulnerable categories of groups, they are young, uneducated (or poorly educated), unemployed and are primarily responsible for their children. Most of the female prisoners have one member in their extended family who is also serving a prison sentence. In addition, such women have a history of physical or sexual abuse and over 70% were victims of physical violence in childhood or adolescence.

Female Crime in The Republic of North Macedonia

Regarding the studies on female crime in Macedonia, the Macedonian scientific community have modest research experience, because only few studies and analysis have been conducted. Part of them provide a comprehensive statistical analysis of crimes committed by women, while others elaborate the pathways to criminal behaviour particularly the interconnection between prior victimisation and later criminal activities. Main data sources are the available statistical data generated by the State Statistics Office and by the prison women department. One research has made in depth interviews with certain female prisoners condemned for murder. Beside them, the majority of criminological research focuses on women as victims, usually of domestic or sexual violence and encompasses many aspects related to their protection, access to legal aid, their victimisation pathways, duration et. The etiology of female offenders is not yet the subject of in-depth research in our country, except that there is a modest attempt to analyse the path of female perpetrators of murder.

Prior research findings

In 2012, a research study was conducted about the personality and trait aggression profiles of female prison inmates. In addition, based on women statements, the research team identified different coping strategies that help to moderate the stress which the individual experiences during incarceration. The sample encompasses 26 women inmates (out of a total of 52 during that period). Research data indicates that the strongest stressor for women in prison is separation from children and family. The research results showed that female inmates use different coping strategies for stress, such as affective (A) (expressing emotions, reading, writing) and social strategy (S) (sharing with others, membership and group support). The cognitive strategy is not used enough because women in prison feel isolated and cannot exert any influence to improve their situation (Мојаноски, Бачановиќ и др., 2014).

In the explanatory study of patterns of female criminality in Macedonia (2012-2017) the statistical data shows that the convicted female offenders make up about 5 - 8% from the total number of convicted offenders. Women offenders most often commit property and violent crimes, but also considerable number is convicted for child neglect and/or

abandonment (Stanojoska & Jurtoska, 2018:161-162). In a similar study (Stefanovska, 2018), the percentage of reported female offenders¹ in 2017 ranges between 10 and 15% of the total reported offenders, although in the period 2014-2016 there has been a declining trend (from 11.1% in 2014, to 10.1% in 2015 and 9.8% in 2016). In regards to sentenced female offenders, the statistics show a slight increasing trend ranging from 7 to 9% in the period between 2012 and 2016. According to the ethnic composition of female offender population, there is an increase of the number of Albanian women prisoners especially in 2015 and 2016, and that is twice as much as in the previous years. The percentage of Roma women prisoners, although it is high and it ranges from ½ to 1/3 of all women in prison, has been relatively stable over the years. However, taking into account the percentage of Albanian and Roma population in Macedonia², the participation of female prisoners, especially of Roma nationality, is disproportionate. On the other hand, according to the educational background in 2016, 1/3 out of 97 women is illiterate, while other 1/3 has finished secondary school. 8% are with high education. In 2017, a small-scale survey was conducted in Macedonian women's prison in order to obtain general data about socio-demographics characteristics of women prisoners (Koshevaliska & Maksimova, 2019). The number of female prisoners is gradually increasing in the period 2014-2016 (93 women prisoners in 2014, 105 in 2015 and 97 in 2016). In 2017 and in 2018 their number significantly decreased and at the end of 2017 there were 69 female inmates, while in 2018 - 53. In terms of ethnic composition, in 2017 the participation of Roma women was significantly higher (41.9%) compared to 2024 (20.8%). Macedonian women prisoners were less numerous in 2017 (39%) but in 2024 their percentage is higher (52.8%). The increase of Albanian women prisoners has also been considerable in the recent years. According to the type of committed crime, 58% of women have been sentenced for property crimes (theft, robbery, aggravated theft and fraud) and 12% for murder. In 2017, 30% of women inmates were convicted previously, but in 2024 the rate of recidivism among female prisoners is 40%. One recent study *The Feminist Pathways Perspective: The Pathways to Crime of Female Murderers in the Republic of North Macedonia* in Macedonian women prison (2023) had investigated the pathways to crime of nine female inmates sentenced for murder who were incarcerated. Through in-depth interview with the women, the findings have showed that they have a history of intimate-partner abuse and violent victimisation, and in most of the cases the murder victim is the women's intimate partner. Similar findings were obtained in another study (Maksimova, Koshevaliska, 2023) about the Battered Woman Syndrome in Female Perpetrators in the Republic of North Macedonia. Obtained data have shown that the murder is often committed by women in self-defence or in order to terminate the long term physical and emotional trauma and suffering. Nevertheless, the study has shown that more than 2/3 of women offenders condemned for various crimes were not victims of previous victimisation. Only 29.3% of women prisoners have a history of abuse and prior victimisation, mostly within the primary family group where the abuser is their intimate partner. The previous brief literature review of certain research studies shows that

¹“Reported female offender” means offender against whom a criminal report has been filed and submitted to the public prosecutor's office (State statistical office)

² According to the census 2002, Albanian are 25,17% and Roma are 2,66%

in the last few years in the Republic of North Macedonia there have been modest attempts to research female criminality. Although some of them have been carried out in women's prisons; in order to understand female crime, it is necessary to investigate its causes, and not only women prisoners but also women sentenced to other criminal sanctions. The Macedonian criminological community should include feminist perspectives in female crime research and to investigate the gender feminist pathways to crime. Although different in explanation, still both, the economic marginalisation and emancipation/liberation theses should be part of more comprehensive studies of Macedonian female criminality. In that regard, an analysis of statistical figures can only indicate some patterns of female crime (scope, crime types, ethnic composition, educational qualifications, prior victimisation, age etc.) Our national statistical bureau does not provide separate data about the sentencing policy toward women perpetrators nor criminal justice statistics generated by the police, public prosecution offices or courts. Those restrictions limit the effort to make a comprehensive review and analysis of the penal policy towards female perpetrators.

Certain traits of the Female crime (2018 – 2023)

Scope and dynamics of crime. The extent of crime will be analysed through the number of reported, accused and convicted women in the last 5 years. The percentage of reported female perpetrators in the total number of reported perpetrators ranges between 10.5 and 11.4%. The percentage of accused women is gradually increasing and in 2022 it was 10%. Likewise, the percentage of convicted women out of all convicted persons is gradually increasing and in 2022 it was 9.8%, although in 2018 that percentage was 7.2%. Having in mind those oscillations, we can raise the question whether this means that the penal policy against female perpetrators is becoming more repressive and harsher?

Table 1. Reported, accused and convicted women, Source: State Statistical office, stat.gov.mk

	2018	%	2019	%	2020	%	2021	%	2022	%
All reported perpetrators	11.609		12.255		12.347		12.233		12.429	
Reported women	1.204	10,4	1.384	11,3	1.357	11	1.385	11,3	1.315	10,5
All accused perpetrators	6.828		5.370		6.339		8.580		8.550	
Accused Women	524	7,7	485	9	626	9,9	787	9,2	853	10
All convicted perpetrators	5.857		4.712		6.351		7.634		7.769	
Convicted women	419	7,2	410	8,8	558	8,8	664	8,7	758	9,8

Having in mind the fact that in the recent years, a high percentage of reported women end up with a final court sentence and certain criminal sanction, it can be concluded that the conviction rate of women has been increasing. Although in our system of statistics it is not possible to follow the criminal procedure against reported offenders through all court phases (for example, to determinate how many of the reported offenders are accused and lately convicted), indirectly through the number of reported, accused and convicted perpetrators during one calendar year we can get an approximate picture of the conviction rate. In

addition to that, the statistical data show a significant increase of accused and convicted women during the last 5 years compared to relatively stable number of reported women offenders. Whether this increasing trend is the consequence of a stricter penal policy towards female perpetrators, or the result of increased efficiency of the judicial system are questions that require additional analysis and in-depth research.

Girl's delinquency. The number of girl's offenders was increasing in 2021 and 2022 and they make up about 10 % of all juvenile offenders in contrast to 2019 when this percentage was 5.7% and in 2018 even 3%. So, in almost 4 years this number is doubled and tripled. A similar trend is present in the number of accused and convicted girl's offenders.

Types of crime. According to the type of crime, property crime is the most prevalent, and covers 42% of the total crimes committed. Violent crime percentage ranges from 7.5 to 14, while traffic crimes hold third place on the list of most common female crimes. Crimes committed against family member or youth cover 9 % and females can be also perpetrators of crimes against public order and peace (about 5%). However, the statistics show a decrease in the number of violent and property crimes committed by women in the last 3 years. That percentage has been below 30%, mostly because of restricted freedom of movement due to lockdown and confinement measures in the times of Covid -19, having in mind public security and public health considerations. In addition, the decrease in property crime in 2022 is more due to the reduced commission of electricity, thermal energy or natural gas theft, because among property crimes, a significant percentage refer to theft (55 - 68%), half of which to electricity theft. Preventing electricity theft became priority of the electricity distribution company that undertakes serious measures to detect the perpetrators and to allow any witness to report the perpetrator for stealing electricity via the company website. Besides this crime, a characteristic of female criminality are crimes against marriage, family and youth, which occupy a significant percentage of the total crime. Crimes against official duty cover less than 5 % of all crimes. But over the course of 4 years, 11 murders by women have been registered, 4 of which were committed in 2019 and 3 in 2020. Crimes against life and body comprise about 6-7% of the total criminality of women.

In general, although the number of registered crimes against property is decreasing, the number of accused women perpetrators is increasing, which indicates a higher rate of efficiency and criminal charges filed. Accused women offenders rate is inversely proportional to the number of reported cases, which means that the criminal charges for property crimes against women offenders proceed in further criminal proceedings within the court system. But, this is not the case with the criminal charges for crimes against official duty, because the number of accused women for such crimes is decreasing and almost every fifth or sixth reported offender gets certain accusation. This phenomenon is an indicator that such crimes are difficult to prove, the number of accused is decreasing, the crime becomes obsolete, evidence cannot be provided, the proceedings are terminated and charges are not brought.

Nationality. According to the nationality, the number of Macedonian women offenders is relatively constant and ranges up to 70% of all ethnic communities in Macedonia. If we consider the number of the Macedonian population in the country, it can be noted that the number of Macedonian women who commit crimes is higher. The number of Albanian women has been increasing in the last 5 years, which means that in 2022 they make up 16.7% compared to the previous 12%. In contrast to them, the number of Roma women is slightly decreasing and in the last two years they cover 6.5% of all reported women. Although that number is disproportionate to the number of Roma population in Macedonia, there is still a decrease.

Table 2. Reported women offender by nationality, Source: State Statistical office

	2018	%	2019	%	2020	%	2021	%	2022	%
All reported women	1204		1384		1357		1385		1315	
Macedonian	849	70,5	993	71,4	929	68,5	918	66,3	908	69
Albanian	128	10,6	168	12,1	183	13,5	219	15,8	219	16,7
Turks	22	1,8	44	3,2	55	4	45	3,2	44	3,3
Roma	99	8,2	97	7	108	8	91	6,6	84	6,4

Table 3. Women prisoners by nationality, Source: Department for execution of sanction

	2018	%	2021	%	2022	%	2024	%
Total	53		72		85		72	
Macedonian	20	37,3	25	34,7	26	30,6	39	52,8
Albanian	15	28,3	26	31,1	27	31,8	14	19,4
Turks	1		6	8,3	1		/	
Roma	14	26,4	14	19,4	14	16,5	15	20,8

The ethnicity of the prison population shows that the number of Macedonian women serving prison sentence has increased significantly in 2024. Compared to previous years when they made up 1/3 of the prison population, the latest data in April 2024 they make up more than half. This indicates that as they started to commit more serious crimes, the more severe sentencing policy became towards them. Compared to the number of reported perpetrators according to ethnicity and prison sentence, it can be noted that Albanian and Roma women are more likely to get prison sentence than Macedonian women. Still, the number of Roma inmates is relatively stable and ranges from 14 to 15 women that cover 17 to 20% of the total women prison population.

Women in prison

Women prisoners are between 3% to 4.2% of the prison population, which is on a relatively low level on the world women prison population list.

Table 4. Women prisoners' rate in total prison population, Source: Department for execution of sanction

Year	2018	2021	2022	2024
Women prisoners	72 (3,2%)	53 (2,7%)	72 (3,3%)	85 (4,2%)
All prisoners	2237	1954	2166	2004

Certain features

Female prisoners serve prison sentence for *murder* (13 inmates), *drug trafficking* (13 inmates), *child trafficking* (12 inmates), *robbery* (12 inmates), *fraud* (6 inmates), *aggravated theft* (5 inmates), *mediation in prostitution* (2 inmates), *human trafficking* (2 inmates), and *abuse of official position* (2). In general, those data show that prison penalty in most cases is imposed for more serious crimes and that the participation of women in such crimes is increasing. In April 2024 the number of women convicted of drugs, trafficking in minors and murder has increased, while crimes against sexual freedom have decreased. According to the nationality, Macedonian women offenders are mostly convicted of drugs (77%), murder (38%), robbery (38%), fraud (100%), abuse of official position (100%). Roma women are typical perpetrators of child trafficking (50%), they are illiterate and with incomplete primary education. Albanian women are in most cases perpetrators of murder (38%), child trafficking (33%) and robbery.

Regarding the *educational structure*, a significant percentage of female prisoners in Macedonia is illiterate or with incomplete primary education (36%). More than one third has completed high school (39%), while 15.3 of the inmates have completed only primary education. With high university degree are 9.7 % of women and they are perpetrators of crime of abuse of official position, fraud, murder and one crime of drug trafficking. Female perpetrators without education, i.e. who have not completed elementary school, are usually convicted of child trafficking and robbery. Most of them are Roma. According to age, 36 % are women inmates age between 41 and 50 and other 1/3 are those between 31 and 40. Women over 50 are mostly perpetrators of murder and drug trafficking, and they are commonly long-term prisoners who are sentenced to 10 years or more.

Over 90% of the women were married or in an extramarital union. Some of them are divorced, and some are widowed, while 2/3 are still married or in an extramarital union. The largest percentage of them (over 80%) has children and only 8 inmates are single. In regards to work history, 1/3 of the female inmates was employed at the time of the crime or had a certain work history. They worked in confectionary industry, in catering services, in trade industry, as shop or casino workers. A few inmates had working experience as hairdressers and bakers. 2/3 has the status of unemployed, although several of them were occasionally engaged in agriculture or in collecting plastic bottles for redemption. Taking into account their educational structure and work status, it can be concluded that more than half of them are of low social status, with low or no income.

Concerning problems with addictions, 1/3 (36%) had or still have a problem with addiction to drugs, and a smaller percentage of convicted women in Macedonia have a problem with alcohol abuse. 10 women are long-term addicts and receive regular methadone therapy in prison. Half of them are perpetrators of property crimes (robbery and aggravated

theft), 1/4 of drug trafficking crimes and 1/4 of child trafficking. It is important to point out that 60% of them are mothers. Taking into account the fact that they are relatively young, i.e. they are up to 40 years old, a significant part of them have minor children. It is also significant to point out that half of them are divorced, i.e. widows, 5 of the prisoners live in an extramarital union, while 2 are single. According to the educational structure, half of the sample has completed secondary education while 40% are illiterate. In terms of their working history, 70% of them have no working experience, while 30% have worked in catering and other low-paid jobs that are often impermanent. Taking into account their long-term addiction, low professional qualifications, their work and family status, age and the fact that the majority of them are mothers and recipients of methadone therapy in prison, the prison system should have a serious approach to this issue, conduct adequate treatment with them and apply the special program for imprisoned drug addicts.

Altogether 70 % of women convicted of murder, committed the crime within the family and in 2/3 of the cases the victim was their abusive spouse or extramarital partner. In one of the cases, the victim of murder was perpetrator's child, whereas in the second - the perpetrator's mother and in the third - the perpetrator's parents. In all cases, the perpetrator knew the victim. Regarding the work status of these perpetrators, half were employed, while the rest were unemployed. Almost 2/3 of them are mothers, while 5 have no children. Taking into account the fact that they are sentenced to long prison sentences (70% are over 10 years and one to life imprisonment) and that they are mothers, it is necessary to consider the mentioned vulnerabilities and to better address the negative impact of prison life, especially the importance of the relationships with their children and/or other family members. In that sense, prison should they should provide sufficient opportunity for visits with family and children, along with re-entry programs. The limitations and, in worst cases, the absence of sufficient contacts with family can make them insensitive, unable to receive love and family support. Also, the separation of the mother from the child/children is a serious challenge that the prison authorities have to deal with. Separation from children lowers the mother's self-esteem, feelings of shame and guilt arise, and they experience stress due to the stigma that they are not successful and good mothers. In particular, the insecurity, duration and pains of imprisonment experienced in prison negatively affect their further ability to take good care of their children after release.

Conclusion

The issue of gender equality in the criminal justice system is also an issue of interest. That system is predominantly defined and built for male offenders and has rarely been applied to women. This means that policies, punishments, and programs have been predominantly developed for men, but are assumed to be good enough for women. There are multiple stages in the criminal justice system where gender can influence decision-making. Thus, a series of studies show that the criminal justice system, police, courts and correctional institutions continue to lead to gender inequality. That means that women receive more lenient treatment in the early stages of the court proceedings, as well as in the process of accusation and sentencing. But that approach is not the same towards women of other racial and ethnic backgrounds. The aforementioned confirms that the structural divisions and inequalities in society by race, class and gender are interwoven and interconnected.

Therefore, the treatment of women in the criminal justice system should include, and take into account gender-specific needs, because they have different life experiences and motives for crime.

However, in Macedonia, women's participation in crime seen through official figures is relatively stable and constitutes a small percentage of total crime. No significant oscillations are observed in the convict population, compared to some changes in the female prison population and structure. For example, the number of both, women of Macedonian and Albanian nationality and women convicted of murder, drug trafficking and child trafficking is increasing. Taking into account the seriousness of the mentioned forms of crime, it can be concluded that the number of serious crimes is increasing, especially the trafficking of minors.

But in order to understand the penal policy against female perpetrators, the annual statistical reports should provide additional data on the type of criminal sanctions imposed against women offenders, separate from male offenders. In addition, in order to be familiar with women's crime and to build a strategy and theoretical basis for its reduction, further studies should focus and explore the causes of female crime in our country together with the patterns of different treatment of female offenders by the criminal justice system. Namely, gender-based bias has been documented at every stage in the criminal justice system and, discriminatory treatment against female offenders has been found in many studies. Therefore, the investigation of female crime should be constantly on the agenda of criminological research which, in turn will also increase the visibility and representation of women in criminological research.

References

- Albonetti A. Celesta (2012). "Women, Law and the Legal System", in (ed. Jensen, V.) *Women Criminals, An Encyclopaedia of people and issues*, ABC-CLIO, 209 – 240.
- Annual Reports of perpetrators of criminal offences (2018, 2019, 2020, 2021, 2022), State Statistical Office of the Republic of Macedonia, www.stat.gov.mk
- Annual Reports of the Directorate for execution of sanctions (2018, 2021, 2022) www.pravda.gov.mk
- Barberet, R. (2014). *Women, Crime and Criminal Justice, A global enquiry*. Routledge.
- Cauffman, E. (2008). Understanding the Female Offender, *Future Child*, 18(2), 119-142.
- Chesney-Lind, M. & Pasko, L. (2013). *The Female offender, Girls, Women and Crime* (3 ed.) SAGE.
- Kosevaliska, O. & Ivanova, E. (2019) *The profile of female offenders sentenced to imprisonment in the Republic of Macedonia*. In: International Scientific Conference, Apr 2019, Nis, Serbia.
- Maksimova, E. & Koshevaliska, O. (2023). "Battered Woman Syndrome in Female Perpetrators in the Republic of North Macedonia", *The Handbook on Female Criminality in the Former Yugoslav Countries*, Springer, 133-162
- Mallicoat L. Stacy (2019). *Women, Gender and crime*, SAGE.
- Sharp F. Susan (2009). "Feminist Criminology", in *21st Century Criminology A Reference Handbook* (Miller J. Mitchell, ed.), SAGE, 245 – 252.
- Schwartz, J. & Gertseva, A. (2012). "Women and Criminal Offending: Societal – Level Perspectives", in *Women Criminals, An Encyclopaedia of people and issues* (ed. Jensen, V.), ABC-CLIO, 25 – 52.
- Stanojoska, A. & Jurtoska, J. (2019). "Feminist pathways perspective: A case study", International Scientific Conference "Towards a Better Future: Democracy, EU Integration and Criminal Justice", Faculty of Law-Bitola.

- Stanojoska, A. (2023). "The Feminist Pathways Perspective: The Pathways to Crime of Female Murderers in the Republic of North Macedonia", *The Handbook on Female Criminality in the Former Yugoslav Countries*, Springer, 105-131
- Stanojoska, A. & Jurtoska, J. (2018). "Ladies or criminals: an exploratory study of patterns of female criminality in the Republic of Macedonia", Conference proceedings, *International Journal of Criminal Justice Sciences*, 13 (1). pp. 147-163. ISSN 0973-5089
- Stefanovska, V. (2018). "Women crime and the criminal justice system: what show the official crime statistics?" *Conference proceedings: Towards a better future: the rule of law, democracy and polycentric development?*, Vol. I, 292 – 303, Faculty of law – Bitola.
- Мојаноски, Ц., Бачановиќ, О. и др. (2014). Положбата на осудените лица во пенитенцијарните установи во Република Македонија. Факултет за безбедност – Скопје.
- Нанев, Л., Кошевалиска, Ол. и Максимова, Е. (2018). Банкочките правила – Lex Ferenda за жената затвореник, Conference proceeding *5th international scientific conference: social changes in the Global world*, September 6-7 2018, Stip, Law Faculty, University Goce Delcev – Stip, 399-419.
- Gower, M., Spiranovic, C. et al (2023). The criminogenic profile of violent female offenders incarcerated in Western Australian prisons as per the Level of Service/Risk, Need, Responsivity (LS/RNR) and Violence Risk Scale (VRS), *Psychiatr Psychol Law*, 30(2): 192–210, retrieved 25.04.2024, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10026816/>

Women in prison in the Republic of North Macedonia: health and mental health

Women in prison are among most vulnerable group of the society, facing numerous degradations, misuse, negligence and deprivation. The main aim of the study is to explore and understand the situation with the provision and needs of the physical and mental health of women prisoners in the only women's department in R.N. Macedonia. Additionally, the study is investigating the provision of health and mental health care and services delivered to the women in prison as well as the conditions of the environment, food and hygiene. The study is a qualitative study based on the data collected from one-on-one, semi-structured in person interviews with women prisoners in "Idrizovo" prison at the women's ward. Participants in the study were women prisoners from 18 years of age or older and currently placed at the women department at the "Idrizovo" prison in Skopje, R.N. Macedonia. Regarding sample in total n=12 imprisoned women were selected for an interview, selected randomly from the list of the total women imprisoned at the moment of the assessment. The results of the research suggest that female convicts have problems with health and mental health. The biggest stressor is separation from family - especially children. Women inmate to reduce and cope with stress use different strategies, like emotional (A) (express emotions, reading, writing) and social strategies (S) (sharing with others, membership and support of the group). Cognitive strategy (C) is not used enough, because women in the prison feel isolated and cannot influence their life conditions. The prison in R.N. Macedonia does not provide them with basic conditions and standards relevant for their well-being such as: exercise, education, vocational skills, treatment groups, psychological services. Based on the data obtained from the study several recommendations are proposed for improving the physical and mental health of women. The main recommendations are focused on improving access to the health and mental health services in order to meet the needs of the women prisoners. The conditions in women prison should meet the basic conditions and standards of environment, food and hygiene.

Keywords: prison, women inmates, health, mental health, stress

Introduction

The situation of women in prison requires special attention. Imprisoned women are among the most vulnerable categories of the society, facing various humiliations, abuse, neglect and human rights deprivation. Regarding imprisoned women globally, developing trauma services are vital, taking into the consideration that the majority of incarcerated women have experiences of violence, trauma, and abuse (Ervin et al., 2020). At the international level the adoption of the Kyoto Declaration on Advancing Crime Prevention, Criminal Justice and the Rule of Law: Towards the Achievement of the 2030 Agenda for Sustainable Development was vital, at the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice in Kyoto, Japan, from 7 to 12 March 2021, (UN, 2021). Among other relevant questions that were addressed by the Kyoto Declaration on the

improvement of care, human right and access to the health and mental health services, special part was dedicated to the development and implementation of effective policies and plans to achieve gender equality. Women and women's health and human right in prisons requires steps to further implement concrete action to ensure the enactment of the Beijing Declaration and Platform for Action and to protect women and girls against being victimized in the justice process (UN Women, 1995) and guarantee implementation of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984). World prison population rates, based on United Nations estimates of national population levels, is 140 per 100.000 (Walmsley, 2003). Regarding gender differences, the *World Female Imprisonment List* report shows that more than 740.000 women and girls are held in penal institutions throughout the world, either as pre-trial detainees/remand prisoners or having been convicted and sentenced, without data from five countries that are not available, including incomplete data from China (Fair & Walmsley, 2022). From the total prison population about 6.9% accounts for women, while the proportion of women imprisoned varies in different regions, and for example in Africa it is 3.3%, where in Europe is lower with 5.9%, 6.7% in Oceania, 7.2% in Asia, and 8.0% in the Americas as a result of large female prison population in the USA (Fair & Walmsley, 2022). EUROSTAT data (Eurostat, 2024) reveals that the number of prisoners in the European Union (EU) countries is around 483 600 in 2022, with a 1.7 % increase compared with 2021. Regarding gender distribution in 2022, 5.3 % of adult prisoners in the EU countries are women, nearly the same percentage as in 2021. Among the EU countries Hungary (200) and Poland (190) are with highest rates per 100 000 people in 2022. The lowest prisoner rates per 100 000 people rates were predominant in Finland (52), the Netherlands (64) and Slovenia (65), (Eurostat, 2024). Regarding the situation with the overcrowding, the highest overcrowding was detected in Cyprus with an occupancy rate of 226, followed by France (119) and Belgium (118), (Eurostat, 2024).

Women in prison in the Republic of North Macedonia

The penitentiary legal framework in the country is ensured by enactment and implementation of the Criminal Code of the Republic of North Macedonia (Official Gazette, 248/2018) and Law on Execution of Sanctions (Official Gazette, No. 99/2019, 220/2019, 2024) updated in 2019. Both are in line with international standards and practices in the field of execution of sanctions, especially the European Prison Rules of the Council of Europe Rec(2006), the UN Mandela Rules regarding the rights of prisoners (UN General Assembly Resolution, 2015) and the UN Bangkok Rules (UN Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders, UN General Assembly Resolution (2010).

The Law on Execution of Sanctions stipulates that women prisoners shall be guaranteed the right to health care and shall be provided with the necessary medical assistance and hospital treatment (Trpevska & Lažetić, 2023). Women imprisoned should have access to the health care services at the primary, secondary and tertiary level. Adequate provision of the health care remains among the utmost unmet needs of prisoners also nowadays. Over the past decades, and at present, the women prisoners and detainees have been complaining about the lack and scarcity of adequate health care. The Commission for Prevention of

Torture (CPT) report confirmed no changes in the domain of delivering health care and services to the prisoners. The lack of gynecologist for women and dental services are additional health concern (Council of Europe, 2021). The four health employees from the Public Health House Skopje (primary health care doctor, dentist and 2 nurses are only part time present at the “Idrizovo” premises. Additional problem is referral to the secondary and tertiary level health care service that are usually done with delay.

The “Idrizovo” prison is the only institution in the Republic of North Macedonia in which there is a special department for women, where women from the entire country who have been send to prison sentence or a juvenile prison, are serving their prison sentences there. Legal provisions and specifics in the treatment of women as a specific group according to the Criminal Code (Official Gazette, 248/2018), where the separation of convicted persons of different sexes is arranged (Article 40). According to the European prison recommendations, they should be accommodated separately, but female convicts are placed in a separate department within the "Idrizovo" prison, which, considering the small number, is the only place in the country for female convicts. The European recommendations for enabling accommodation separately for adult women, female convicts serving a sentence in juvenile prison and correctional home are not met, although set in the Law on Execution of Sanctions (Official Gazette, No. 99/2019, 220/2019, 2024). Although they are divided and have differences in conduct, they have daily contacts, which enables communication and undesirable effects that are not in accordance with the Law and there is a possibility of negative outcomes, especially for young females. The Commission for Prevention of Torture (CPT) report from 2021 reviles that a total of 2.244 persons were being held in “Idrizovo” prison (i.e. a prison population rate of 105 per 100,000 inhabitants) for an overall capacity of 2.805 places. The total of 2.166 persons were being held in “Idrizovo” prison during the visit of the research team in April 2024, from which 72 are women, that is about 3.3% percentage of total prison population.

Physical and Mental Health in Prison: Women Perspective

The WHO Health System Framework states that primary care, secondary care, and preventive services—which are regarded as primary care in the sense of initial point of contact—are the fundamental components of health service delivery in prisons. (World Health Organization, 2021). The foundation of medical care provided in the prison health system is primary care, which covers both curative and preventive treatment for common diseases. In order to guarantee that inmates who are ill receive the specialized care they need and should be sent to other facilities when necessary, and prison health services must also have easy access to specialized care (World Health Organization, 2021). One major factor influencing health is the physical and social environment that inmates live in. A healthy environment should provide enough space, light, and fresh air for housing; clean, hygienic restrooms and hygiene standards; appropriately sized, climate-appropriate clothes and heating; and sufficient, adequate food provided. (World Health Organization, 2020). According to Engist et al. (2014), problems like violence and overcrowding are typical in jails and are a part of the physical environment issues. This influencing factor directly reflects environmental conditions, due to the problem with overcrowding. Inadequate health habits and behaviours are a significant part of prison health. The majority of inmates have

come from underprivileged backgrounds (Global prison trends 2024) states that approximately one-fifth of prisoners are serving sentences for drug-related offenses. According to Enggist et al. (2014) and Parkes et al. (2010), drug and alcohol use are disproportionately high among prisoners when compared to the general population (Hamlyn & Brown, 2007). Alcohol consumption usually leads to jail since it is regularly linked to aggressive behaviour, such as assault, domestic abuse, and other offenses (Hunt et al., 2022). Compared to the general community, smoking prevalence is more than three times greater in jails (Binswanger et al., 2009; Fazel & Baillargeon, 2011). These leads to conclusion that the prison community affect development of harmful health practices.

For most people, being incarcerated is an extremely stressful circumstance. According to psychiatrics Rache (1990), being incarcerated ranks fourth on a scale of stressful life events. More trauma and stressful life events are experienced by incarcerated people than by the general population (Briere et al., 2016; Radatz & Wright, 2017). This increases their likelihood of developing a number of mental health conditions, such as depression and suicidality. The primary issues and stressors identified by the research (Corston, 2007) include: the absence of friends and family, restricted freedom, lack of particular items or activities, disagreements with other inmates, regrettable and unsettling thoughts about past events and children, worries about what lies ahead after release, boredom, poor housing, limited medical care, a lack of staff support, and worries about one's own safety. Stress is increased by unfavourable characteristics of the penitentiary environment, such as the presence of other prisoners, overcrowding, and lack of closeness.

Research findings indicate that there are significant individual variations in how well inmates adjust (Bontrager et al., 2013; Corston, 2007). Individual variations according to age, gender, race, and family composition. Research indicates that women are more susceptible than males to stressful conditions while incarcerated. The women in prison are cut off from their friends and family, which makes them feel depressed, guilty, and extremely stressed. Women have distinct needs than men in terms of their physical and mental well-being. Women who are incarcerated face two disadvantages (Corston, 2007; Maruschak et al., 2021). While incarcerated, gender discrimination and disadvantage worsen, and after release from jail, they become much more noticeable. Interventions that are gender sensitive must be considered psychological suffering from a life stage viewpoint. Being a mother is one of the factors that significantly differs between women and men incarcerated (Martin, 2017; Raeder, 2012).

Methodology

Aim of the study

The main aim of the study is to explore and understand the situation with the provision and needs of the health and mental health of women prisoners in the only women's department in R.N. Macedonia. Additionally, the study is investigating the provision of health and mental health care and services delivered to the women in prison as well as the conditions of the environment, food and hygiene.

Research Questions

How do women prisoners appraise the physical and mental health care and services provided by the institution and their needs, including health behaviors?

What are the most common stressors that women prisoners face in prison?

What coping mechanism they are using to cope with the stress and what is the most difficult situation for them?

What are the most common ways in which women are spending their free time in prison?

Do they have organized educational and/or recreational (physical activities)?

Study design

The study is a qualitative study based on the data collected from one-on-one, semi-structured in person interviews with women prisoners in “Idrizovo” prison at the women’s ward. The analysis also relies on:

the secondary data information was collected through a computer-based search on documents and information provided by various projects, organizations and agencies: records, statistical analyses, reports; websites, which reflect latest policies, laws, and services provided for women in prison;

data collected from the visit to the “Idrizovo” prison and the environment (indirect data of the sociodemographic data of the women prisoners were collected from the inspection of the documentation of the offenders through the prison’s official employees;

information obtained from the field visit of the assessment team composed of three psychologists into the facilities of the women's department, rooms where they are placed, kitchen where food is prepared, and toilets);

an interview with the employees (the social worker, who is employed as an educator in the women's department, members of the prison police):

The criterion regarding the time frame includes the latest possible available documents.

Sample

Participants in the study were women prisoners from 18 years of age or older and currently placed at the women department at the “Idrizovo” prison in Skopje, R.N. Macedonia. From the list of the women imprisoned every 7th woman was randomly assigned for an interview. Out of 72 women 16.7% or (n=12) convicted women were selected for an interview. Participants who were interviewed provided informed consent prior to participation in the study in line with the ethical principles and standards as per the Declaration of Helsinki. The study was approved by the Institutional Faculty Board. Additional permission was obtained by the Directorate for execution of sanctions of the R.N. Macedonia.

Procedure

A research team of three members trained in interviewing vulnerable groups administered the interviews in person in the period from March to April 2024. Interviews were lasting around 60 min each. The semi-structured guide of 15-20 items was prepared covering several relevant domains of the study aims: appraisal of the needs and provision of the physical and mental health care and services by the institution; the most common and difficult stressors for women prisoners; coping mechanism they use to overcome stress; ways in which women are spending their free time in prison; health behaviors; educational and/or recreational (physical activities); the role of the family in preserving the mental health of female prisoners and possibilities for visits and permission for home visits.

Results

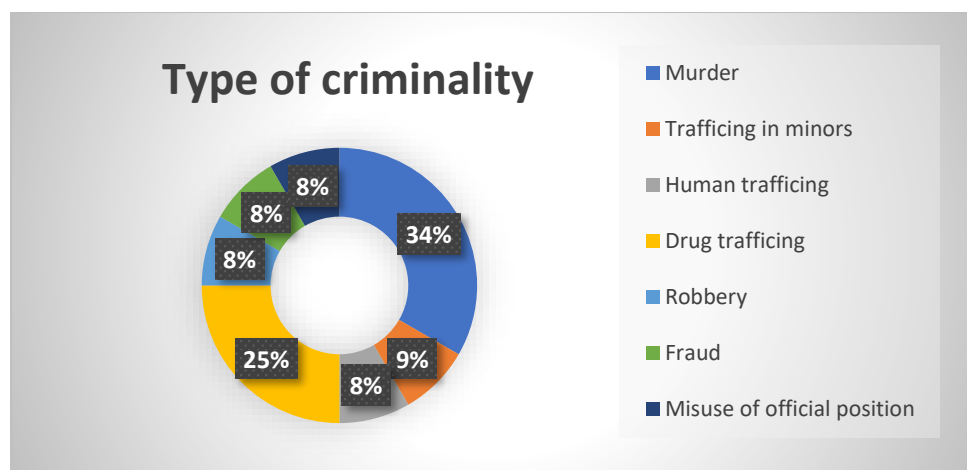
Sociodemographic characteristic of women prisoners in the RN Macedonia

The Table 1. below presents the trend in the female prison population in the Republic of North Macedonia from 2000 to 2022. Although the number of female prisoners in the prison population is relatively increasing the percentage is relatively stable in comparison with the total prison population that female prisoners constituted. Regarding female prison population rate per 100.000 of the national population we can follow an increasing trend.

Table 1. Female prisoners in RNM (Source: World Prison Brief, 2024)

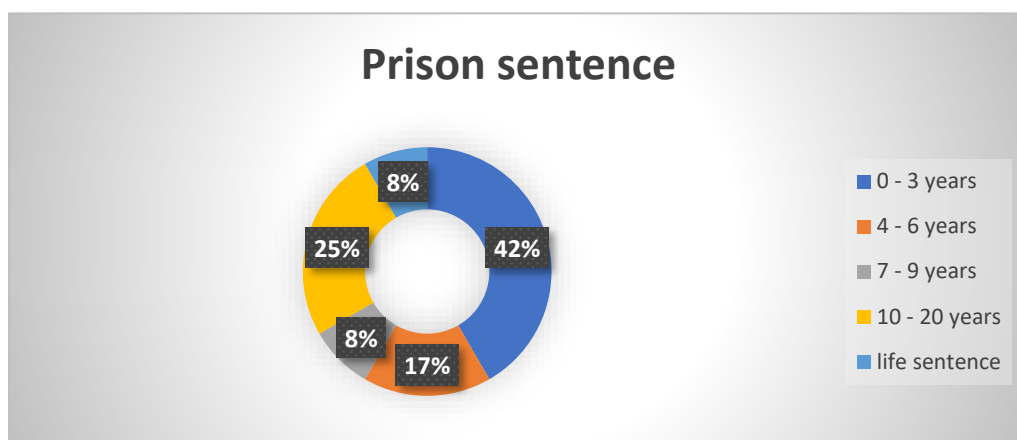
Year	Number of female prisoners	Percentage of total prison population	Female prison population rate (per 100,000 of national population)
2000	32	2.3%	1.6
2005	66	3.1%	3.2
2010	59	2.3%	2.9
2015	112	3.2%	5.4
2022	73	3.1%	4.0

From the total number of women prisoners (n=72) convicted in “Idrizovo” prison at the moment of the assessment, they are perpetrators of the following crimes: murder (13), drug trafficking (13), child trafficking (12), robbery (12), fraud (6), serious robbery (5), mediation in prostitution (2), human trafficking (2), abuse of official position (2). Half of them are perpetrators of property crimes (robbery and serious robbery), about 1/4 are perpetrators of drug trafficking and about 1/4 are perpetrators of child trafficking, i.e. prostitution. In the sample of interviewed women (n=12), the largest percentage of women prisoners were perpetrators of homicide (34%), followed by drug trafficking (25%), while the least part was imprisoned for fraud (8%), robbery (8%) and misuse of official position (8%), (See Graph 1).



Graph 1. Type of criminality

In the sample of interviewed women ($n=12$), the largest percentage of women prisoners are serving a prison sentence of 0-3 years (42 %), while the smallest part of them, i.e. one female prisoner, is serving a life sentence (%). The other details can be seen in Graph 2.



Graph 2. Prison sentence

Concerning the education, from the total number of women prisoners ($n=72$) a significant percentage are illiterate, that is, with incomplete primary education (37%). One third of them have completed high school (36%), while 8 female prisoners have completed higher education. In our sample ($n=12$), 25% of the women imprisoned are with primary school education, 25% of them are with high school education and university degree are about 25%. The rest of them are without education.

When it comes to their marital status, about 50% of the women were married or are living in an extramarital union. About 25% of are divorced, and same percentage 25% are not married in the sample of interviewed prisoners. It is important to point out that 50% of

them are mothers with two or more children, 16.67% have one child, while about 33.34% of women prisoners in the sample (n=12) do not have any children. Taking into account that they are relatively young, i.e. they are up to 40 years old, it can be assumed that a significant part of them have minor children.

When it comes to their occupational status of the women in the sample, 1/3 of the female prisoners are unemployed at the time of the crime or do not have certain work history. The other 2/3 of prisoners are working in sewing companies, catering, in gambling shops or trade. A few worked as hairdressers, bakers, projects, schools and legal institutions. Taking into account the educational structure and labor status, it can be concluded that more than half are with lower social status, with limited or no income.

Physical and mental health in women prisoners, including health behaviors

Regarding the physical health conditions, the vast majority of the women prisoners (83.34%) have reported difficulties with some health conditions. Some of the health issues that women complain about are: high blood, arrhythmia, anemia, epilepsy, reproductive health problems, problem with endocrine glands, spondylosis and others. Majority of women (75%) have reported high dissatisfaction with the health services provided in “Idrizovo” prison, highlighting the dental services as the worst and some satisfaction with the services provided by the general practitioner.

Due to the limited availability of medical personnel, women are sometimes encouraged to tolerate less severe pains and distresses while awaiting care from healthcare professionals. In addition to the general health care constraints brought about by the low quality of service and infrequent visits from medical professionals, our analysis revealed a problem with access to gender-specific health care. As was previously indicated, women in our study reported not getting annual mammograms or pap smears, which is consistent with results from other countries that show incarcerated women do not receive routine gynecological and breast checkups. Prisoners stated that in addition to infrequent visits, they encountered several other challenges when trying to obtain health care services. These include dreadful conditions of the dental care services and also very the negative attitudes of healthcare professionals. Women who participated in our survey also observed that prison nurses lacked empathy and kindness that one would expect from those in the medical field.

There is a lack of mental health professionals. The majority of women imprisoned state that they have mental health difficulties for which they only receive medication prescribed by a psychiatrist that comes to the prison occasionally and is employed by the Public Health Centre Skopje. At the time when this research was carried out, there was no psychologist in “Idrizovo” prison, (because he was on long-term sick leave, and in the meantime no replacement was found). However, because there isn't a psychologist as staff, they are unable to access psychological support or any type of psychosocial treatment. Apart from the psychiatrist, who is not an employee of the institution, but comes once a week, the prison does not have professionals who are at the disposal of female convicts (and all other convicts) when it comes to issues related to their mental health and the prison that has more than 1000 inmates and does not have a single psychologist available. The prison

management should immediately hire few psychologists to start deliver psychological care and counselling.

Free time and occupational commitment of women in prison

The daily activities that female convicts usually do in their free time is very limited and it is mainly focused on walking (2 hours per day). Some of them reported also reading books and watching TV. In terms of occupational commitment, in the women's department, it is reduced only to maintaining hygiene in the premises and cooking due to the lack of sufficient nutrition in prison. Only one woman reported working in the prison warehouse. The lack of occupational commitment and recreational activities leads to sedentary lifestyle of women prisoners, where they are smoking, there is an increasing need for benzodiazepines use spend most of their time sleeping.

Discussion

Mental health problems are more prevalent among the prison population than the general population," according to research study (Watson et al., 2004). Compared to men, women are more likely to enter penitentiary with already deprived mental health, which is frequently linked to experiences of physical and/or sexual abuse as well as domestic violence (UNODC, 2009). In addition, they are more susceptible to mental health disorders, including anxiety and depression, due to past experiences of sexual and physical abuse as adults and children. Being apart from their kids has a disproportionately negative impact on the mothers and other key caregivers who enter prison. Some people have a past filled with instances of self-harm. According to studies conducted in the United States, an upsetting proportion of women incarcerated have undiagnosed and untreated mental disorders; many of these women also have physical health difficulties that are acute or chronic in nature, as well as untreated mental health difficulties (Kane and DiBartolo, 2002). According to Bangkok Rules and more particularly, Rule 12, women prisoners with mental health care needs in prison or in non-custodial settings shall have access to individualized, gender-sensitive, trauma-informed, and comprehensive mental health care and rehabilitation programs (United Nations General Assembly Resolution, 2010). In the actual sample of our study 83.3% of women imprisoned reported having various mental health problems such as: anxiety, depression, agitation, panic attacks, feeling nervous, grief and feeling guilty, disappointed, unhappy and most of them have undetected mental health problems, and use benzodiazepines occasionally. Only 16.7% report not having any mental health problems. About addiction problems from the total number of women in prison about 1/3 (36%) have or had a problem with drug addictions, alcohol addiction and only one women prisoner had a problem with gambling addiction. About 10 of women are having addiction disorder, receive regular methadone therapy in prison, as a long-term drug dependence (EMCDDA, 2012; Filov et al., 2014)

Separation from beloved ones, especially from their children is the most difficult fragment for the women inmates. Women have rarely visit family and children, while contacts with children are mainly reduced to the visits in the prison. Women who are long sentenced, are not allowed to go on weekends until they pass two-thirds of their sentence. Therefore, the meetings with children are reduced to the very short time (2 hours, every two

weeks). They spend time together in the room in the prison for visiting for all prisoners and there is no special place for visitation of children with more appropriate environment. From the point of keeping the socio-emotional attachment with children through regular and quality contacts, this makes the most stressful situation for all women imprisoned that are mothers and for their children. In the case of women, whose children are placed in foster families for various reasons, the situation is even worse, because the visits are organized by the social work centre of the city of origin of the woman, by the request of the mother. These visits are extremely rare, sometimes they do not take place at all, due to insufficient cooperation between the social service in the prison and the centres for social work.

Our research shows that the biggest stressor for women in the prison is the distance of the children and the family. Similar studies showed similar findings that it is very big stress and difficulty for mothers with young children, therefore maintaining family contacts and connections may be an especially important treatment target for females (Crites, 1976; Nagy et al., 1997). Mothers in prison have reported feeling anger, anxiety, sadness, depression, shame, guilt, decreased self-esteem and a sense of loss when separated from their children (Keaveny & Zauszniewski, 1999; Pennix, 1999; Young & Smith, 2000). The degree to which the incarcerated mother experiences these types of distress, has implications for both the child's emotional development and the mother's mental health (Hock & Schirtzinger, 1992). Therefore, it is very important to support women to have advanced quality contacts with their children (more frequent, longer and in conditions suitable for children, in a separate room). This recommendation is also given previously in another research report finding (Batic & Dimitrovska, 2013), but within one decade nothing has changed on the subject. The other types of stressors that women faced and reported are loss of freedom, the uncertainty of the prison, dissatisfaction of the prison staff, fear of the future, a sense of unfairness to judgment, boredom, bad conditions in the prison, and lack of appropriate food.

Coping mechanisms, we analysed according to the theory BASIC PH, by Lahad (1992). He noticed that people use a maximum of six channels of communication in coping with the world, and thus also coping with stress: B (Belief), beliefs or values; A or emotionality, feelings and moods, I or imaginativeness and creativity, S, or sociality and relationships with other people, or C cognition, facts and solve specific problems or physiological PH and physical activity. This model of stress and coping is very applicable and could be well adapted to the prison population to develop healthy ways of coping. Previous study for women imprisoned in RN Macedonia, (Batic & Dimitrovska, 2013) showed that the cognitive strategies, which include information gathering, problem solving, self-navigation, internal conversation were used the least. Women feel isolated from the rest of the world, and they feel powerless to solve problems while they in prison. An emotional or "affective" coping mode (expressions of emotion: crying, laughter) and social mode (talking with someone about their experiences) were used the most. Namely, one part of the women discussed their problems with a roommate or with some close women in prison. They also, at difficult moments rely on family and friends of whom commonly are well accepted. "Maladaptive coping" ways included unhealthy behaviors (taking medication, smoking, oversleeping, suppression of emotions), isolation, giving up, and a general "inability to cope" (Batic & Dimitrovska, 2013). These research findings are similar with the actual study results. It seems that coping styles do affect the adjustment to imprisonment and the

wellbeing of female inmates, during their stay in prison (Nagy et al., 1997, Moore et al., 2021; Gunter, 2004).

Conclusion

The study indicated that 83.3% of women imprisoned reported having various mental health problems such as: anxiety, depression, agitation, panic attacks, feeling nervous, grief and feeling guilty, disappointed, unhappy and most of them have undetected mental health problems, and use benzodiazepines occasionally. There is a lack of mental health professionals, as at present there is no any psychologist working and only one psychiatrist presents occasionally, employed by another health institution. We can say that the women department in prison do not meet basic the physical and psychological requirements of women prisoners. State will remain a vital source of support for the provision of high-quality healthcare to women who are incarcerated and therefore should put more emphasis on improving them.

The vast majority of the women prisoners (83.34%) reported difficulties with some health conditions. Some of the health issues that women complain about are: high blood, arrhythmia, anemia, epilepsy, reproductive health problems, problem with endocrine glands, spondylosis and others. Majority of women (75%) reported high dissatisfaction with the health services provided in “Idrizovo” prison, highlighting the dental services as the worst and some satisfaction with the services provided by the general practitioner. Enhancements to prison health care must be part of public health standards and policies aimed at improving the general health of a population. high-quality medical care has the potential to lessen trauma for women who are incarcerated, enhance their physical and mental well-being, and help the women whether or not they are integration back into society.

Recommendations

A variety of comprehensive services are needed in order to meet the needs of women imprisoned.

Provision of mental health care with trained professionals that will ensure psychosocial treatment and counselling available. Also, initial psychological assessment of the mental health condition is needed when women are sentenced to prison. At the very least, mental health services should include periodic mental health assessments, rapid responses to emergency mental health situations (for instance, suicidal ideation).

Provision of general health care should be available including frequent visits from medical professionals including gender-specific health care, such as annual mammograms or pap examinations. Also, adequate and prompt referral to another health institution for secondary and tertiary health care should be provided.

The importance of education and training for all prisoners, as fundamental human rights has been widely acknowledged at the international level. This works to strengthen the employability and vocational skills amongst the women prison population, which would enable their easier and wider reintegration in society, as well as improve their chances to effectively compete at the labour market and find employment, which is seen as key factor in reducing the risk of returning to crime.

Deliver adequate housing for women prisoners that will meet women's specific hygiene needs, including sanitary cloths provided free of charge. Adequate hygiene in the rooms and all other facilities that are used should be delivered.

Provision of proper nutritious food and opportunities for regular exercise. It is necessary at the usual hours to provide women with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served.

Development of specialized child friendly visitation rooms for women that are mothers of minors will enable adequate growth of the important relationship between child and mother.

References

- Batic., D., & Dimitrovska, A. Stress and styles of coping within the inmates in the female prison in the Republic of Macedonia. *International Scientific Conference. The Balkans Between Past and Future: Security, Conflict Resolution and Euro-Atlantic Integration*, 05-08 June 2013, Ohrid. Conference Proceedings.
- Binswanger, I. A., Krueger, P. M., & Steiner, J. F. (2009). Prevalence of chronic medical conditions among jail and prison inmates in the USA compared with the general population. *Journal of Epidemiology & Community Health*, 63(11), 912–919.
- Bontrager, S., Barrick, K., & Stupi, E. (2013). Gender and sentencing: A meta-analysis of contemporary research. *Journal of Gender, Race & Justice* 16, 349.
- Briere, J., Agee, E., & Dietrich, A. (2016). Cumulative trauma and current posttraumatic stress disorder status in general population and inmate samples. *Psychological Trauma: Theory, Research, Practice, and Policy*, 8(4), 439–446. <https://doi.org/10.1037/tra0000107>
- Council of Europe. (2021). Report to the Government of North Macedonia on the visit to North Macedonia carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 7 to 9 December 2020. Strasbourg: Council of Europe.
- Corston, J. (2007) 'The Corston Report: A Report by Baroness Jean Corston of a Review of Women with Particular Vulnerabilities in the Criminal Justice System'. London: Elfleet 20 Home Office.
- Crites, L. (Ed.). (1976). *The female offender* (p. 40). Lexington, MA: Lexington Books.
- Celinska, K., Fanarraga, I., & Cronin, M. (2022). Female inmates: Coping with imprisonment and separation from family and friends. *Women & Criminal Justice*, 32(4), 325-341.
- Criminal Code of the Republic of North Macedonia, *Official Gazette*, No. 37/1996; 80/1999; 48/2001; 4/2002; 16/2002; 43/2003; 19/2004; 40/2004; 81/2005; 50/2006; 60/2006; 73/2006; 87/2007; 7/2008; 139/2008; 114/2009; 51/2011; 51/2011; 135/2011; 185/2011; 142/2012; 143/2012; 166/2012; 55/2013; 82/2013; 14/2014; 27/2014; 28/2014; 41/2014; 41/2014; 115/2014; 132/2014; 160/2014; 199/2014; 196/2015; 226/2015; 97/2017; 170/2017; 248/2018; available at: <https://pretsedatel.mk/wp-content/uploads/2020/03/Krivicen-zakonik.pdf>
- Enggist, S., Møller, L., Galea, G., & Udesen, C. (2014). *Prisons and health*. World Health Organization. Regional Office for Europe.
- Ervin, S., Jagannath, J., Zweig, J., Willison, J. B., Jones, K. B., Maskolunas, K., ... & Cajarty, B. (2020). *Addressing trauma and victimization in women's prisons* (Doctoral dissertation, Urban Institute).
- Eurostat. (2024). Eurostat, Number of prisoners increased in 2022. URL: <https://ec.europa.eu/eurostat/web/products-eurostat-news/w/ddn-20240429-3>
- Enggist, S., Møller, L., Galea, G., & Udesen, C. (2014). *Prisons and health*. World Health Organization. Regional Office for Europe.

- European Monitoring Centre for Drugs and Drug Addiction (EMCDDA). (2012). *Prisons and drugs in Europe: the problem and responses*. European Monitoring Centre for Drugs and Drug Addiction (EMCDDA).
- Fair, H., & Walmsley, R. (2022). *World female imprisonment list*. ICPR.
- Fazel, S., & Baillargeon, J. (2011). The health of prisoners. *The Lancet*, 377(9769), 956–965.
- Filov, I., Jordanova Peshevska, D., & Novotni, A. (2014). *A contemporary treatment of mental health. Practicum on Community Mental Health*. Skopje: Ministry of Health.
- Gunter, T. D. (2004). Incarcerated women and depression: a primer for the primary care provider. *Journal of the American Medical Women's Association* (1972), 59(2), 107–112.
- Global prison trends 2020. London: Penal Reform International/Thailand Institute of Justice; 2024 <https://www.penalreform.org/resource/global-prison-trends-2020>, accessed 19 April 2024
- Keaveny, M. E. (1999). Life events and psychological well-being in women sentenced to prison. *Issues in mental health nursing*, 20(1), 73-89.
- Hamlyn, B., & Brown, M. (2007). Partner Abuse in Scotland: Findings from the 2006 Scottish Crime & Victimization Survey. Scottish Government.
- Houck, K. D., & Loper, A. B. (2002). The relationship of parenting stress to adjustment among mothers in prison. *American Journal of Orthopsychiatry*, 72(4), 548–558.
- Hunt, K., Brown, A., Eadie, D., McMeekin, N., Boyd, K., Bauld, L., ... & Semple, S. (2022). Process and impact of implementing a smoke-free policy in prisons in Scotland: TIPs mixed-methods study. *Public Health Research*, 10(1), 1–137.
- Hock, E., & Schirtzinger, M. B. (1992). Maternal separation anxiety: Its developmental course and relation to maternal mental health. *Child Development*, 63(1), 93-102.
- Kane, M., & DiBartolo, M. (2002). Complex physical and mental health needs of rural incarcerated women. *Issues in Mental Health Nursing*, 23(3), 209–229.
- Loper, A. B. (2006). How do mothers in prison differ from non-mothers?. *Journal of Child and Family Studies*, 15, 82–95.
- Law on Execution of Sanctions, Official Gazette, No. 99/2019, 220/2019, available at: <https://www.slvesni.k.com.mk/Issues/65bfda0a7df54198aa359df8fa5f7ba4.pdf>.
- Lahad, M., & Laykin, D. (2015). The integrative model of resiliency: The "BASIC Ph" model, or what do we know about survival. *Resiliency: Enhancing coping with crisis and terrorism*, 119, 71–91.
- Moore, K. E., Siebert, S., Brown, G., Felton, J., & Johnson, J. E. (2021). Stressful life events among incarcerated women and men: Association with depression, loneliness, hopelessness, and suicidality. *Health & Justice*, 9(1), 22.
- Maruschak, L. M., Bronson, J., & Alper, M. (2021). Parents in prison and their minor children: Survey of prison inmates, 2016. *US Department of Justice*.
- Martin, E. (2017). Hidden consequences: The impact of incarceration on dependent children. *National Institute of Justice Journal*, 278(7).
- Nagy, C., Woods, D. J., & Carlson, R. (1997). The relationship between female inmates' coping and adjustment in a minimum-security prison. *Criminal Justice and Behavior*, 24(2), 224 –233.
- Petrillo, M. (2007). The Corston Report: A review of women with particular vulnerabilities in the criminal justice system. *Probation Journal*, 54(3), 285–287.
- Parkes, T., MacAskill, S., Brooks, O., Jepson, R., Atherton, I., McGhee, S., & Eadie, D. (2010). Prison health needs assessment for alcohol problems. School of Nursing and Midwifery and Institute for Social Marketing, University of Stirling.
- Pennix, P. R. (1999). An analysis of mothers in the federal prison system. *Corrections Compendium*, 24(12), 4–6.
- Radatz, D. L., & Wright, E. M. (2017). Does polyvictimization affect incarcerated and non incarcerated adult women differently? An exploration into internalizing problems. *Journal of Interpersonal Violence*, 32(9), 1379–1400.

- Rache, R. H. (1990). Life change, stress responsivity, and captivity research. *Psychosomatic Medicine*, 52(4), 373–396.
- Raeder, M. S. (2012). Making a better world for children of incarcerated parents. *Family Court Review*, 50(1), 23–35.
- Trpevska, E. M., & Lažetić, G. (2023). Restorative vs Punitive Approach. Eight Fundamental Principles of Juvenile Delinquency Prevention. In *Human Rights Protection and Ius Puniendi: Perspectives from Central East Europe and Latin American Countries* (pp. 65–80). Cham: Springer Nature Switzerland.
- United Nations. (2021). The Kyoto Declaration on Advancing Crime Prevention, Criminal Justice and the Rule of Law: Towards the Achievement of the 2030 Agenda for Sustainable Development was adopted (UN, 2021).
- UN Women (1995). Beijing declaration and platform for action fourth world conference on women. UN Women, 112, 859–865.
- United Nations Standard Minimum Rules for the Treatment of Prisoners the (Nelson Mandela Rules), 17 December 2015, General Assembly Resolution 70/175.
- United Nations General Assembly Resolution (2010). United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (the Bangkok Rules). A/RES/65/229.
- United Nations General Assembly Resolution (2015). United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). A/RES/70/175.
- Walmsley, R. (2003). *World prison population list* (pp. 1–6). London: Home Office.
- Watson, R., Stimpson, A., & Hostick, T. (2004). Prison health care: a review of the literature. *International Journal of Nursing Studies*, 41(2), 119–128.
- World Health Organization. (2021). The WHO Prison Health Framework: a framework for assessment of prison health system performance. World Health Organization. Regional Office for Europe.
- World Health Organization. (2020). *Organizational models of prison health: considerations for better governance* (No.WHO/EURO:2020-1268-41018-55685). World Health Organization. Regional Office for Europe.
- World Health Organization. (2023). Status report on prison health in the WHO European Region 2022. World Health Organization. Regional Office for Europe.
- Young, D. S., & Smith, C. J. (2000). When moms are incarcerated: The needs of children, mothers, and caregivers. *Families in Society*, 81(2), 130–141.

Part III: Female convicts and
quality of prison life in Serbia:
Diverse perspectives

Female convicts and imprisonment in Serbia*

For quite a long time, issues related to female crime, and the position of women in the criminal justice system and in prisons have been neglected and marginalized. This was justified by the low crime rate among women, and consequently, their smaller share in the overall structure of convicted and imprisoned persons. Position of female offenders in general and in prison facilities in particular came to the fore in the 1980s thanks to feminist-oriented criminologists who criticized 'traditional criminology theories' as male-oriented and insufficient to explain female crime. They shed light on the unique pathways women take to crime, rooting them in a broader social context, which, on the other hand, shape the specific needs and requirements of imprisoned women. Women in prison constitute a particularly vulnerable group of convicted individuals, whose vulnerability derives from the overall position of women in the society and the attitudes toward them, which are still significantly burdened by gender stereotypes and prejudices. However, as pointed out in the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders, prison facilities are designed primarily for male prisoners, leaving women's specific needs and requirements unmet, which negatively affects women's mental and physical health, well-being, and welfare. Taking this as a starting point, this chapter aims to highlight the specificities of female crime and the pathways that lead women into crime, which also determines the specific needs and requirements regarding their status and treatment in prison facilities. In order to better illustrate these issues, the chapter focuses on the structure of female crime and the status of women in prison in Serbia, shedding light on the past, present, and future of women's imprisonment.

Keywords: female convicts, female crime, prison, Serbia.

Introduction

The study of female crime and female prison population, the treatment of female convicts, and prison conditions has been long marginalized. This was primarily justified by the low crime rate among women, their significantly smaller share in the overall structure of convicted persons, and male dominance in criminology. As a result, when studying and writing about crime, the focus has usually been on male crime, while female crime was often mentioned only in the footnotes of works about (male) crime (Quiroga-Carrillo, Ferraces Otero, Lorenzo Moledo, 2024; Nikolić-Ristanović & Konstantinović Vilić, 2018). It was not until the 1980s that feminist-oriented criminologists made female offenders and female victims of violence more visible, criticizing 'traditional criminology theories' as male-oriented and, thus, insufficiently adequate to explain female crime (Quiroga-Carrillo,

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Ferraces Otero, Lorenzo Moledo, 2024; Russel et al, 2020; Barberet & Jackson, 2017; Gehring, 2016). They pointed to institutionalized sexism within criminology theory, policy, and practice, explaining female crime primarily through socio-economic, cultural, social, and other factors, also emphasizing the connection between the violence women suffer, especially in the domestic context (by the partner of other family member), and female crime (multifactorial explanation of female crime) (Nikolić-Ristanović & Konstantinović Vilić, 2018; Nikolić-Ristanović, 2000). This contributed to the development of the so-called Pathways Theory, which is based on the understanding that men's and women's paths into crime, and therefore their position in the criminal procedure and in prison, differ. To understand female crime, it is necessary to examine their life preceding the commission of the crime in order to better understand the factors that led to it (Russel et al, 2020; Gehring, 2016). Once the issues concerning female crime came to the fore, interest in the status and treatment of women in the criminal procedure and in prisons intensified.

Almost the same trend is observed when it comes to the international law (Barberet & Jackson, 2017). Until the adoption of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), the specificities of women's status in prisons were only sporadically highlighted, especially concerning the motherhood (Konstantinović Vilić & Kostić, 2006). For example, the United Nations Standard Minimum Rules for the Treatment of Prisoners, adopted at the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders in Geneva in 1955, and confirmed by the Economic and Social Council Resolutions 663 C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977, pointed to the need for special institutions for women and the existence of special facilities for the treatment of pregnant women, nursing mothers, and mothers with children, as well as nurseries if the mother wished for the child to stay with her during the prison sentence. At the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Caracas in 1980, the specific needs of women, as well as potential discriminatory practices against women compared to men, were mentioned: women are often placed far from their homes, making social contacts with family, especially children, difficult; there is unequal access to programs and services in prisons, i.e., there are no gender-sensitive programs for women in prison. Issues of equal treatment of women from the first contact with the criminal justice system were also addressed at the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Milan in 1985. The European Prison Rules, adopted by the Committee of Ministers of the Council of Europe in 1973, revised first in 1987 by Recommendation R(87)3, and then by Recommendation Rec(2006)2 in 2006, emphasize the necessity of separating men and women in prison institutions but also that prison administration should devote special attention to the hygienic, physical, professional, social, and psychological needs of women, and make special efforts to enable female prisoners who have been victims of violence to access specialized services. Additionally, attention is devoted to the status and protection of pregnant women and women who give birth while in prison.

Although part of the 'soft law', the Bangkok Rules, adopted in 2010, represent the first international document that comprehensively and holistically addresses the position of women in the criminal justice system, including the status of women in prisons (Barberet &

Jackson, 2017; Kovačević, 2012). The Bangkok Rules recognize female prisoners as a particularly vulnerable group with specific needs and requirements compared to men, closely related to the distinct nature of the female crime and the overall position of women in the society. However, as pointed in this document, prison facilities are designed primarily for male prisoners, leaving women's specific needs and requirements in prisons far under the radar. Therefore, the main goal of the Bangkok Rules is to protect women from the negative effects of imprisonment, which are unique when considering this category of convicted individuals and which, under conditions of masculinization of incarceration, have particularly adverse effects on women's mental and physical health, well-being, and welfare (Barberet & Jackson, 2017).

Taking this as a starting point, this chapter aims to highlight the specificities of female crime and the pathways that lead women into crime, which also determines the specific needs and requirements regarding their status and treatment in prison facilities. In order to better illustrate these issues, the chapter focuses on the structure of female crime and the status of women in prison in Serbia, shedding light on the past, present, and future of women's imprisonment.

Women's crime and its specificities

According to data from the European Sourcebook on Crime and Criminal Justice, the proportion of convicted women out of the total number of convicted individuals in Europe in 2015 ranged from 5.4% in Turkey to 29.5% in England and Wales, with an average value of 13.8% (Aebi et al., 2022). In the structure of female crime in Europe in 2015, money laundering (24.5%) and fraud (23.4%) were the most common offenses; followed by document forgery (16.9%), corruption (12%), and theft (15.8%). Homicides accounted for 9.5%, and serious bodily injuries made up 7.4% (Aebi et al., 2022).

When it comes to Serbia, official data shows that, over a ten-year period from 2013 to 2022, women made up an average of 9.9% of all convicted individuals for criminal offenses (RZS, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023). This proportion ranged from 9.2% in 2015 to 10.8% in 2020. Comparing these figures with the period of the 1970s and 1980s, when the share of women in the total number of convicted individuals in Serbia was around 15% (Nikolić-Ristanović & Mrvić, 1992: 19), we can conclude that the conviction rate for women has decreased in recent decades, and it is slightly below the European average.

Table 1. The structure of crime of convicted women in 2013 and 2022

Criminal offense	2013		2022	
	N	%	N	%
Criminal offences against life and limb	199	6.2	74	2.8
Criminal offences against freedom and rights of man and citizens	60	1.2	87	3.2
Criminal offences against honour and reputation	165	5.1	93	3.5
Criminal offences against sexual freedoms	9	0.3	14	0.5
Criminal offences against marriage and family	284	8.9	374	13.9
Criminal offences against property	1007	31.4	843	31.3
Criminal offences against intellectual property	8	0.2	4	0.1
Criminal offences against economy	173	5.4	134	5.0
Criminal offences against human health	169	5.3	288	10.7
Criminal offences against the environment	12	0.4	17	0.6
Criminal offences against general safety of people and property	19	0.6	24	0.9
Criminal offences against road traffic safety	296	9.2	251	9.3
Criminal offences against security of computer data	2	0.1	0	0.0
Criminal offences against the constitutional order and security of the Republic of Serbia	0	0.0	1	0.1
Criminal offences against government authorities	334	10.4	37	1.4
Criminal offences against the judiciary	26	0.8	44	1.6
Criminal offences against public peace and order	76	2.4	73	2.7
Criminal offences against legal instruments	159	5.0	130	4.8
Criminal offences against official duty	142	4.4	40	1.5
Criminal offences against humanity and other rights guaranteed by the international law	7	0.2	3	0.1
Criminal offences against the army of the Republic of Serbia	1	0.1	1	0.1
Criminal offences against labour rights	10	0.3	4	0.1
Criminal offences from other laws	46	1.4	154	5.7
TOTAL	3204	100	2690	100

Source: RZS, 2014, 2023.

As data in Table 1 suggests, in the structure of crimes for which women were convicted in 2013, nearly one-third were property-related crimes, with theft (53.1%) and aggravated theft (13.6%) being the most common. This is followed by crimes against the government authorities and road traffic safety. Within the category of crimes against the government authorities, the majority of women were convicted for acts of vigilantism (57.5%) and removal and damage to official seals and signs (35.9%). In the group of crimes against road traffic safety, all women were convicted for endangering public traffic. Less than 9% of women were convicted of crimes against marriage and family: slightly more than half of them (53.9%) were convicted for failure to provide support, while 28.5% were convicted for domestic violence.

In 2022, property-related crimes still dominated, with nearly one-third of convicted women sentenced for property crimes. This is followed by crimes against marriage and family, crimes against human health, and crimes against road traffic safety. Notably, crimes against life and limb accounted for less than 3% of the convicted women. Among property crimes, theft (59.2%) and aggravated theft (8.3%) were the most common, followed by unauthorized construction (5.2%) and embezzlement (4.2%). Regarding crimes against marriage and family, the majority of women were convicted for failure to provide support (48.7%) and domestic violence (39.3%). Among crimes against human health, drug-related offenses were predominant: 79.2% of women were convicted for illegal possession of narcotics, and 16.6% for unlawful production and circulation of narcotics. Finally, in the category of crimes against road traffic safety, most women (96.8%) in 2022 were convicted for endangering public traffic. Additionally, among economic crimes, tax evasion, embezzlement, and illegal trade were prevalent, while among crimes against legal transactions, women were most often convicted for specific forms of document forgery, inducing to certify false content, and document forgery. In the category of crimes against official duty, over 50% of women were convicted for the abuse of official position.

When comparing the two observed years, which are separated by a decade, it is evident that property crimes dominate the structure of convicted women's crime in both periods. There is a decrease in the share of crimes against life and limb for which women were convicted in 2022 compared to 2013, although in both years, light bodily injuries constituted the largest portion within this group of criminal offences (68.3% in 2013 and 74.3% in 2022). In 2022, there was an increase in the share of crimes against marriage and family in the structure of convicted women compared to 2013, with an increase in the share of the criminal offense of domestic violence in 2022 compared to 2013. Reflecting global trends, there is a rise in the share of crimes against human health, specifically drug-related offenses, in the structure of convicted women's crime: in 2022, the share of crimes against human health (primarily drug-related offenses) doubled (10.7%) compared to 2013 (5.3%). The share of crimes against road traffic safety remained the same in both observed years, but there was a significant decrease in the share of crimes against government authorities in 2022 (1.4%) compared to 2013 (10.4%).

Therefore, observing the last decade, certain changes in the structure of women's crime are evident, but an overview of data from earlier periods suggests that the structure of women's crime changes in line with societal changes and especially changes in women's

position in the society. For instance, from 1984 to 1988, women in Serbia predominantly committed crimes against honour and reputation, property, and life and limb (Nikolić-Ristanović & Mrvić, 1992). In 1984, 33% of convicted women were convicted of crimes against honour and reputation, but over the years, this share decreased while the share of property crimes committed by women increased. This shift can be explained by the economic situation, especially during the 1990s, due to the wars, economic sanctions, and overall impoverishment, which disproportionately affected women. It is also notable that during the 1980s, the share of crimes against life and limb was much higher - on average around 16.2% - compared to 2013 and 2022. Additionally, there has been a decrease in the share of homicide and aggravated homicide in the structure of violent crimes over the years. These changes could be attributed to the gradual increase in awareness of violence against women, particularly domestic violence, greater readiness of women to report violence, thereby preventing situations that could lead to criminal acts, and overall improvement in the societal response to domestic and other forms of gender-based violence.

At this point, it would be interesting to delve further into the past and examine the structure of women's crime in Serbia, focusing on women serving prison sentence at the end of the 19th century. According to data presented in Milutin Popović's book *"Female Prisoners – Album of the Women's Department of the Požarevac Penal Institution"* (1898) (Popović, 1898, edited by Tomić, 2017), between 1861 and 1897, a total of 1,646 women were housed in the women's department of the Požarevac Penal Institution. The majority were rural women (1,361), predominantly poor and illiterate, aged between 20 and 40. Regarding the structure of criminal offenses, about one-third were imprisoned for theft (536 or 32.6%), one-quarter for murder (426 or 25.9%), often in the context of intimate or family relationships related to prior abuse, and 17.6% for the murder of an illegitimate child. Other offenses included poisoning, arson, lewdness, harbouring criminals, extortion, attempted murder, and robbery (Popović, 1898, edited by Tomić, 2017). As Svetlana Tomić, who edited the book, noted, female criminals were observed as doubly deviant: on one hand, they broke the law and were imprisoned, while on the other hand, by committing crimes, they challenged stereotypical notions about women in society, thereby attempting to influence the social status of women at the end of the 19th century, which was, however, condemned by the society of that time.

When discussing women's crime and its structure, it is evident that, compared to men, women commit less severe crimes that are directly related to their position in the society (Barberet & Jackson, 2017). Even when they commit the same crimes as men, the circumstances under which these crimes are committed differ from those under which men commit them (Vujadinović et al., 2023). Additionally, the same factors do not equally influence the commission of crimes by women and men (Russell et al., 2020).

Most crimes committed by women are associated with fulfilling traditional gender roles (Nikolić-Ristanović, 2000; Nikolić-Ristanović & Mrvić, 1992). In other words, women's crime is conditioned by the system of their upbringing (gender socialization), the needs determined by the society, and the place allocated to them in the social division of labour. This is also connected to the specific pathways that lead women to criminal behaviour, where the main pathways involve survival (related to previous abuse or economic

deprivation) and drug abuse (Russell et al., 2020; Bloom et al., 2003, as cited in Gehring, 2016).

There are three forms of women's vulnerability arising from their overall position in the society, which also indicate the specificity of women's crime (Nuytiens & Christiaens, 2012). The first is *individual vulnerability*, which refers to low self-esteem and self-respect, psychological problems, and addictive behaviours, especially related to dependency on drugs, alcohol, and medications. The second level is *social vulnerability*, deriving from women's position in the society, it is linked to lower educational levels, (un)employment, financial dependence, and social marginalization and stigmatization, particularly in the context of patriarchal gender socialization. Finally, the third level is *relational vulnerability*, which highlights women's vulnerability in the context of family and intimate relationships (in terms of exposure to violence) and the absence of social contacts and empathetic relationships with others, resulting in a lack of support before, during, and after imprisonment (Nuytiens & Christiaens, 2012). In other words, the key components of Pathways Theory include women's history of abuse, relationship issues, mental health problems, and substance abuse (Covington & Bloom, 2006, as cited in Gehring, 2016; Bloom, Owen, & Covington, 2003). This is reflected in the structure of women's crime, as seen from the data presented in this section, and also points to the need to recognize the specific needs and requirements of women sentenced to prison, thereby developing needs-based approach to and treatment of female prisoners.

Women in prison and their needs

Globally, women comprised approximately 7% of the total prison population in 2022, with their numbers in prisons having increased by about 60% since 2000 (Fair & Walmsley, 2022). In Europe, there has been a consistent rise in the number of women incarcerated in recent years, growing much faster than the male prison population. However, women still represent a small portion of the overall prison population, accounting for around 5% of it, with this ratio having remained relatively steady over time. At the country level, this figure fluctuates between 2% and 9% on average (Aebi et al., 2022; UNODC, 2014).

The upsurge in the female prison population is primarily attributed to an increase in the proportion of lesser property offenses, reflecting the feminization of poverty and heightened economic vulnerability among women compared to men. Additionally, there is a rise in drug-related offenses, indicating a public health concern and the escalating challenge of addiction among women, leading to their involvement in crimes directly linked to substance abuse, as well as an increase in the prevalence of short-term prison sentences (Penal Reform International, 2022; Russell et al., 2020; Acale Sánchez, 2019; Mallicoat & Ireland, 2014). This trend is also evident in Serbia.

According to data available in the SPACE I database¹, over a ten-year period from 2013 to 2022 (excluding data for the year 2017 as it is missing), the proportion of women in the total prison population in Serbia was at 3.9%, which is slightly below the European average.

¹ Available at <https://wp.unil.ch/space/space-i/annual-reports/>, page accessed on 15 April 2024.

As data in Table 2 shows, the share of women in the overall prison population (stock data) ranged from 3.2% in 2014 to 4.2% in 2020.

Table 2. *Share of women in prison population in Serbia in the period 2013-2022*

Year	Total number of prisoners	Number of female prisoners	%	Index
2013	10031	414	4.1	100
2014	10288	332	3.2	80
2015	10064	366	3.6	88
2016	10672	413	3.9	100
2018	10807	390	3.6	94
2019	10871	443	4.1	107
2020	11077	460	4.2	111
2021	10540	455	4.1	110
2022	10557	437	4.1	106

When observing the number of women (stock data) in prison in Serbia by year, a decrease in the number of female inmates is noticed in 2014 compared to 2013, followed by an increase in 2015 and 2016. A slight decline was recorded in 2018, after which a trend of growth is observed in the following three years. In 2022, the proportion of women in the total prison population was at almost the same level as in 2019.

Despite constituting a minority of the overall prison population, as correctly noted by Radulović (2023: 246), women in prison “experience much more intense condemnation, disqualification, and discrimination than men for the same or similar criminal acts, especially if they are mothers of minor children”. The specificities of female crime and their overall position in society make incarcerated women particularly vulnerable (Pavićević, 2020). They have specific needs that can be understood through four key dimensions: health (physical, mental, and reproductive), motherhood, prior experience of victimization, and social contacts and support. When it comes to women’s health, a significantly higher rate of mental illness or disorders is observed in the population of incarcerated women compared to the general female population: one study conducted in the state of New South Wales in Australia found that almost one-third of women serving prison sentences suffer from severe depression (Mallicoat, 2012). Mental health is often linked to previous experiences of victimization of women by their partners or other family members (Heimer, Malone & de Coster, 2023; Barberet & Jackson, 2017; Bloom, Owen, & Covington, 2003). A large number of incarcerated women have problems with addictive behaviours, primarily substance abuse and alcohol addiction (Bloom, Owen, & Covington, 2003): the rate of substance addiction is higher among female inmates than male inmates, and the likelihood of addiction is even 10 times higher in the population of incarcerated women compared to women in the general population (Saxena, Messina & Grella, 2014). Directly related to addictive behaviours, as well as previous victimization by sexual violence, is the fact that female inmates often have problems with hepatitis C, sexually transmitted diseases, or are infected with the HIV virus. In addition to all of this, women have specific health

(gynaecological) needs related to reproductive health. Therefore, the Bangkok Rules contain clear standards related to healthcare, from the moment of admission of the female convicts to prison throughout the period of incarceration. The Bangkok Rules put particular emphasis on the necessity of developing and implementing individualized, gender-sensitive, comprehensive, trauma-informed rehabilitation programs for female convicts with mental health issues; then on the prevention, treatment, care, and support for women with HIV (e.g., peer support), as well as drug rehabilitation programs, suicide and self-harm prevention, and education and information on prevention measures (HIV, sexually transmitted diseases, blood-borne diseases, preventive measures such as screenings, etc.).

Most incarcerated women have a history of previous psychological, physical, and sexual violence, and often women commit crimes against their abusers (Stanojoska, 2023; Prost et al., 2022; Russel et al., 2020; Gehring, 2018; Saxena, Messina & Grella, 2014; Bloom, Owen, & Covington, 2003; Nikolić-Ristanović, 2000). This points to the relevance of providing a safe space in prison where women can be empowered to overcome trauma and recover from the consequences of victimization through appropriate forms of assistance and support, understanding, and non-judgmental approach. As stated in the Bangkok Rules, incarcerated women must have access to specialized psychological assistance and counselling during their stay in prison, and when it comes to women who suffered from domestic violence, they should be properly consulted as to who, including which family members, is allowed to visit them. Additionally, prisons should organize programs for building capacities of inmates to recognize violence, victimization, and psychological processes related to violence in themselves and others, and to respond to it in a constructive manner, and, consequently, prevent re-victimization, but also recidivism (Nikolić-Ristanović & Čopić, 2015). The most severe form of prison deprivation for women is separation from home and maternal deprivation (Špadijer-Džinić, Pavićević & Simeunović-Patić, 2009). Women are often the sole or primary caregivers for children, frequently single mothers (Savić & Knežić, 2019; Barberet & Jackson, 2017). Incarceration prevents women from fulfilling their role as mothers, caring for their children, their development, upbringing, and education. A recent study conducted at the Correctional Institution for Women in Požarevac showed that female convicts lack contact with their children and parents the most, and view parents and children as their main sources of support during incarceration (Savić & Knežić, 2019). Therefore, one of the primary needs of imprisoned women is the need for regular contact with their children and family. Finally, female convicts often need additional parenting skills, as well as acquiring other knowledge and skills that will facilitate easier reintegration after release, and, thus, improve quality of their life and prevent recidivism.

A snapshot into the history of women's prisons globally

The history of women's prisons globally shows that there have always been certain differences between institutions or parts of institutions where men and women sentenced to imprisonment were housed (Konstantinović Vilić & Kostić, 2006). The first institutions for incarcerating women (the first women's prisons) were established during the 17th century. These early repressive institutions for women had some common characteristics regarding the structure of the inmates and their institutional treatment. Women were predominantly imprisoned for property crimes, but also for prostitution, vagrancy, begging, giving birth to

illegitimate children, or at the request of families because they were considered ‘immoral’ or ‘mad’, requiring re-education. Moreover, prisons were mostly housed with women who, according to the general societal and moral norms of the time, were “deviant” and “sinful” because of their sexuality or because they violated stereotypical gender roles, thus, they were treated in prisons in a way to maintain patriarchal patterns of behaviour and ensure social control over women (Radulović, 2023). Consequently, throughout history, feminization of the execution of prison sentence for women was visible: rehabilitation treatment was always directed at re-educating women through training them for traditional gender roles (Quiroga-Carrillo, Ferraces Otero, Lorenzo Moledo, 2024). Women in prisons performed traditional female tasks (e.g., sewing, weaving, embroidery), so the response to female crime, the treatment of women, and supervision of their behaviour aimed to ensure adherence to traditional gender roles and relations. In institutions’ devotion to re-educate female convicts, repressive measures were used to achieve the goals of special prevention, but also to deter other (“fallen”) women from inadequate behaviour (general prevention) (Mallicoat, 2012).

Until the reformatory movement, which began in England in the 18th century, conditions in women’s prisons were very poor (Mallicoat, 2012). Although external classification of inmates by sex and age was performed, separating women from men, this was not motivated by the need for a special, gender-sensitive treatment for women, but primarily to prevent promiscuous behaviour. Women were first separated into special sections within male prison facilities, often in solitary confinement, and performed typically female tasks (cooking, cleaning, etc.). The conditions in the areas where women served their prison sentence were very poor (poor hygiene, prone to infections), and they were often subjected to physical and sexual violence by male prisoners and guards (Mallicoat, 2012).

Under the influence of social feminists, especially in the United States of America and later in other countries, during the second half of the 19th century, there was advocacy for and the subsequent establishment of separate correctional institutions for women, where they would be completely isolated from male convicts. There was also a push for the supervision and treatment of women in prison to be carried out by the female staff (Gorman, 2005; Hahn Rafter, 1983; Dodge, 1990; Lawlor, 2012, according to Popović, 1898, edited by Tomić, 2017: 294). This trend was also observed in Serbia.

Women’s prison in Serbia

A brief history of women’s prison in Serbia

There are rather scarce written sources about the treatment of female offenders in Serbia before the 19th century. More substantial information about the incarceration and treatment of women becomes available at the end of the 19th century, aligning with the development of the women’s prison system globally. A significant source of data on women in prison at that time in Serbia is the book “*Female Prisoners – Album of the Women’s Department of the Požarevac Penal Institution*” (1898) (Popović, 1898, edited by Tomić, 2017). In this book, Popović, an employee in the institution, brings us a brief description of the women’s department, stories of 35 women convicted of various, mostly serious, crimes, and statistical data on women in prison between 1861 and 1897, categorized by criminal offense, age, and districts from which the female convicts came (Popović, 1898, edited by Tomić, 2017).

According to some sources, at the beginning of the 19th century, prisons in Serbia were essentially makeshift torture chambers; towers, cellars, and auxiliary buildings were used for incarceration. Prince Miloš Obrenović mentioned prisons for women, emphasizing that they did not need to be large or specially built, but rather spaces dug into the ground. During his reign, only women convicted of murder were placed in district prisons, while those convicted of other crimes were confined in the homes of local officials, priests, or village elders, where they performed numerous domestic tasks (Janković, 2013).

Between 1848 and 1852, there was a Workhouse for Female Prisoners in Požarevac (Janković, 2013). This was the first institution for women to serve prison sentences that had its own rules and a separate budget, housed in an abandoned military barracks in Požarevac. During this period, the number of women in this prison ranged between 15 and 30, housed in two rooms, with a third room serving as a workshop. A strict regime of work and discipline prevailed. Inmates slept on boards raised just a few centimetres off the floor. The sanitary conditions were inadequate; there was no bathroom, the toilet was in the yard, and buckets were used for washing (Janković, 2013). All inmates were engaged in work in the workshop, spinning wool, and weaving fabric. The workshop and dormitories were always locked. One inmate was responsible for cooking and cleaning and was exempted from other work. The rate of illness and mortality was high. The Women's Penal Labor Institution was closed in 1852 and women were moved to a new wing of the Topčider prison in Belgrade (Janković, 2013). During the 1860s, the women's prison was located in Čuprija (in Šumadija) and was relocated to Požarevac again in 1866. At that time, in the Požarevac penal institution, women and men served their sentences in the same building but in separate parts: women in the right wing and men in the left wing (Knežević Lukić, 2020). The treatment of women was more lenient compared to that of men: female inmates were not chained; they could be physically punished but less harshly than men. Women served their sentences together, without classification, and were engaged in labour, for which they could earn money. In the free time, they engaged in handicrafts, sewing, and embroidery. Living conditions were quite good, with spacious, well-lit rooms furnished with furniture, which was a significant improvement compared to the conditions in the Women's Penal Labor Institution (Raš, 2001, according to Tomić, 2017: 290).

The construction of the women's prison in Požarevac (Women's department of the Požarevac penal institution) began in 1874, at the same location where the only women's prison in Serbia still stands today. Thus, in 2024, the Correctional Institution for Women in Požarevac celebrates a century and a half of its existence. The construction was completed in 1875, and the facility was built by male prisoners through their labour. The Women's Department in Požarevac had ten rooms for housing female convicts, four workshops (for knitting, rug-making, and embroidery), a hospital, a waiting room, quarters for the superintendent and guards, a kitchen, offices, and solitary confinement cells. As noted by Popović in the preface to the "Album", "this department quite approximates modern penal institutions" (Popović, 1898, edited by Tomić, 2017: 10).

Between the two World Wars, women served their prison sentences in Požarevac, as well as in Begunje and Zagreb (Knežević Lukić, 2020; Krstić Mistrđelović, 2020). The Correctional Institution for Women in Požarevac was formally established by a decree of the

Minister of Justice in 1922 (Knežević Lukić, 2020: 126).² Until the end of World War II, the women's prison in Požarevac operated as an independent women's penal institution, after which it was reorganized into the Women's Department of the Požarevac Correctional Institution.³ Although women were physically separated from men, the women's department was administratively part of an institution primarily oriented towards the male prison population. At the beginning of the 2000s, the Correctional Institution for Women was established as an independent, semi-open type facility (Nikolić-Ristanović, 2000: 177), which remains today. This reorganization made the issues and specific needs of the female prison population more visible and allowed for a more responsive approach.

The Correctional Institution for Women in Požarevac is currently the only facility in Serbia where (adult and minor) women serve sentences for criminal offenses and misdemeanours. Generally, this does not align with the Rule 4 of the Bangkok Rules, which stipulates that women sentenced to prison should be placed in facilities near their place of residence to facilitate social contact with their families, especially their children, which can help in the process of resocialization given that the deprivation of motherhood is the most severe deprivation for incarcerated women.

According to the Law on the Execution of Criminal Sanctions⁴, the Correctional Institution for Women in Požarevac is organized as a semi-open type of institution with open, semi-open, and closed wards, including a special unit for minors. This structure allows for adjustment to different security levels and the specific needs of female inmates (Articles 15 and 16 of the Law on the Execution of Criminal Sanctions). In order to achieve the program of treatment, inmates are classified into appropriate treatments based on legally prescribed criteria: the type of criminal offense, the length of the sentence, the form of guilt, attitude towards the criminal offense, prior convictions, and other criteria established by the regulation on treatment, program of treatment, classification, and reclassification of convicts. During the sentence, inmates can be reclassified to fulfil the purpose of the sentence. In semi-open facilities, the security service primarily prevents escapes.

For decades, however, the state of the art was not in accordance with legal regulations because the Correctional Institution for Women has always been located behind high walls, so women assigned to semi-open and open wards also served their sentences behind walls and other security measures (Čopić & Šaćiri, 2012; Nikolić-Ristanović, 2000). It was only in 2017 when the reconstruction of the facility began. The aim of the reconstruction was to align the actual state of the prison with the legal framework and the standards of modern prison systems, providing more humane conditions and better infrastructure for the treatment and rehabilitation of women.

² Three months after the establishment of the Correctional Institution for Women in Požarevac, it was relocated to Topčider. However, in 1924, the female convicts were again transferred back to Požarevac (Knežević Lukić, 2020: 126).

³ Until the 1990s, in addition to the Women's Department in Požarevac, there were departments for women in the male prisons in Lipljan and Sremska Mitrovica. During the 1990s, the number of women sentenced to imprisonment in Serbia significantly decreased, leading to the closure of the women's departments in these two correctional facilities in order to utilize resources more efficiently (Nikolić-Ristanović, 2000: 177-178).

⁴ Official Gazette of the Republic of Serbia, No. 55/2914, 35/2019.

Conditions in the women's prison before 2019

Until 2019, female convicts were housed in the main accommodation building, whose central section dated back to the late 19th century. This building underwent significant reconstructions only twice, once in 1911 and again in 1971 (Photographs 1 and 2). Within this building, inmates were divided into separate wings based on their security classification: closed and semi-open wards. Female convicts classified in the open wards were housed in a separate, ground-floor building.⁵ This building lacked physical barriers to prevent escapes, such as barred windows, reflecting a lower security level. However, like all other buildings within the prison complex, it was enclosed by the perimeter walls surrounding the entire prison.



Photograph 1: A look on the old accommodation building in the Correctional Institution for Women in Požarevac. The author of the photograph: Ana Batričević. The photograph was made in 2019 with the permission of the Administration for the Execution of Criminal Sanctions, Ministry of Justice of the Republic of Serbia

Research on the conditions at the Correctional Institution for Women, conducted during 2011 and 2012 (Ćopić & Šaćiri, 2012), along with the reports from civil society organizations (Helsinki odbor za ljudska prava, 2011a, 2011b) and later reports of the National Preventive Mechanism (Zaštitnik građana, 2013), revealed that one of the significant challenges faced by the facility was overcrowding. This overcrowding led to:

⁵ This building is still in use and is of more recent date compared to the former main accommodation building. It houses the reception department and the accommodation for women sentenced for misdemeanours.

poor living conditions, impaired treatment efforts, strained healthcare service, increased tensions. Collectively, these issues significantly diminished the quality of life within the prison facility. Overcrowding not only compromised the well-being and rehabilitation prospects of female convicts, but also strained the resources and capabilities of the institution to adequately address their needs.



Photograph 2: A look on the back side of the old accommodation building and the wall which separates the prison complex from the outside world. The author of the photograph: Ana Batričević. The photograph was made in 2019 with the permission of the Administration for the Execution of Criminal Sanctions, Ministry of Justice of the Republic of Serbia.

The living conditions in the main accommodation building were very poor. Rooms varied in size, accommodating between 6 and 14 beds each. The use of metal bunk beds contributed to a sense of overcrowding, exacerbating the feeling of limited space. Additionally, the small windows provided insufficient natural light and ventilation, further diminishing the living environment's quality (Ćopić & Šaćiri, 2012). There was inadequate storage space for inmates' personal belongings. Each block had communal bathrooms, with one bathroom serving an entire block, accommodating around 70 inmates at the time. This setup hindered proper personal hygiene maintenance. Each accommodation block had its own living (TV) room and a smoking area. In front of the living room, a small stove was provided, allowing female convicts to prepare basic items like coffee or tea but nothing more substantial. Only the open ward had a small kitchenette with a stove and a refrigerator, offering slightly better amenities. It was not until 2011 that a space within the prison facility was refurbished to accommodate women with disabilities, indicating a delayed consideration for the specific needs of this population (Ćopić & Šaćiri, 2012).

Within the main accommodation building, several facilities were available to the female convicts to support their daily activities and well-being: library, recreation room, room for free-time activities (painting, embroidery, etc.), hairdresser, and a classroom. However, shortly after the research was conducted, some of these facilities, such as the library and a room for free-time activities, were no longer available for use due to security reasons. In a separate part of the accommodation building, a laundry room was provided for female convicts to wash their personal belongings. However, according to data from 2011 and 2012, female convicts were only allowed to use washing machines for institutional uniforms, which they were required to wear when engaged in work activities, and bedding. Personal clothes had to be washed by hand, limiting access to adequate laundry facilities (Ćopić & Šaćiri, 2012). In the prison, there has always been a special unit for the accommodation of pregnant women, new mothers, and mothers with infants, as mandated by the Law on the Execution of Criminal Sanctions. This unit is separate from the rest of the inmate population and provides specialized facilities to cater to the unique needs of these individuals. The facilities within this unit include: rooms for pregnant women to ensure their comfort and well-being during their stay in the prison, common living area, kitchen, and rooms for caregivers, babies and mothers with children. Pregnant women are admitted to this unit from the first day of pregnancy diagnosis or upon admission if they are already pregnant at the time of entry into the prison. This ensures that pregnant women receive appropriate care and support throughout their pregnancy and postpartum period within a dedicated and specialized environment. In addition to the accommodation facilities, several other amenities and structures are situated within the prison compound, serving various purposes to meet the needs of both female convicts and the staff. These facilities include dining hall (with a small shop), workshops, warehouse, medical facility (ambulance with ward), room for female convicts with disabilities, and a premise for family visits, enabling inmates to maintain connections with their loved ones. The prison compound features a garden and greenhouses where inmates could engage in agricultural activities.

The present and the future of women's prison in Serbia

The new accommodation building for female convicts was constructed in 2019, with a capacity of 160 inmates (Photograph 3).⁶ The building is divided into several wings, each containing rooms for female convicts. The plan is for this building to accommodate female convicts assigned to the open and semi-open wards, so they can be entirely housed outside the walls and fences that serve as physical barriers to escape. However, at the time of writing

⁶ I gathered information about the appearance of the new accommodation building and the overall conditions at the Correctional Institution for Women in Požarevac through observations and conversations with employees in the security, treatment, and vocational training and employment departments during visits I organized at the end of 2022 and the end of 2023. These visits were for two groups of students who took the course "Women and Prison," which I teach at the University of Belgrade - Faculty of Special Education and Rehabilitation, during the 2022/2023 and 2023/2024 academic years. Student reports written after their visits, based on guidelines for monitoring conditions in the female prison facility provided prior to the visits, served as an additional data source. I would like to take this opportunity to thank all the students who prepared detailed reports following their visits, which greatly assisted me in conceptualizing this part of the chapter.

this chapter, one wing on the ground floor of the new accommodation building, which has eight dormitories, housed convicts assigned to the closed ward because reconstruction work on the entire prison complex is still ongoing.⁷ A new building is being completed on the site of the old accommodation building, which will be physically separated from the other facilities in the prison complex and will accommodate female convicts assigned to the closed ward. Its capacity will be around 230 individuals (Zaštitnik građana, 2022).



Photograph 3: A look on the new accommodation building in the Correctional Institution for Women in Požarevac. The author of the photograph: Ana Batričević. The photograph was made in 2019 with the permission of the Administration for the Execution of Criminal Sanctions, Ministry of Justice of the Republic of Serbia

Within the new accommodation building, there are wings with dormitories, a medical facility, library, recreational hall used for various groups of activities (such as workshops), classroom (for educational programs), computer room, hairdresser, and a cosmetic salon where inmates receive training in manicure and pedicure. Additionally, there is a space allocated for free-time activities, such as painting, embroidery, etc.

⁷ During the reconstruction of the women's prison, a part of female convicts was relocated to other Correctional Institution (e.g. in Pančevo, Kragujevac), and the District prison in Belgrade.

In each wing, which varies according to the type of treatment,⁸ there are dormitories accommodating between four and ten convicts. Some dormitories have regular beds, while others still have bunk beds due to current capacity needs. Once the reconstruction is fully completed, there should no longer be any bunk beds. Each woman in the room has her own locker for storing personal belongings. Every room has its own bathroom, significantly improving personal hygiene conditions compared to previous periods. Cleaning supplies for maintaining the cleanliness of the living spaces are provided by the institution. The rooms are well-lit, warm, and easily ventilated. Each wing has its own common room where women can socialize, watch TV, make tea or coffee, eat what they receive in packages or buy in the prison shop. In the new building, there is also a laundry room where, unlike in the past, female convicts can now wash not only their uniforms and bedding but also their personal items, according to a predetermined schedule, which is a significant improvement. The accommodation for pregnant women, new mothers, and mothers with children is still in the part of the building where the infirmary, inpatient unit, room for female convicts with disabilities, and the premise for family visits⁹ are located.

The dining hall is in the same place as before. It is a large, nicely furnished, and clean room with tables and benches. It also houses a well-stocked prison shop. However, what has not changed from previous periods is that there still is not a central kitchen where female convicts can prepare food for the institution's needs; instead, the food is delivered from the men's prison (Correctional Institution in Požarevac-Zabela). Regarding meals, they are adapted to religious requirements and special health needs of female convicts (e.g., for those with diabetes, those who are pregnant, breastfeeding mothers, etc.).

The workshop is in the same space as before, but it now has better isolation, new windows, heating in winter, and cooling in summer, so there is no need to stop the work process, which has often been the case during summer and winter months (Ćopić, Stevković & Šaćiri, 2012). Inmates are trained and then employed in tailoring and sewing; they are also engaged in other, mainly manual jobs such as shelling walnuts, making frames for beehives, creating decoupage on old military boxes used in rooms for storage, and similar tasks. Additionally, inmates can be employed in the garden, greenhouse, prison shop, hairdressing saloon, as caregivers in the unit for mothers with children, and so on. There is also the possibility of employment outside the institution. Employment depends on the level of education, individual abilities, and preferences of the female convicts, as well as the opportunities provided by the institution at the given moment. The earnings from their work are deposited into the convicts' accounts, which can be used for purchases in the prison shop, when they have the right to exit prison (for a visit in the town, or during the weekend or a holiday), or the money is given to them upon release. The prison yard is nicely arranged

⁸ The wing housing female convicts assigned to the closed unit is locked, with bars on the windows of the rooms. During the day, the dormitories are unlocked, but at night, they are locked. In the parts of the building where female convicts are assigned to the open and semi-open units, such physical barriers do not exist.

⁹ We did not have the opportunity to see the premise for family visits as it is currently located in a part of the prison complex that is separated by a high fence, where the construction of the new accommodation building is ongoing, making it inaccessible for the tour.

with benches and greenery, maintained by the female convicts. The institution provides basic medical care, and women have access to specialist doctors who regularly come to the institution (gynecologist, dentist, psychiatrist who visits prison once a week) (Zaštitnik građana, 2022). For other specialist examinations, women are taken to a health institution in Požarevac. Maintaining social contacts with family, especially children, is crucial for the resocialization process and later reintegration. In addition to the premises for family visits, female convicts have access to phone booths (located in each accommodation wing). Notably, since the beginning of the COVID-19 pandemic, online contacts with families have been facilitated, which has been retained even after the pandemic, serving as an example of good practice. This is a good way to maintain family ties, significantly supporting the mental health of women, especially if families are unable to visit due to the distance from the institution or lack of finances.

Lastly, the institution conducts an adult basic education program (in cooperation with an elementary school in Požarevac), as well as vocational training (e.g., sewing, manicure and pedicure, gardening), allowing inmates to obtain certificates. This should facilitate their employment after release and reintegration, thus aiming to reduce recidivism. Specialized programs are also organized - out of five programs registered at the level of the Administration for the Execution of Criminal Sanctions, two are implemented in the Correctional Institution for Women: the cognitive-behavioral program and the program for drug addicts (Zaštitnik građana, 2022).¹⁰ This certainly represents a significant improvement in treatment programs compared to some earlier periods.

Conclusion

Women in prison constitute a particularly vulnerable group of convicted individuals. Their vulnerability, and consequently their needs and requirement within the prison environment, derive from the overall position of women in the society and the attitudes toward them, which are still significantly burdened by gender stereotypes and prejudices. On the other hand, penal policy, including the sentencing of women to imprisonment, reflects the specificities of female crime, which is also connected to the socio-economic status of women in the society and the fact that a large number of them have been victims of gender-based violence. Additionally, women increasingly face addiction-related problems, which are often linked to their criminal behavior. However, as demonstrated in this chapter, women remain a minority in the prison system. This is often explained by the paternalistic attitude of society and the state towards women (Mallicoat, 2012; Nikolić-Ristanović, 2000; Nikolić-Ristanović & Mrvić, 1992). Therefore, recognizing the needs of convicted women, understanding their overall position, and providing empowerment and support during and after imprisonment is crucial for their treatment during incarceration and their post-penal acceptance and reintegration. This requires a gender-sensitive approach to female convicts, as emphasized in the Bangkok Rules, which are based on three main principles: addressing women's specific needs, preventing abuse and supporting women with victimization experiences, and protecting children's rights by guaranteeing certain rights to mothers

¹⁰ For more information on the programs in the Correctional Institution for Women in Požarevac please look into the chapter Batrićević & Jovanović in the volume.

regarding healthcare and childcare. A gender-sensitive approach to female convicts involves ensuring adequate living conditions and respecting their basic human rights. This is important considering that continuously poor living conditions, along with other factors (such as inadequate treatment, poor healthcare, and lack of social support), can lead to actions that may be characterized as inhumane and degrading, diminishing the quality of prison life, especially the well-being of the imprisoned women (Batrićević et al., 2023; Ćopić, Stevanović, Vujičić, 2024). Therefore, the significant improvement in living conditions for female convicts in the Correctional Institution for Women in Požarevac can be seen as a positive step forward. The current conditions for serving prison sentences in this institution are already much better compared to previous decades, and they are expected to improve further once the entire institution's reconstruction is completed. At that point, the actual state will finally fully align with the legislative framework, which has been awaited for over two decades.

Moreover, a gender-sensitive approach involves considering gender roles and female socialization, working on empowering women, and supporting their active roles. In other words, working with female convicts requires devotion to specifically female issues and requirements, particularly previous victimization, parenting skills, coping mechanisms for various life situations, self-esteem, and self-respect. Gender-specific programs for women in prison should encompass various aspects of a woman's life before, during, and after imprisonment, viewing a woman's life as a continuum. Different methods and techniques should be used in working with inmates, and programs should be developed and implemented with respect to basic feminist principles and the principles of positive criminology and victimology (Nikolić-Ristanović & Ćopić, 2015). Some of the programs currently implemented in the Correctional Institution for Women contain these elements.¹¹ Additionally, some programs based on the principles of positive criminology and victimology, as well as restorative justice, have been piloted through civil society organization projects (Ćopić & Nikolić-Ristanović, 2018; Nikolić-Ristanović & Ćopić, 2015). Efforts should be made to continuously expand the opportunities for implementing these needs-based programs and integrate them into regular treatment. Lastly, considering the structure of female crime and the specific needs and conditions of women in prison, it is evident that there is a need for a much broader utilisation of alternative, i.e. community sanctions, as emphasized in the Bangkok Rules. This would help mitigate the negative effects of imprisonment on women's mental and physical health, enable the maintenance of family ties, especially with children, and reduce the stigma faced by women who have been imprisoned. Such measures would undoubtedly contribute to better reintegration of women who have committed crimes and lower recidivism rates.

¹¹ Please see the chapter Batrićević & Jovanović in this volume.

References

- Acale Sánchez, M. (2019). Penal and custodial control of female criminality in Spain from a gender perspective. *Social Sciences*, 8(2), 52. <https://doi.org/10.3390/socsci8020052>
- Aebi, M. F., Cocco, E., Molnar, L., Tiago, M. M. (2022). *Prisons and prisoners in Europe 2021: Key findings of the SPACE I report*. Council of Europe and University of Lausanne.
- Baberet, R., Jackson, C. (2017). UN Rules for the Treatment of Women Prisoners and Non-Custodial Sanctions for Women Offenders (the Bangkok Rules): A Gendered Critique. *Papers: Revista de sociologia* 102(2), DOI:[10.5565/rev/papers.2336](https://doi.org/10.5565/rev/papers.2336)
- Batrićević, A., Pavićević, O., Čopić, S., Milićević, M. (2023). Quality of Prison Life of Female Prisoners in Serbia: Key Challenges and Areas of Strength. *Revija za kriminalistiko in kriminologijo*, 74(4), 273-289.
- Bloom, B., Owen, B., Covington, S. (2003). Gender-Responsive Strategies: Research, Practice, and Guiding Principles for Women Offenders. National Institute of Corrections.
- Čopić, S., Nikolić-Ristanović, V. (2018) Podizanje svesti osuđenih lica o restorativnoj pravdi i žrtvama: Primer programa sprovedenog u zatvoru za žene u Srbiji. *Temida* 21(3): 385-410.
- Čopić, S., Stevanović, I., Vujičić, N. Stevanović, A. (2024). *Kvalitet života u zatvorima u Srbiji: norma, praksa i mere unapređenja*. Beograd: Institut za kriminološka i sociološka istraživanja.
- Čopić, S., Stevković, Lj., Šaćiri, B. (2012). Tretman i ostvarivanje prava osuđenica u Kaznenopopravnom zavodu za žene u Požarevcu. *Temida*, 15(4), 45–71.
- Čopić, S., Šaćiri, B. (2012). Žene u zatvoru u Srbiji: uslovi za život osuđenica u Kaznenopopravnom zavodu za žene u Požarevcu. *Temida*, 15(4), 23–44.
- Fair, H., Walmsley, R. (2022). *World female imprisonment list* (5th ed.). World Prison Brief, Institute for Crime & Justice Research. https://www.prisonstudies.org/sites/default/files/resources/downloads/world_female_imprisonment_list_5th_edition.pdf
- Gehring, K. (2016). A Direct Test of Pathways Theory. *Feminist Criminology*, 13(2): 115-137. [[DOI: 10.1177/1557085116646195]
- Gorman, A. (2005). In her aunt's house: Women in prison in the Middle East. IIAS Newsletter 39. Dostupno na https://www.iiias.asia/sites/default/files/2020-11/IIAS_NL39_07.pdf, accessed on 15.4.2024.
- Heimer, K., Malone, S. E., de Coster, S. (2023). Trends in women's incarceration rates in US prisons and jails: A tale of inequalities. *Annual Review of Criminology*, 6(1), 85–106.
- Helsinški odbor za ljudska prava (2011a). *Zatvori u Srbiji jul–oktobar 2010*. Beograd: Helsinški odbor za ljudska prava. Dostupno na <https://helsinki.org.rs/serbian/doc/zatvori%20mart%202011.pdf>, accessed on 15.3.2024.
- Helsinški odbor za ljudska prava (2011b). *Stanje ljudskih prava u zatvorima: KPZ žene Požarevac*. Beograd: Helsinški odbor za ljudska prava. Dostupno na <https://www.helsinki.org.rs/serbian/doc/zatvori%20-%20zene.pdf>, stranici pristupljeno 15.3.2024.
- Janković, I. (2013). Žensko apseničko radilište u Požarevcu 1848-1852. *Godišnjak za društvenu istoriju* 3: 9-28.
- Knežević Lukić, N. (2020). Prostorni, ambijentalni i bezbednosni uslovi za izdržavanje kazni lišenja slobode u Požarevačkom kaznenom zavodu (1918-1941). U: Nikolić, J. (Ed.) *Kazneno-popravni zavodi u Srbiji – primer Kazneno-popravnog zavoda Požarevac, Zabela 1918-1945 – knjiga druga*. Požarevac: Istorijski arhiv Požarevca: 116-140.
- Konstantinović Vilić S., Kostić, M. (2006). *Penologija*. Niš: Sven.
- Kovačević M. (2012). Položaj žena u sistemu izvršenja krivičnih sankcija prema Bangkočkim pravilima. *Temida*, 15(4), 73–88.
- Krstić Mistrizdelović, I. (2020). Organizacija kaznenih zavoda u Kraljevini SHS/Jugoslaviji 1918-1941. U: Nikolić, J. (Ed.) *Kazneno-popravni zavodi u Srbiji – primer Kazneno-popravnog zavoda Požarevac, Zabela 1918-1945 – knjiga druga*. Požarevac: Istorijski arhiv Požarevca: 44-90.

- Mallicoat, S. L. (2012). *Women and crime: A text reader*, Washington DC: Sage.
- Mallicoat, S. L., Ireland, C. (2014). *Women and crime: The essentials*. SAGE.
- Nikolić-Ristanović, V. (2000). *Od žrtve do zatvorenice: Nasilje u porodici i kriminalitet žena*. Beograd: Viktimološko društvo Srbije, Institut za kriminološka i sociološka istraživanja
- Nikolić-Ristanović, V, Mrvić, N. (1992). *Društvena kontrola i kriminalitet žena*. Beograd: Draganić i Institut za kriminološka i sociološka istraživanja.
- Nikolić-Ristanović, V., Čopić. (2015). Programs for female prisoners and positive criminology and victimology: The case of Serbia. U: Ronel, N., Segev, D. (ur.) *Positive criminology*. Routledge, Taylor & Francis Group: 319–338.
- Nikolić-Ristanović, V., Konstantinović Vilić, S. (2018). *Kriminologija*. Beograd: Izdavačko-grafičko preduzeće „Prometej“.
- Nuytens A, Christiaens J. (2012). Female offenders' pathways to prison in Belgium. *Temida*, 15(4), 7-22.
- Pavićević, O. (2020). Kriminalizacija marginalizovanih žena [The criminalisation of marginalised women]. *Zbornik Instituta za kriminološka i sociološka istraživanja*, 39(2–3), 59–73.
- Penal Reform International (2022). *Global Prison Trends 2022*. Penal Reform International.
- Popović, M. A. (2017). *Album Ženskog odeljenja Požarevačkog kaznenog zavoda (1898)*. Pripremila S. Tomić, Beograd: Laguna.
- Prost, S. G., McDonald, A., Plassmeyer, M., Middleton, J., Golder, S. (2022). Not all traumas are equal: Post-traumatic stress and quality of life among women in prison. *Women & Criminal Justice*, 32(6), 502–519.
- Radulović, L. (2023). *(Ne)misle na Boga: Antropološka studija verskog života u zatvorima u Srbiji*. Beograd: Univerzitet u Beogradu – Filozofski fakultet, Odeljenje za etnologiju i antropologiju.
- Republički zavod za statistiku (2014). *Punoletni učinioci krivičnih dela u Republici Srbiji, 2013. – Prijave, optuženja i osude*. Bilten br. 588. Beograd: Republički zavod za statistiku.
- Republički zavod za statistiku (2015). *Punoletni učinioci krivičnih dela u Republici Srbiji, 2014. – Prijave, optuženja i osude*. Saopštenje br. LXV. Beograd: Republički zavod za statistiku.
- Republički zavod za statistiku (2016). *Punoletni učinioci krivičnih dela u Republici Srbiji, 2015. – Prijave, optuženja i osude*. Bilten br. 617. Beograd: Republički zavod za statistiku.
- Republički zavod za statistiku (2017). *Punoletni učinioci krivičnih dela u Republici Srbiji, 2016. – Prijave, optuženja i osude*. Bilten br. 629. Beograd: Republički zavod za statistiku.
- Republički zavod za statistiku (2018). *Punoletni učinioci krivičnih dela u Republici Srbiji, 2017. – Prijave, optuženja i osude*. Bilten br. 643. Beograd: Republički zavod za statistiku.
- Republički zavod za statistiku (2019). *Punoletni učinioci krivičnih dela u Republici Srbiji, 2018. – Prijave, optuženja i osude*. Bilten br. 653. Beograd: Republički zavod za statistiku.
- Republički zavod za statistiku (2020). *Punoletni učinioci krivičnih dela u Republici Srbiji, 2019. – Prijave, optuženja i osude*. Bilten br. 665. Beograd: Republički zavod za statistiku.
- Republički zavod za statistiku (2021). *Punoletni učinioci krivičnih dela u Republici Srbiji, 2020. – Prijave, optuženja i osude*. Bilten br. 677. Beograd: Republički zavod za statistiku.
- Republički zavod za statistiku (2022). *Punoletni učinioci krivičnih dela u Republici Srbiji, 2021. – Prijave, optuženja i osude*. Bilten br. 689. Beograd: Republički zavod za statistiku.
- Republički zavod za statistiku (2023). *Punoletni učinioci krivičnih dela u Republici Srbiji, 2022. – Prijave, optuženja i osude*. Bilten br. 702. Beograd: Republički zavod za statistiku.
- Russell, T., Jeffries, S., Hayes, H., Thipphayamongkoludom, Y., Chuenurah, C. (2020). A gender-comparative exploration of women's and men's pathways to prison in Thailand. *Australian & New Zealand Journal of Criminology*, 53(4), 536-562. <https://doi.org/10.1177/0004865820954463>
- Savić, M., Knežić, B. (2019). Podrška osuđenicama: Pogled iznutra. *Zbornik Instituta za kriminološka i sociološka istraživanja*, 38(3), 7–24.

- Saxena P., Messina N.P., Grella C.E. (2014). Who benefits from gender-responsive treatment? Accounting for abuse history on longitudinal outcomes for women in prison. *Criminal Justice and Behavior*, 41(4), 417-32.
- Stanojoska, A. (2023). The feminist pathways perspective: The pathways to crime of female murderers in the Republic of North Macedonia. In: Stanojoska, A., Dimovski, D., Maksimova, E. (Eds.), *The Handbook on female criminality in the former Yugoslav countries*. Springer International Publishing: 105–131
- Špadijer-Džinić, J., Pavićević, O., Simeunovic-Patic, B. (2009). Žena u zatvoru – deprivacije zatvoreničkog života. *Sociologija*, 51(3), 225–246.
- Vujadinović, D., Fröhlich, M., Giegerich, T. (Eds.). (2023). *Gender-competent legal education*. Springer International Publishing.
- United Nations Office on Drugs and Crime. (2014). Handbook on women and imprisonment: With reference to the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (The Bangkok Rules) (2nd ed.). United Nations.
- Quiroga-Carrillo, A., Ferraces Otero, M.J., Lorenzo Moledo, M. (2024). Gender Discrimination in Prison: The Perception of Women Inmates and Prison Professionals. *Societies* 14(5), <https://doi.org/10.3390/soc14010005>
- Zaštitnik građana (2013). *Monitoring zavoda za izvršenje krivičnih sankcija: Izveštaj o poseti KPZ za žene u Požarevcu*. Dostupno na https://www.ombudsman.rs/attachments/3218_IZVESTAJ%20POZAREVAC%20ZENE%20final.pdf, stranici pristupljeno 15.4.2024.
- Zaštitnik građana (2022). Izveštaj o poseti Kazneno-popravnog zavodu za žene u Požarevcu. Beograd: Zaštitnik građana.

Treatment programmes for female prisoners in Serbia*

Despite the debate between the supporters and the opponents of treatment as a method for recidivism suppression and regardless of partial abandonment of rehabilitation ideal, prisoners' treatment is still implemented in penitentiary systems across the world. The success of treatment does not depend only on its characteristics, but also on other factors (interpersonal relations, organisation, material conditions etc.) that are referred to as prison social climate. Having in mind the specific needs of female prisoners and their particularly vulnerable position caused by reasons such as previous victimisation, motherhood, poverty, stigmatization and discrimination on various grounds, lack of education, unemployment etc., the authors of this paper focus on, explaining and finding ways to overcome the difficulties that female prisoners and prison staff working with them are facing throughout the implementation of treatment programmes. After defining "treatment" and other related terms, the authors analyse current normative framework of the Republic of Serbia regulating this issue and, subsequently, highlight key factors causing particular vulnerability and specific position of female prisoners that should be taken into consideration when discussing normative and practical aspects of their treatment. Finally, on the basis of semi-structured interviews with prison staff from Correctional Institution for Women in Požarevac, the authors provide a profound insight into treatment programmes that are implemented in Correctional Institution for Women in Požarevac, Serbia, highlight key challenges that emerge therein, and suggest ways to overcome them in future.

Keywords: *prisons, female prisoners, prison social climate, treatment, rehabilitation*

Introduction – the definition and purpose of prisoners' treatment

The treatment of female perpetrators of criminal offenses has been an extremely neglected area throughout history, just like the criminality of women in general¹. Treatment programmes for female prisoners are rather limited in number, and the existing ones were originally derived from, and developed on the grounds of programmes created for male offenders and/or often based on stereotypical assumptions about female offenders. However, women's crime has its own peculiarities. When women enter prison as convicted for

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¹The prejudice that "prostitution is for women what crime is for men" seems to be present even nowadays (Ignjatović, 2021: 86), so the fact that female prisoners, and their specific needs and rights are not in the focus of interest even in the textbooks in the area of penology and execution of criminal sanctions is not surprising (See: Ignjatović, 2018).

offences with elements of (severe) violence, these acts are usually related to family/intimate sphere, and the violent acts are often “reactive” in the terms of the reaction to previous abuse (Nikolić-Ristanović, 2000; Jovanović, 2010: 42-46; Simeunović-Patić, Jovanović, 2013: 127-133; Simeunović-Patić, Jovanović, 2017: 38-39). Abuse, poverty and addiction seem to be the most common factors of women’s crime, and, therefore, it is not surprising that female prisoners often have (significantly more frequently than male counterparts) psychological and psychiatric disorders (Bloom, 1999, Teplin et al., Byrne and Howells, 2000 according to: Šućur, Žakman-Ban, 2005: 1056).

Due to the low representation in the world of crime in general, which is sovereignly ruled by younger men, female offenders (as well as the elderly ones) and their treatment in prisons have recently become objects of interest, given the noticeable trends in the growing number of these categories of perpetrators in prisons and their specific features, as well as the requirements and suggestions of the international legal documents and institutions (Jovanović, Đorđić, 2023: 245; Protić, 2023: 3). Similar can be concluded in the cases of women involved with organised crime² – for example, it has been confirmed that women often assist in organised crime, particularly through family and romantic ties, which does not diminish the importance of their role (OSCE, 2023). Having in mind the fact that women play different roles in criminal activities than men, as well as the differences that exist between the types of crimes committed by men, on the one hand, and women, on the other, it becomes obvious that these differences should be taken into consideration in the design of prison treatment programmes in order to provide the most efficient recidivism prevention mechanism.

Several terms refer to the activities that are conducted in order to deter the convicted persons from reoffending and accomplish the purpose of prison sentence, including: treatment, resocialization, re-education, improvement, rehabilitation, reintegration etc. (Stevanović, 2014: 13; Igrački, 2020: 83). The term “treatment” can be observed from the broader and from the narrow perspective. In the broader sense, treatment comprises: 1) the treatment of the accused throughout the criminal procedure, 2) the treatment of convicted persons during the enforcement of punishment and 3) post-penal treatment (Stevanović, 2014: 9-10). However, in the majority of papers from the area of penology, treatment is commonly defined in the narrow sense: as an assembly of various activities and measures that are applied throughout the process of prison sentence enforcement, with the aim to deter the convicted persons from reoffending (see: Stevanović, 2014: 10, compare with: Nikolić, 2009: 183).

For the purpose of this paper, treatment is defined in the narrow sense and in accordance with the relevant legislative framework of the Republic of Serbia. Paragraph 2 of Bylaw on treatment, programme, classification and subsequent classification of convicted persons³ (hereinafter: BTPCSC) treatment of a convicted person is defined as “*the application of all prearranged activities – planned methods, techniques and procedures that facilitate the*

² For further information about organized crime, see, for example: Batričević, Jovašević (2013)

³ Bylaw on treatment, program, classification and subsequent classification of convicted persons, *Official Gazette of the Republic of Serbia*, No. 66/2015.

fulfilment of the purpose of punishment in harmony with the Law on the Enforcement of Criminal Sanctions⁴” (hereinafter: LECS) (Article 2, BTPCSC). Also, the notion of “treatment” inevitably refers to the manner in which someone behaves towards someone (or something), e. g. professionally, compassionately, in a discriminatory manner, etc. which should also be taken into consideration in the context of this paper, as our thesis is that prison climate is strongly in correlation with the effectiveness of treatment (in the narrow sense) activities.

Understood in the narrow sense, treatment can be applied as: 1) ethical and didactic education of convicted persons; 2) working and professional training of convicted persons; 3) organisation of convicted persons’ free time; 4) participation of convicted persons in their education; 5) awards and punishments; 6) mitigation of the difference between living conditions in prison and life outside the institution and 7) individual and group psychotherapy (Milutinović, 1977; 117-118; Stevanović, 2014: 13; Igrački, 2020: 84). Depending on the form in which it is implemented, treatment of convicted persons emerges as individual treatment and group treatment, both of which are applied in prison system of the Republic of Serbia (Nikolić, 2009: 183; Stevanović, 2014: 13; Igrački, 2020: 84).

During the 1960s and 1970s, great outcomes were expected from treatment of convicted persons and treatment was considered to be a powerful means of special prevention (Stevanović, 2014: 11). Unfortunately, these hopes and expectations were rapidly followed by disappointment and abandonment of treatment and so-called “rehabilitation ideal” for various reasons (Pavićević, Ilijić, Batrićević, 2024: 102). Increase in crime rate and recidivism in the aforementioned period combined with the lack of patience and trust in the positive outcome of the entire treatment process contributed to the abandonment of treatment and rehabilitation ideals (Stevanović, 2014: 12). Consequently, in the 1980s, the scientific community became rather polarised when it came to the attitude towards the capacities and effectiveness of treatment and rehabilitation on the suppression of recidivism (Stevanović, 2014: 12). However, it seems that the genuine reasons for negative attitude of the majority of members of academic and professional community towards treatment predominantly dwell upon the fact that rehabilitation ideal may represent a threat to political values of neoliberal societies, as well as that treatment and rehabilitation techniques often have flaws either because of weak scientific foundations or due to the lack of institutional competences (Pavićević, Ilijić & Batrićević, 2024: 102).

The opponents of treatment and rehabilitation actually neglected the fact that the success of treatment depends on a series of interrelated factors including: predefined treatment goals, willingness of each convicted person to participate in the treatment programme, the quality of communication between the penitentiary institutions and the society etc. (Stevanović, 2014: 12). Moreover, one should take into consideration the fact that the crisis affecting prison systems across the world reflects on the effectiveness of treatment programmes as well, by making their implementation more difficult, primarily due to rapid increase in incarceration rate and prison population (Ilijić, 2022: 15). Therefore, the decrease

⁴ Law on the Enforcement of Criminal Sanctions *Official Gazette of the Republic of Serbia*, No. 55/2014 and 35/2019.

of trust in treatment and rehabilitation should be observed in the context of broader, global, economic and cultural impacts (Pavićević, Ilijić & Batrićević, 2024: 102).

The analysis of global tendencies in the sphere of penal policy suggests that penal policy is generally becoming more focused on crime control instead of being dedicated to crime prevention (Ilijić, 2022: 74). Namely, security, control and minimization of expenses are slowly replacing individual support programmes and care about each individual prisoner (Soković, 2011; Stevanović, Ilijić, 2019; Ilijić, 2022: 74). The frustration caused by the failure of rehabilitation, inequalities affecting the imposing and enforcement of punishments and increasing crime rate gradually led to public advocacy for more severe penal provisions, replacing rehabilitation with retribution and risk management (Pavićević, Ilijić & Batrićević, 2024: 103-104). The changes in the perception of the purpose of punishment reflected on the practical aspect of its enforcement, including the approach to convicted persons, placing risk assessment and control in the focus of *new penology* instead of “clinical” method (diagnosis and treatment of convicted persons), (Pavićević, Ilijić & Batrićević, 2024: 107-108).

The aforementioned findings still do not indicate that treatment of convicted persons is completely abandoned – in theory or practice. On the contrary. Results of various scientific researches keep confirming that re-direction and correction of deviant behaviours remain much more efficient approaches to suppression of recidivism than severe punishments (Griffith et al., 1999 according to Pavićević, Ilijić & Batrićević, 2024). Since criminal behaviour commonly emerges as the result of the synergy of various internal and external circumstances, including social factors, social climate in prisons is still considered to have a significant impact not only on the emergence of recidivism but also on its suppression (Pavićević, Ilijić & Batrićević, 2024: 115). This means that the effectiveness of one type of treatment can differ from one penitentiary to another, depending on the conditions under which it is being implemented – i.e., on prison social climate, which is defined as the perceived quality of living conditions in prison, including interpersonal relations as well as material and organisational dimensions of prison life (Moos, 1997 according to Ilijić, Milićević & Pavićević, 2022: 76). Also, this indicates that the concept of treatment itself must not be *a priori* abandoned as ineffective. Instead, the emphasis should be placed on the study of the factors that determine prison social climate and, through that, also have an impact on the outcome of treatment. This standpoint is based upon empirical research confirming a strong bond between the quality of prison life and the response to any kind of rehabilitation treatment (Ilijić, Milićević & Pavićević, 2020; Park, 2018).

Prisoners’ treatment programmes in the legislation of the Republic of Serbia

As it has already been mentioned, Paragraph 2 of BTPCSC defines treatment of a convicted person as “the application of all prearranged activities – planned methods, techniques and procedures that facilitate the fulfilment of the purpose of punishment in harmony with the Law on the Enforcement of Criminal Sanctions⁵” (hereinafter: LECS) (Article 2, BTPCSC). Treatment of convicted persons encompasses the application of all

⁵ Law on the Enforcement of Criminal Sanctions *Official Gazette of the Republic of Serbia*, No. 55/2014 and 35/2019.

previously designed activities (planned methods, techniques and procedures), conducted with the purpose to assist the convicted person to adopt socially acceptable system of values and master the skills necessary for his/her successful inclusion in the community in order to deter him/her from reoffending (Article 6, Paragraph 1, BTPCSC). Treatment is implemented through treatment programme, classification, subsequent classification and preparation for release (Article 6, Paragraph 2, BTPCSC). Treatment programme is defined as the adjustment of treatment to each individual convicted person, depending on the assessment of his/her risks, capacities and needs (Article 3, BTPCSC). This programme is designed depending on the assessment of risk, capacities and needs of the convicted person (Article 8, Paragraph 1, BTPCSC). Risk assessment is made on the grounds of two types of questionnaires for convicted persons: 1) questionnaire for convicted persons serving prison sentence that does not exceed three years and 2) questionnaire for convicted persons serving prison sentence that surpasses three years (Article 8, Paragraph 2, BTPCSC). These questionnaires are included in the BTPCSC within Appendix 1 and Appendix 2 (Article 8, Paragraph 2, BTPCSC). Convicted persons are encouraged to take part in the design of their treatment programme. According to BTPCSC, a team of prison staff experts should enhance active cooperation of convicted persons in the establishment of treatment programme (Article 12, Paragraph 1, BTPCSC). When defining specific procedures and activities for convicted persons, the team of prison staff experts takes into consideration the capacities of penitentiary institution (Article 12, Paragraph 2, BTPCSC). Convicted person is informed about the content of the treatment programme in the reception department (Article 12, Paragraph 3, BTPCSC). If the team of experts estimates that the treatment programme designed for a specific prisoner cannot be applied in the institution where he/she is currently placed, subsequent reclassification of that prisoner is suggested (Article 12, Paragraph 4, BTPCSC). According to Article 13 of BTPCSC, treatment programme includes the following information: 1) estimated capacities, motivation for change and risk assessment of the convicted person; 2) group and department in which the convicted person is to be placed and type of his/her accommodation; 3) procedures and activities that are considered efficient in accordance with the needs of convicted person; 4) individual goals of the convicted person set within a certain period of time, the fulfilment of which would facilitate the increase of his/her capacities for a more successful adaptation and minimization of the risk of reoffending; 5) the tasks that prison staff members are expected to complete throughout the implementation of programme; 6) the means of cooperation with external institutions and organisation in the process of treatment programme application; 7) means or cooperation with the family or other persons that are close to convicted person and 8) programme of preparation for release (Article 13, BTPCSC).

The decision on each individual treatment programme is issued by the prison warden, on the grounds of the proposal made by the team of experts (Article 14, Paragraph 1, BTPCSC). The decision on treatment programme includes the information about: 1) group, department and accommodation of convicted person, determined on the grounds of estimated level of risk; 2) professional education and learning; 3) group and individual work and working engagement of convicted person; 4) the way in which the convicted person will spend his/her free time; 5) special procedures that are applied to the convicted person (such as addiction treatment, psychological, psychiatric, medical and social assistance) and 5)

special protective measures (Article 14, Paragraph 2, BTPCSC). The decision on treatment programme is delivered to the convicted person (Article 14, Paragraph 3, BTPCSC).

The definition and the general concept of treatment in the Republic of Serbia are in accordance with the provisions of the European Prison Rules⁶ (hereinafter: EPR) that are dedicated to activities and regimes for prisoners, proclaiming that: *“The penitentiary system shall comprise treatment of prisoners the key aim of which shall be their reformation and social rehabilitation”* (EPR, Part 7). EPR and other international legal sources prescribing minimal human rights standards introduce a radical shift when it comes to perception of prisons. Accordingly, EPR suggest that instead of being considered as *“places of boredom and monotony”* penitentiary institutions should allow prisoners to spend their time in a positive way, to upgrade their education, to obtain new personal and professional skills and to become prepared for release (EPR, Part 7).

Vulnerability and specific needs of female prisoners

The types of deprivations experienced by female prisoners are generally the same as the ones experienced by male prisoners – the so-called “pains of imprisonment” that, according to Sykes include the deprivation of: 1) freedom, 2) material goods and services, 3) heterosexual relationships, 4) independence and 5) security (Sykes, 1958: 65-77 according to Ilijić, 2014: 78; Špadijer-Džinić, Pavićević & Simeunović-Patić: 2009: 226). However, because of natural differences that exist between male and female prisoners as well as due to female prisoners’ previous traumatic experiences, victimisation and history of mental health issues, female prisoners often seem to find coping with prison deprivations more difficult than male prisoners (Batrićević et al., 2023: 274). Female prisoners are more often victimized before entering the prison system and they suffer from mental illness more often than male prisoners (Batrićević et al., 2023: 274).

Female prisoners have particular needs, including the need to restore their reproductive health, the need for family planning, the need for the services that are necessary during pregnancy and childbirth, as well as the need for special care in the cases of women who experienced sexual violence or torture (Meilyaet al., 2020 according to Fathonah et al., 2023: 3). Also, it has been proven that female prisoners find it more difficult to cope with the disruption of family and interpersonal relations, especially with their children, than male prisoners (Jiang & Winfree, 2006: 37 according to Batrićević et al., 2023: 274). These different responses to the same type of deprivations in most cases emerge from the nature of female role (cultural identity) in the society (Giallombardo, 1966 according to Špadijer-Džinić, Pavićević & Simeunović-Patić, 2009: 227). Namely, the deprivation of freedom disables female prisoners from the fulfilment of their key social role as wife, mother and housekeeper (Giallombardo, 1966 according to Špadijer-Džinić, Pavićević & Simeunović-Patić, 2009: 227). Complex and closely interrelated and interdependent factors including gender, economic status, class, race, ethnicity, as well as the relation between the victimisation and criminalisation of women (Comack, 1996; Nikolić-Ristanović, 2000;

⁶ Recommendation Rec (2006)2 of the Committee of Ministers to Member States on the European Prison Rules, available at: <https://rm.coe.int/european-prison-rules-978-92-871-5982-3/16806ab9ae>, accessed on 28.02.2024.

Nuytiens & Christiaens, 2012; Petkovska, 2023 according to Batrićević et al., 2023: 274) make female prisoners one of the most vulnerable social groups (Pavićević, 2020 according to Batrićević et al., 2023: 274). For all these reasons, working with female prisoners is considered particularly challenging by the prison staff (Fathonah et al., 2023: 3) as the treatment must be tailored and adjusted to their specific needs and life experiences (especially previous victimisation by various types of abuse and discrimination in general), and thus different from the treatment created for (far more numerous) male population.

Although the vulnerability and specific needs of female prisoners are universally recognized, the actual position of each individual female prisoner cannot be observed separately from the overall living conditions inside the prison where she is serving the sentence. To describe these living conditions that are specific for each prison, the term “prison social climate” is used. The term prison social climate refers to prisons’ contextual characteristics that can have a strong impact on individuals’ behaviour and it is utilised to describe how it actually feels like to live and work in prison environment (Wright, 1985 according to Ilijić, Milićević & Pavićević, 2022: 76). Prison social climate is a multidimensional construct (Auty, Liebling, 2019 according to Ilijić, Milićević & Pavićević, 2022: 78) describing the way in which prison staff and convicted persons perceive a particular prison unit including its following characteristics: feeling of safety from aggression, presence of supportive therapeutic approach, fulfilment of prisoners’ physical and psychological needs, the possibility for prisoners to learn new skills and adopt prosocial behaviour (Tonkin, 2016 according to Ilijić, Milićević & Pavićević, 2022: 78). Prison social climate has great impact on the relations between prisoners and prison staff as well as on the adjustment of prisoners to the deprivation of liberty and stimulative social climate can enhance the readiness and motivation of prisoners to participate in various rehabilitation and treatment programmes (Ilijić, Milićević & Pavićević, 2022: 78). That is the reason why it should be taken into consideration when discussing the quality and effectiveness of treatment programmes that are applied in penitentiary institutions, including the Correctional Institution for Women in Požarevac that is in the focus of this paper.

The protection of female prisoners’ rights in international and national law

Vulnerability and specific needs of female prisoners are recognized in relevant international legal documents (of both – regional as well as universal scope of application) as well as in national legislation of the Republic of Serbia dedicated to the enforcement of criminal sanctions. United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), adopted in 2010 represent the first international document that comprehensively regulates the rights of women in the system of enforcement of criminal sanctions, including the position of female prisoners (Ćopić et al., 2023: 7). The Bangkok Rules proclaim the rights of female prisoners in the following areas: 1) specific needs of women and how to respond to them, 2) prevention of abuse and support for women who have experienced victimisation, and 3) protection of the rights of children (born in prison and/or staying in prison with their mothers) (Ćopić et al., 2023: 7).

The Bangkok Rules define fundamental principles and rules for the treatment of all women in custodial institutions – prisoners as well as those who are arrested and kept in custody (Ćopić et al., 2023: 8). All the provisions contained in the Bangkok Rules dwell upon the principle of non-discrimination and it is underlined that the fulfilment of specific needs of female prisoners shall not be considered as discriminatory practice because it ensures the respect of the principle of equality (Ćopić et al., 2023: 8). The Bangkok Rules insist on the implementation of a gender-sensitive approach to all aspects of prison life, particularly in the cases of pregnant or breastfeeding women, women with small children, women who are victims of various forms of violence and abuse, women with trauma or mental health issues etc. They recognise the important role that family contact plays in the rehabilitation of female prisoners and therefore, insist on the maintenance of family contacts as much as it is possible (Ćopić et al., 2023: 8).

Normative framework of the Republic of Serbia takes into consideration the differences that exist between male and female prisoners and respects the specific needs of female prisoners. The law says that male and female prisoners serve their sentences separately (Article 46, Paragraph 3 LECS) and it prescribes that convicted women are directed to the Correctional Institution for Women (Article 50, Paragraph 3 LECS). The enforcement of punishment can be delayed if a female prisoner is more than 6 months pregnant or if she has a child below 1 year of age – until the child is 3 years old (Article 59, Paragraph 1, Point 2 LECS).

LECS contains several provisions pertinent to the protection of human rights of female prisoners, especially when it comes to the protection of pregnant female prisoners or mothers. LECS obliges Correctional Institution for Women to provide medical equipment necessary for their care and treatment (Article 24, Paragraph 5 LECS), but in the first place in relation to their reproductive health and maternity⁷. Pregnant women, women who recently gave birth and mothers who take care of their babies are separated from other female prisoners (Article 78 LECS). A female prisoner can keep her child with her throughout the enforcement of her punishment, but after the child is more than 2 years old, the parents have to make a decision whether the child will be entrusted to his/her father, relatives or other persons. (Article 119, Paragraph 1 LECS). The best interest of the child is also important, so when the parents fail to agree or where the agreement they reach is to the detriment of the child, the court of relevant jurisdiction according to the place of domicile, i.e. residence of the mother at the time of conviction shall decide on entrusting of the child (Article 119, Paragraph 2 LECS). Convicted women with children shall be entitled to assistance of professional staff of the penitentiary institution. When lacking immediate mother's care, the child shall be provided with adequate accommodation in a special room of the penitentiary institution and professional care, which shall correspond to the standard for the child care institutions. The delivery of a convicted woman, care and accommodation provided for her and care for the child in the penitentiary institution shall be free of charge (Article 120 LECS).

⁷ „A penitentiary institution for women must have special equipment for the care of pregnant women, puerperae and medical treatment of women” (Article 24, Paragraph 5 LECS).

A female prisoner with a child has the right to assistance by the prison staff and, if she cannot provide care for her child, the child is placed in separate premises within the prison and given the care is in accordance with the standards of social welfare institutions for children. Female prisoners have the right to absence from work due to pregnancy, birth giving and motherhood in accordance with legal provisions regulating labour rights (Article 110 LECS).

There is just one correctional institution for female offenders – correctional institution for the enforcement of custodial sentences and juvenile detention (for juveniles older than 14). The institution is located in Požarevac, and the justification for the existence of just one correctional facility for women (and girls sentenced to juvenile detention) is related to small ratio of female convicts (and women as perpetrators generally) in the structure of convicted persons⁸. The women sanctioned for misdemeanours are referred to Correctional Institution for Women in Požarevac also, but according to LECS, they serve their prison sentence separately from the convicted women (as the regime of serving prison sentence for misdemeanours is a special one⁹).

At the time of the survey, there were about 240 women convicted for criminal offences in the facility (apart from those in the admission ward waiting for categorisation). Women with mental disorders sanctioned by some of the security measures that include psychiatric treatment, as well as those sanctioned by other medical security measure are referred primarily to Special Prison Hospital, while minors who are sanctioned by the measure of referral to the educational-correctional facility (which is considered the most severe institute sanction among educational measures) are accommodated in a special institution for minors of both sexes. Since we are only interested in the Correctional Institution for Women in Požarevac, we focused our attention only on this institution and the rules that apply to convicted women.

Depending on the security levels, the penitentiary institutions can be of the open, semi-open, closed and closed type with special security and the Correctional Institution for women is of the semi-open type, which means that the employees of the security service are the basic obstacle for escape (Art. 14-15). This solution can be associated with the lower risk that women generally pose when it comes to issues of safety and security. Despite of that fact, the institution is surrounded with high walls which is not in accordance with the previously mentioned provision of the LECS. Therefore, although there are open, semi-open and closed departments in the institution, and they differ according to the level of security and the manner in which convicts are treated, all women actually serve their prison sentence in a closed institution.

⁸ In European penal institutions, the overwhelming majority of inmates are men, representing approximately 95% of the total prison population. Conversely, women account for a mere 5% of inmates (in Serbia: 4,1%) (Aebi et. al., 2023: 8-9). For further information see: Čopić (2024) in this volume.

⁹ Women punished for misdemeanours also receive special treatment due to their reproductive health and rights, e. g. enforcement of the sanction shall be stopped for a sanctioned woman in the sixth month of pregnancy and for a sanctioned mother with a child younger than one year of age until the child turns one year (Art. 222, Par. 1).

Aims

The objectives of this research, conducted by using semi-structured questionnaires filled out by the employees of the treatment service in Correctional Institution for Women in Požarevac, were the following: 1) to determine the forms of treatment that are carried out in the only institution for women in Serbia, 2) to map the problems indicated by the respondents, 3) to check how gender-sensitive approach has been applied, and 4) to suggest how to improve the existing situation in this field. Also, bearing in mind that the female prisoners were already interviewed and significant insights into the quality of life in prison were provided for the purpose of some other researches (see for example: Nikolić-Ristanović, 2000; Meilya et al., 2020; Ćopić et al., 2023; Batrićević et al., 2023; Ćopić, Stevanović & Vujičić, 2024), it was important to hear the other side, in order to get a more complete picture of life and treatment of female prisoners in Correctional Institution for Women in Požarevac.

Methods

Semi-structured questionnaires were submitted to the administration of the Correctional Institution for Women in Požarevac and further distributed to the employees of the Treatment Service with the indication that they are anonymous, that respondents can contact the researchers at any time for clarification, and that, possibly, the researchers themselves, upon reviewing the questionnaire, would contact the Treatment Service with additional questions, in order to clarify and obtain a comprehensive picture of the subject. A total of six questionnaires were completed (out of nine employees in the treatment service¹⁰), and the respondents were the following professionals: psychologist (3), special pedagogue, educator and sociologist. Most of the respondents have more than twelve years of experience (only one, a sociologist, has two years of work experience, while the educator has the longest work experience (16 years)) and all the time they were engaged in the Correctional Institution for Women in Požarevac, which indicates a good knowledge of the situation in prison itself and the usefulness of the data obtained.

Results

Characteristics of female prisoners in Serbia

The picture of the female prison population in Serbia does not differ from that at the global, especially European level. Substance use and addiction are integral to understanding female offending, as many women are incarcerated either for non-violent, drug-related crimes or instrumental property crimes designed to enable the acquisition of drugs. Violent offences are mostly related to family or partner relations, often originated in prior victimisation in family or partner relationships (Nikolić-Ristanović, 2000; Simeunović-Patić, Jovanović, 2013; WHO, 2009: 2). According to our respondent (head of the treatment service) in comparison to the period of ten years ago, there is an increase in the number of women convicted of violent offences, as well as an increase in the number of addicts. These

¹⁰ Three employees were on sickness leave/absent for other reasons (one psychologist, one special pedagogue, one social worker).

issues should be the subject of future research, but it seems that it could be related to harsher penal policies towards those offences (with elements of violence and related to drugs). However, this fact has to be taken into consideration when creating treatment programmes.

According to a recent survey conducted in the Correctional Institution for Women in Požarevac (Savić, Knežić, 2019) female prisoners mostly lack interpersonal contacts with their children and parents, and this kind of deprivation makes them additionally vulnerable and adaptable to prison life conditions. However, it can be overcome by using Skype and similar ways of communication with family members, whenever it is possible. Such practice was introduced and widely applied during COVID-19 pandemic in all institutions for the enforcement of criminal sanctions in Serbia, which had particularly positive results in the institutions for juvenile offenders (see: Kolaković-Bojović, Batričević, 2021: 1115 -1130) It should be stressed out that this deprivation is strongly related to the existence of just one correctional facility for women, located in Požarevac, city that is far and expensive to reach for many prisoners' family members. Some prisoners do not want to be seen in a prison environment by their children or the stress following the separation is too challenging for both sides (Savić, Knežić, 2019: 21). Nevertheless, female prisoners who were respondents in the survey Quality of Prison Life in the Republic of Serbia evaluated their contacts with family as good - 3,15 out of 5 (Ćopić et al., 2023: 31; Ćopić, Stevanović & Vujičić, 2024).

Treatment programmes available for female prisoners in Serbia

In the Correctional Institution for Women in Požarevac, the following activities are carried out within the treatment: specialized programmes: general cognitive-behavioural programme and programme for drug addicts. There are still two specialized programmes that are being implemented in the institution, although three more programmes are assigned at the level of the Administration for the Execution of Criminal Sanctions: programme for perpetrators of violent crime, programme for perpetrators of domestic violence and specialized programme for group work with alcohol addicts (Zaštitnik građana, 2022a: 9). The cognitive-behavioural programme is applied generally to perpetrators with (less serious) mental disorders, and it is not specifically tailored for female prisoners. This should be changed in terms of programme sensitisation in accordance with the Bangkok Rules and the Strategy for the Development of the System of Execution of Criminal Sanctions for the Period 2022-2027¹¹ which underlines need for the improvement of treatment and the human rights of the particularly vulnerable categories of convicted persons, which women with mental disorders certainly are.

In Correctional Institution for Women in Požarevac there are educational workshops /sections including: music (choir and folklore), drama and recitation, literary section, art section, sports (volleyball, table tennis, aerobics, chess); courses for tailoring and sewing, cosmetic courses (manicure, pedicure, hairdresser), a course for photography and for growing fruits and vegetables. When it comes to participation in these activities, it has been noted that ten female convicts participate in specialised programmes (a total of 20); there are

¹¹ Strategy for the Development of the System of Execution of Criminal Sanctions for the Period 2022-2027, *Official Gazette of the Republic of Serbia*, No.142/2022.

12 in the choir, the same number in the art section, in the folklore assemblé 23, in the drama and recitation section 20 each, and in the literary 15. The greatest interest is in aerobics (87), volleyball (70), table tennis (40), and the least interest in chess – 4. Altogether 50 female convicts are involved in the educational workshops. The course for growing fruits and vegetables is attended by 10, and the course for manicure and pedicure by 12 female prisoners.

All respondents point out that convicts are satisfied with activities carried out as a part of the treatment and evaluate it well, i.e. they emphasise the motivation of female prisoners to engage in existing activities and their satisfaction.

To the question "In your opinion, are there any activities that are particularly useful for convicts in terms of their work on themselves, deterrence from criminal behaviour, training for independent life at liberty in accordance with the law?", the majority of respondents answered that all of the above-mentioned activities are useful, but they specifically emphasised trainings for professions that will benefit them upon release and specialised programmes "that deal with the change of criminogenic way of thinking, attitudes, habits and other factors affecting the reduction of the degree of relapse", as one of the respondents said. As key challenges related to the implementation of treatment, the respondents highlighted the problems of technical organisation of all activities (from the aspect of time and space) and their alignment with other obligations (specifically with the work engagement of convicts, as well as with the tasks of the staff). The most demanding aspect of working with convicts is "corrective work", and since this is a very important topic, we will list all the answers in an integral version, although they are basically reduced to the same: "work on their authentic change of criminogenic behaviour and perseverance in this change (which is conditioned by their capacities, their authentic motivation and family support)"; "limited capacities, associated mental disorders that interfere with corrective work"; "work with resistance"; "work to change behaviour because convicts differ in the capacity they possess"; "work to change behaviour and way of thinking since most female convicts do not have a satisfactory capacity to do so."

As ways to improve the effectiveness of treatment, all respondents indicate the need to provide adequate space for all activities (which was pointed out as a problem before), as well as a larger number of treatment officers. It is indicated that the occupancy of the officers of the treatment, who have multiple tasks and obligations, make it difficult to harmonise various activities that are carried out. The two respondents emphasised just the need for more treatment officers. These responses given by the prison staff members are in harmony with the responses of female prisoners given to the researchers for the purpose of the PrisonLIFE Project report, published in 2023 (Ćopić et al., 2023: 31). Namely, in the aforementioned report, the quality of prison life of female prisoners in Correctional Institution for Women in Požarevac was rated below the border value when it comes to the dimension of professionalism (2,76) and wellbeing and development (2,85) (Ćopić et al., 2023: 31). We agree with Šućur and Žakman-Ban (2005) that the key elements of success in programmes for women are characteristics of staff members (staff with certain skills, such as active listening, patience in explaining rules and expectations, awareness of emotional

dynamics, willingness to react justly etc.), and respect for the specific interests and needs of female prisoners.

The third part of the questionnaire contained questions related to the gender-sensitive approach in conceiving and implementing treatment activities with the emphasis on the Bangkok Rules. All respondents pointed out that these rules are respected, and that appropriate rooms are provided for the stay of pregnant women and mothers with children, as well as proper gynaecological examinations. When it is stated that the specific needs of women are taken into account, the responses pointed out that they are primarily related to pregnancy and the maternity, and one respondent stated that in the care of pregnant women and maternity, special attention is taken to the best interests of the child. The three questionnaires list, in addition to those on ensuring the care of pregnant women, obstetrics, mothers and "providing support, empowerment and awareness of the position of women in society and getting acquainted with rights". In no case was there any recognition of the previous victimisation of women, nor was the concept of *blurred boundaries* recognized rightly (as a term used to explain the significant intertwining between the commission of criminal offences and the experience of victimisation). Instead, it is associated with the rules and boundaries that must be respected in the implementation of activities, according to, as most respondents cited "agreed concept". Only one respondent admitted she did not know what it was. When asked "do you need or would you welcome additional education for better job performance?", most of the respondents replied that they need cooperation, i.e. exchange of experiences with other colleagues, especially from abroad. One respondent stated the need for education about working with sexual trauma and psychological disorders (the respondent is a psychologist, with extensive experience in working with convicts). By the way, none of the respondents answered the question of whether she was familiar with any activities that are applied in other countries as part of the treatment of convicts, which would be useful in their work with convicted women. Only one respondent (with the most years of experience) replied that she did not have knowledge about treatment models applied in other countries¹². This lack of response, i.e. knowledge about the application of treatment programmes for female prisoners in other countries indicates that there is a strong need for better communication and exchange of experience and good practices with foreign colleagues, which the respondents already mentioned.

In an interview with the Head of the Treatment Service, we discussed the issues that emerged during the visit of the National Preventive Mechanism (hereinafter: NPM) in 2021 with the aim of considering the implementation of the Bangkok Rules (Zaštitnik građana, 2022: 37-38). It was concluded that the Correctional Institution for Women in Požarevac acted according to the NPM recommendations, which are created to improve position of female prisoners, as well as their children¹³. Namely, the neuropsychiatrist visits the Correctional Institution for Women more often (minimum four times monthly instead of two

¹² See, for example: U.S. Department of Justice, Federal Bureau of Prisons, *Female Integrated Treatment (FIT)*, available at: https://www.bop.gov/policy/progstat/5240_001.pdf, accessed on 20. 3. 2024. About different programmes specialised for women who committed violent acts (related to their previous victimisation): Turković, (2023)

¹³ See: Zaštitnik građana (2022a).

times in previous period) until one doctor engaged in the Correctional Institution for Women completes his specialisation in neuropsychiatry, when the recommendation related to the opening of the position of a psychiatrist who would be permanently present at the Institution will be fulfilled).

The Correctional Institution for Women in Požarevac regulated a search of children through its internal procedures, ensuring competence, professionalism, sensitivity and respect for their dignity during the search (before the visit). Also, the Institution envisaged (by internal rules) that children visitors leave the area in which the visit is performed before the convict to whom they came to visit, bearing in mind that the end of the visit can be very difficult for children and parents and that watching parents leave on the orders of a prison officer can further aggravate the children's stress due to separation. However, several female convicts, during conversations with the NPM team (Zaštitnik građana, NPM, 2022) complained that their children were thoroughly searched during the visit (not just visually as it is envisaged internally), and that children aged 13, 16 and 17 had to take their clothes off before the visit in a separate room (so-called conjugal visit or three hour-visit). Some prisoners asked their children not to come to visit again in order to prevent their exposure to such degrading treatment.

Female prisoners are now allowed to make contacts with family members during the application of disciplinary measures of referral to solitary confinement. The Correctional Institution for Women in Požarevac took measures to enable pregnant women, nursing mothers and convicts with children to participate in work and other activities that are tailored to their needs and capabilities. The management submitted a proposal to the Administration for the Execution of Criminal Sanctions to expand the systematisation of jobs by the position of nursery teacher, fully employed at the Institution, in order to create conditions for childcare in the absence of direct maternal care. At the moment, children are referred to kindergartens/nurseries outside the institution, which is certainly a step forward in the direction of respecting the best interests of the child, but also of the mother who can be more actively involved in treatment activities.

The recommendation related to employment of more staff members in the Treatment Service has not yet been fulfilled (four more persons should be fully employed), and as it was previously mentioned – more staff members are also one of the demands of the actual staff members who participated in this research. In the end, it should be noted that the NPM commended Correctional Institution for Women in Požarevac for providing better accommodation capacities (in the new pavilion) for prisoners from the closed ward, as well as for the prompt reaction in the case of violence against one female prisoner committed by a male officer (Zaštitnik građana, 2022a: 8 and 11; Zaštitnik građana, 2023: 5).

Conclusion

The Republic of Serbia is now showing more concern for gender issues with the aim to eliminate discrimination and to protect women from various and “new” forms of violence by adopting and implementing relevant international documents (Jovanović, Vujičić, 2022). The Bangkok Rules are among them, and the efforts regarding their implementation and

monitoring of the implementation process are also visible. However, there is always space for improvement.

Female prisoners make a small part of the prison population indeed, but they must not be neglected, as they have already been immensely neglected and victimised prior to entering the prison gates. Therefore, necessary steps should be made in order to alleviate their victimisation and cease their “desocialization” by tailoring gender-responsive treatment programmes within the criminal justice system. Namely, current insights and challenges indicated by our respondents (treatment service staff members as well as female prisoners – respondents in other previously mentioned research recently conducted in Serbia) as well as actual legal provisions show that this dimension is not fully recognized and applied in the field of prison treatment of women.

The analysis of the responses given by the employees in the Correctional Institution for Women in Požarevac implies that the types of their treatment programmes are in accordance with gender-sensitive approach. As it has already been mentioned, these programmes include courses for tailoring, sewing, hairdressing, manicure, pedicure etc., which are all typically “female professions”. This is certainly acceptable and decent, but it does not seem to be sufficient. Namely, there seems to be the need for education and professional skills related to other fields as well, such as, for example, computer skills. Learning new professional skills would make female prisoners more competitive at the labour market after serving their sentence. Such an approach would additionally contribute to their empowerment and resocialization.

The respondents explained that there has been no exchange of knowledge and experiences with colleagues from foreign correctional institutions and that they would find it useful to participate in such activities. Some of the respondents emphasised that they would appreciate it if they could learn more about the treatment of female prisoners with trauma and mental disorders.

This is of specific importance in the context of frequent previous victimisation of female prisoners in the cases of family and gender-based violence, which makes them particularly vulnerable and traumatised. Their vulnerable position requires special treatment and special knowledge and skills on the behalf of prison staff members who work with them. If the cooperation with other prison staff members in the field of education and exchange of experience cannot be established at the international level, due to lack of financial and organisational capacities, perhaps the possibility to organise some workshops and lectures with national experts could be taken into consideration. Such activities were conducted in Serbia, but only as activities within various projects and they have not yet been introduced as a regular and obligatory practice. For example, Victimology Society of Serbia provided education about working with victims of gender-based violence for social service providers that was attended, among others, by 12 prison staff members from Correctional Institution for Women in Požarevac in May and June 2012¹⁴.

¹⁴ Realizovane obuke VDS, available at: <https://vds.rs/edukacije/>, accessed on 22.3.2024.

To conclude, one should have in mind the fact that the process of treatment should not end when the convicted person steps outside the prison walls, particularly in the case of conditional release. That is the reason why greater efforts should be made throughout the process of supervision¹⁵, post-penal assistance, social reintegration and recidivism prevention, particularly when it comes to providing support for women experiencing difficulties in various fields, including discrimination, stigmatisation, lack of income, insufficient competences for labour market, family issues, health-related problems, addiction, returning to violent environment etc.

References

- Aebi, M. F., Cooco, E., Molnar, L. (2023) *Prisons and Prisoners in Europe 2022: Key Findings of the SPACE I Survey*. Strasbourg and Lausanne: Council of Europe, Université de Lausanne.
- Batrićević, A., Pavićević, O., Čopić, S., Milićević, M. (2023) Quality of Prison Life of Female Prisoners in Serbia: Key Challenges and Areas of Strength. *Revija za kriminalistiko in kriminologijo*, 74(4), 273-289.
- Batrićević, A., Jovašević, D. (2013) Organized Crime as a Threat to Security Systems – Serbian Experience. *Studia Securitatis (Security Studies)*, 7(2) 86-102.
- Batrićević, A., Želeskov Đorić, J., Petrović, B., Knežić, B. (2020) Through Offenders' Eyes: A Pilot Study on Experiencing Supervision in Serbian Criminal Justice System. *Teme*, 44(2), 587-605.
- Bylaw on treatment, programme, classification and subsequent classification of convicted persons, *Official Gazette of the Republic of Serbia*, No. 66/2015.
- Comack, E. (1996) *Women in trouble: Connecting women's law violations to their histories of abuse*. Fernwood Publishing.
- Čopić, S., Stevanović, I., Vujičić, N., Stevanović, A. (2023) *Ekspertski izveštaj kvalitet zatvorskog života u Republici Srbiji*. Beograd: Institut za kriminološka i sociološka istraživanja.
- Fathonah, R., Rosidah, N., Maroni., Anwar, M., Pratama, A., A. (2023) Legal Study on Fulfilling the Rights of Women Prisoners in Correctional Institutions. *Journal of Law and Sustainable Developmet*, 11(12), 1-22. <https://doi.org/10.55908/sdgs.v11i12.2204>
- Ignjatović, Đ. (2021) *Kriminologija*. Beograd: Pravni fakultet Univerziteta u Beogradu
- Ignjatović, Đ. (2018) *Pravo izvršenja krivičnih sankcija*. Beograd: Pravni fakultet Univerziteta u Beogradu.
- Igrački, J. (2020) *Efekti zatvora u resocijalizaciji osuđenika*. Beograd: Institut za kriminološka i sociološka istraživanja.
- Ilijić, Lj. (2014) *Osuđeni i deprivacije: uticaj karakteristika ličnosti na intenzitet doživljavanja zatvorskih deprivacija*. Beograd: Institut za kriminološka i sociološka istraživanja.
- Ilijić, Lj. (2022) *Obrazovanje osuđenika – od resocijalizacije do transformacije*. Beograd: Institut za kriminološka i sociološka istraživanja.
- Ilijić, Lj., Milićević, M., Pavićević, O. (2020) Approaches and Methods in the Quality of Prison Life Assessing-measuring and moral climate in prison. In: Nedović, G., Eminović, F. (Eds.), *Approaches and Models in Special Education and Rehabilitation: Thematic Collection of International Importance* (85–98). Belgrade: University of Belgrade, Faculty of Special Education and Rehabilitation.
- Ilijić, Lj., Milićević, M., Pavićević, O. (2022) Osvrt na početke proučavanje zatvorske socijalne klime i razvoj instrumenata za procenu. *Zbornik Instituta za kriminološka i sociološka istraživanja*, 41(1), 75-87. <https://doi.org/10.47152/ziksi2022015>
- Jiang, S., Winfree, L. T. (2006) Social Support, gender, and inmate adjustment to prison life: Insights from a national sample. *The Prison Journal*, 86(1), 32-55.

¹⁵ For further information about offender supervision in Serbia see: Batrićević, A., Želeskov Đorić, J., Petrović, B., Knežić, B. (2020) Through Offenders' Eyes: A Pilot Study on Experiencing Supervision in Serbian Criminal Justice System. *Teme*, 44(2), 587-605.

- Jovanović, S. (2010) *Pravna zaštita od nasilja u porodici*. Beograd: Institut za kriminološka i sociološka istraživanja.
- Jovanović, S., Đorđić, C. (2023) One Look at the Elderly in Prison: Case Study of the Correctional Facility in Niš. In: Stevanović, I., Beljanski, V. (Eds.) *Elderly People and Discrimination: Prevention and Reaction* (243-265). Belgrade, Novi Sad: Institute of Criminological and Sociological Research, Vojvodina Bar Association.
- Jovanović, S., Vujičić, N. (2021) Requirements of the Istanbul Convention in Domestic Law and Court Practice. In: Popović, D. V., Kunda, I., Meškić, Z., Omerović, E. (Eds.) *Balkan Yearbook of European and International Law* (213-238). Springer.
- Kolaković-Bojović, M., Batričević, A. (2021) Children in correctional institutions and the right to communicate with their families during the COVID-19 pandemic. *Teme*, 45(4), 1115 -1130.
- Law on the Enforcement of Criminal Sanctions *Official Gazette of the Republic of Serbia*, No. 55/2014 and 35/2019.
- Meilya, I. R., Hanafi, S., Siregar, H., Fauzi, A. (2020) Female Prisoners in Prison: Study of the Social Behavior of Female Prisoners. *Journal of Nonformal Education and Community Empowerment*, 4(2), 139-147.
- Milutinović, M. (1977) *Penologija*. Beograd: Savremena administracija.
- Moos, R. H. (1997) *Evaluating treatment environments: The quality of psychiatric and substance abuse programs*. New Brunswick, NJ: Transaction Publishers. <https://doi.org/10.4324/9781351291804>
- Nikolić-Ristanović, V. (2000) *Od žrtve do zatvorenice: Nasilje u porodici i kriminalitet žena*. Beograd: Viktimološko društvo Srbije.
- Nuytiens, A., Christiaens, J. (2012) Female offenders' pathways to prison in Belgium. *Temida*, 15(4), 7-22.
- Park, A. (2018) The Quality of Prison life at the Lledoners Penitentiary System: A Comparative Analysis (Master thesis paper). Tilburg University, Barcelona.
- Pavičević, O. (2020) Kriminalizacija marginalizovanih žena. *Zbornik Instituta za kriminološka i sociološka istraživanja*, 39(2-3), 59-73.
- Pavičević, O., Ilijić, Lj., Batričević, A. (2024) *Moralna i socijalna klima u zatvorima*. Beograd: Institut za kriminološka i sociološka istraživanja.
- Petkovska, S. (2023) Značaj pojma intersekcionalnosti za socijalnu patologiju: Epistemološki I metodološki aspekti. *Zbornik Instituta za kriminološka i sociološka istraživanja*, 42(1), 81-99.
- Protić, S. (2023) *Žensko prestupništvo: fenomenologija, teorijski pristupi i praktične implikacije*. Beograd: Institut za kriminološka i sociološka istraživanja.
- Recommendation Rec (2006)2 of the Committee of Ministers to Member States on the European Prison Rules, available at: <https://rm.coe.int/european-prison-rules-978-92-871-5982-3/16806ab9ae>, accessed on 28. 2. 2024.
- Savić, M., Knežić, B. (2019) Podrška osuđenima u zatvoru: pogled iznutra. *Zbornik Instituta za kriminološka i sociološka istraživanja*, 38(3), 7-24.
- Simeunović-Patić, B., Jovanović, S. (2013) *Žene žrtve ubistva u partnerskom odnosu*. Beograd: Institut za kriminološka i sociološka i istraživanja.
- Simeunović-Patić, B., Jovanović, S. (2017) Intimnopartnerski umori v Srbiji: pojavne značilnosti, dejavniki tveganja in spolne (ne)simetrije. *Revija za kriminalistiko in kriminologijo*, 68(1), 31-42.
- Soković, S. (2011) Savremene globalne tendencije u kontroli kriminaliteta. *Crimen*, 2(2), 212-226.
- Stevanović, Z. (2014) *Tretman osuđenika u zatvorskom sistemu Srbije*. Beograd: Institut za kriminološka i sociološka istraživanja.
- Stevanović, I., & Ilijić, Lj. (2019) Kaznena politika kao mehanizam za smanjenje kriminaliteta. U: Bejatović, S., Simović, M. (Ur.) *Kaznena politika i prevencija kriminaliteta IX međunarodna naučna konferencija*, 423-441.
- Strategy for the Development of the System of Execution of Criminal Sanctions for the Period 2022-2027, *Official Gazette of the Republic of Serbia*, No.142/2022

- Sykes, G. (1958) *The Society of Captives: a Study of a Maximum Security Prison*. New Jersey: Princeton University Press.
- Špadijer-Džinić, J., Pavićević, O., Simeunović-Patić, B. (2009) Žena u zatvoru – deprivacije zatvorskog života. *Sociologija*, 51(3), 225-246.
- Šućur, Z., Žakman-Ban, V. (2005) Značajke života i tretmana žena u zatvoru. *Društvena istraživanja: časopis za opća društvena pitanja*. 14(6 (80)), 1055-1079.
- Turković, L. (2023) *Tretman žena počiniteljica kaznenih delikata sa elementima nasilja*, Sveučilište u Zagrebu, Edukacijsko-rehabilitacijski fakultet, available at: <https://urn.nsk.hr/urn:nbn:hr:158:043237> , accessed on 20. 3. 2024.
- U.S. Department of Justice, Federal Bureau of Prisons, *Female Integrated Treatment (FIT)*, available at: https://www.bop.gov/policy/progstat/5240_001.pdf, accessed on 20. 3. 2024.
- World Health Organization (2009) *Women's Health in Prison: Correcting Gender Inequity in Prison Health*. Copenhagen
- Wright, K. (1985) Developing the Prison Environment Inventory. *Journal of Research in Crime and Delinquency*, 22(3), 257-277.
- Zaštitnik građana (2022) Nacionalni mehanizam za prevenciju torture: Izveštaj za 2021. godinu, del. br. 18625 od 18. 7. 2022, available at: <https://npm.ombudsman.org.rs/attachments/article/1152/Izvestaj%20za%202021.pdf>, accessed on 26. 3. 2024.
- Zaštitnik građana (2022a) Izveštaj Nacionalnog mehanizma za prevenciju torture o poseti Kazeno-popravnom zavodu za žene u Požarevcu. del. br. 30268, 5. 12. 2022. available at: <https://npm.ombudsman.org.rs/attachments/article/1193/Izvestaj.pdf> , accessed on 26. 3. 2024.
- Zaštitnik građana (2023) Nacionalni mehanizam za prevenciju torture: Izveštaj za 2022. godinu, del. br. 17945 od 18. 7. 2023. available at: <https://npm.ombudsman.org.rs/attachments/article/1213/GI%202022.pdf>, accessed on 28. 03. 2024.

Well-being of female convicts in Serbian prisons: personal autonomy and personal development*

The paper delves into the analysis of well-being, considering social, psychological, gender, and other theoretical aspects. Its objective is to explore ways for achieving and enhancing the level of well-being among female prisoners within the context of prison life. The theoretical examination primarily focuses on concepts essential for well-being, namely personal autonomy and personal development. Drawing from philosophical and psychological theories, personal autonomy and personal development are seen as sub-dimensions of overall well-being within the framework of researching the quality of prison life (MQPL). A fundamental and extensive thesis of research on the potential for identity transformation in prisons implies the necessity of a supportive environment conducive to fostering growth identities. This thesis recognizes the individual's agency in shaping and evolving their identity while undergoing a process of redefining their values, ultimately leading to desistance from criminal behaviour. It envisions the development of a pro-social, positive identity rooted in elements such as relationships, trust, well-being, and openness. Research conducted as part of the PrisonLIFE project at the only women's prison in Serbia, the Correctional Institution for Women in Požarevac, has validated that various factors impact the levels of personal autonomy and personal development among female inmates. Notably, differences emerge in how female inmates assess their prison experience concerning various aspects of well-being and development, as outlined in the MQPL framework. Female prisoners rated the dimension of well-being significantly lower than both personal development and personal autonomy. This suggests that female inmates may perceive feelings of pain, punishment, and tension associated with incarceration more intensely compared to their engagement in activities related to personal growth and preparation for reintegration into society, as well as their sense of agency and self-determination within the prison environment.

Keywords: Well-being, personal autonomy, personal development, female prisoners, prison, moral climate

Introduction

The conceptualization of human well-being involves establishing criteria and principles for selecting and prioritizing well-being indicators. This process draws from philosophical concepts as well as socio-political and ideological perspectives that shape our understanding of what constitutes a fulfilling life or well-living. Both, objective and subjective factors contribute to determining well-being levels and how they interact with each other is a topic of theoretical discussion. Integrative approaches have been explored to conceptualize well-being, considering psychological, social, cultural, economic, health and other dimensions. Ultimately, well-being encompasses a broad spectrum of aspects related to life and living.

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For example, social constructionism implies that well-being is a product of the specific overall context of one's life (Bulatović, 2014:105). Well-being provides a person with a sense of how their life is unfolding in light of one's circumstances, activities and 'mental capital' (psychological resources) (Bulatović, 2014:106). Psychological well-being can be defined as the experience of positive psychological states, functioning well within one's environment, personal growth, and positive relationships (Netten & Gibson, 2023).

Functioning well in a social environment links the social and individual psychological components of well-being. Socially healthy individuals have a realistic view of the world and the desire to give meaning to life experiences (Keyes, 1998). Such people are likely to experience greater personal well-being than others and are likely to be instrumental to the achievement of social well-being from which both they and others benefit (Bulatović, 2014:108). The feeling of social integration also has positive effects on psychological states: in terms of a sense of belonging and self-esteem (Kawachi & Berkman, 2001). In terms of its functional value, social support can have an impact on stress-producing outcomes or interact with stress perception. It has been hypothesized that social support may reveal its beneficial effects on health and emotion only during periods of individual distress, as it moderates the adverse effects of stressful events, the moderating effect known as the stress buffer effect (Kawachi & Berkman, 2001:459). The positive influence of social integration and social roles is well-recognized in fostering self-esteem and preventing psychopathology (Berkman et al., 2000).

The effective functioning within prison communities requires respecting the particularities of the prison environment, which simultaneously emerges as a source of distress, deprivation, and diminished well-being, but also as an opportunity for personal transformation and growth. Focusing on the negative consequences resulting from prison deprivation and their prevention, while at the same time endorsing the positive interpersonal relationships, forms and habits condition prison life (Ilijić, Milićević, & Pavićević, 2020: 86). Developing an instrument for measuring the quality of life in prisons, Alison Liebling designed and refined over time the concept of "MQPL" (Measuring the Quality of Prison Life) with the aim of improving and deepening the understanding of prison life and identifying those dimensions that have proven to be truly important in the reality of prison life (see Liebling, assisted by Arnold, 2004). The model evaluates the quality of prison life and its relevant outcomes in penal and forensic settings and also provides valuable insights into the prison environment and its impact on prisoners' well-being and adaptation. It has 21 dimensions thematically grouped into five global dimensions: staff-prisoner relationships, professionalism, security, conditions and family contact, and well-being and development (Batrićević et al., 2023: 275). The dimensions of well-being and development examined the following aspects of prison life: Personal development - an environment that helps convicts develop their potential, deal with criminal behavior and adequately prepare for release ("I see the time spent in this prison as a chance to change"); Personal autonomy - convicted person's feelings regarding personal autonomy and self-determination ("You can preserve your personality in this prison"); Well-being - the suffering of imprisonment and the feelings of pain, punishment and tension experienced by convicted persons ("The time spent in this prison acts to a large extent as a punishment"); Anxiety - feelings of serious inner turmoil ("I thought about suicide in this prison") (Liebling, assisted by Arnold, 2004; Liebling, Hulle

& Crewe, 2011; Stevanović, Ilijić & Vujičić, 2023). In the prison context personal autonomy represents prisoners' feelings of agency and self-determination, and as such, it serves as a prerequisite for personal development and growth, serving the purpose of attaining well-being and transforming the identities of convicted individuals towards non-criminal ones. Personal development involves unlocking the potential of convicted individuals.

Personal autonomy and personal development

Aristotle's understanding of well-being as a life lived in accordance with virtue and wisdom, in the pursuit of fulfilling one's full potential, is developed by Ryff and Singer through ideas from developmental psychology, existential, and humanistic philosophy (Ilijić, Pavićević & Milićević, 2024). These perspectives define virtue as the utilisation of one's talents and capacities, self-realisation through personal growth and development at different life stages, and thriving in challenging, sometimes unbearable life circumstances (Ryff & Singer, 2008). Their integrative approach includes six dimensions as conditions for achieving individual well-being. These are: Self-acceptance; Positive relations with others; Personal growth; Purpose in life; Environmental mastery and Autonomy (Ryff & Singer, 2008:20-21).

In this context, comprehending well-being within prison settings pertains to the subjective well-being experienced by incarcerated individuals. This understanding is grounded in an integrative psychological approach that emphasises personal development and autonomy as essential prerequisites for achieving and improving well-being. What may seem paradoxical in this conceptualization of subjective well-being applied within the context of prison life is the close association between autonomy and the concept of freedom, which is significantly restricted in such settings. Autonomy, as a dimension of well-being in assessing the quality of prison life, becomes constrained by the limitations imposed by the deprivation of freedom. People in prison have limited autonomy, are separated from their family, friends and support networks, and threat and suspicion are often part of day-to-day life (Netten & Gibson, 2023). The capacity of incarcerated individuals to make decisions for themselves is often confined to mundane matters pertaining to daily prison routines. Despite this, the provision of greater opportunities for independent choices and decisions can foster the development of responsibility and self-confidence among convicted individuals, even though the scope of these decisions remains narrow (Pavićević, Batrićević & Ilijić, 2024:158). For example, the deprivation of liberty and autonomy may be felt less severely by people who spend most of their time out-of-cell, are free to move around the prison, or are able to work outside the prison during the day (Van der Kaap-Deeder et al., 2017). Even the ability to self-cater, for individuals to cook their own meals, may mitigate the deprivation of autonomy and enhance well-being (Parsons, 2017). Staff providing opportunities and allowing prisoners a degree of choice and control (where feasible) appears to enhance their wellbeing. In addition to this, we know that mastery (having a sense of control, being proactive, capable, or able to achieve/develop skills) has also been linked to psychological wellbeing. There is some evidence that when prisoners have a sense of meaning, this has a positive effect on their wellbeing, optimism, and resilience (Netten & Gibson, 2023:26).

However, exploring whether personal freedom can be enhanced within the confines of prison life necessitates a deeper understanding of the meaning of freedom and the potential ways for its attainment amid severe restrictions. The notion of achieving personal autonomy, intertwined with the concepts of personal growth and development, has the capacity to transcend the physical constraints of freedom present in prison environments. Autonomy is one aspect of freedom - autonomy refers to an individual's capacity to independently make decisions and control their life, whereas freedom pertains to the absence of constraints or coercion in carrying out specific activities. Within the context of the quality of prison life, it is primarily conceptualised as the pursuit of positive freedom. Negative freedom concerns control, whereas positive freedom concerns the source of control - it signifies the individual's aspiration to be their own master: a rational and active entity who determines and governs themselves (Stančić, 2020: 21). Consequently, positive freedom can be interpreted as autonomy and self-realisation (Stančić, 2020: 26). The distinction between positive and negative freedom can also be viewed as a difference in the conception of who holds freedom. Advocates of negative freedom typically regard the individual as the sole subject of freedom, whereas proponents of positive freedom may encompass our rational, moral self, or higher self as the bearer of freedom (Stojadinović, 2023: 12).

Personal autonomy transcends mere independence from external directives or unobstructed authority over one's life domains, or the simplistic individualism offered by negative freedom. It encompasses positive freedom linked to the desire, capacities, and psychological resources for self-governance (Oshana, 2003: 102).

According to relational theory, the capacity to develop autonomy has an inter-subjectivist character, reflected in a range of skills and competencies that individuals need to possess to lead a self-determined life. Personal autonomy requires rational, affective, reflective, and self-interpretative skills and competencies that require daily practice. Affective attitudes on which the development of autonomy depends include self-confidence, self-respect, and self-assurance. Although these attitudes are of an affective nature and therefore linked to others' attitudes about us, their development and practice can only be achieved through the normative pragmatics of mutual recognition, "these skills are learned from others and with others" (Anderson, 2014: 138).

Autonomy – the qualities underlying the multidimensional model of well-being include self-determination, independence, and internal regulation. This involves a developed internal locus of evaluation that is not dependent on the approval of others but is guided by personal standards. It enables a freedom of living and thinking that is independent and self-determined in relation to collective beliefs, dogmas, fears, and conventions. Authentic living is inherent to an autonomous personality that freely realises its choices, attitudes, and actions, independently of the commands of others and even the norms that govern everyday life (Ryff & Singer, 2008:20-21).

The development and maintenance of autonomy occur within a pervasive and ongoing context of interpersonal, social, and systemic threats such as social dominance, oppression, and inequality, which constitute social injustice. Achieving personal autonomy requires consideration of various social, psychological, and ethical factors. In addition to encountering restricted opportunities to exercise personal autonomy, numerous inmates enter

prison with a diminished level of personal autonomy, thus resulting in constrained assumptions for personal development.

Personal autonomy is not a fixed, isolated trait possessed or lacking in individuals; rather, it is cultivated within relationships that encourage or facilitate its growth. Competencies for autonomous behaviour are cultivated through interactions with others (Braudo-Bahat, 2017: 131). Freedom, understood as autonomy, extends beyond mere absence of constraints; it encompasses the range of choices available to individuals. According to Gray, true autonomy is realized when individuals are presented with a spectrum of possibilities, transforming abstract choices into tangible opportunities (Gray, 1980). The social and moral climate in prisons represents an important context for well-being and its dimensions, such as autonomy and personal development. The moral quality of prison life and the potential for its measurement open up a new realm in the treatment of convicted individuals. The concept of the significance of the moral climate in prisons is derived from abstract and philosophical contemplations that must be applied to real and complex lives, thereby giving them meaning and value (Pavićević, Batrićević & Ilijić, 2024:62). Ideas regarding the importance of the moral dimension of life in prison emphasise the type and nature of interpersonal relationships that enhance the moral capacities of participants in prison life (Liebling, 2021). It involves relationships that deepen human connections, acknowledge the tragedy of human struggles, and respect the importance of meaning, significance, and recognition of the convicted individual as a unique person (Liebling, 2021; Pavićević, Batrićević & Ilijić, 2024:62). For Deci and Ryan, autonomy is a prerequisite for individual development. The feeling of autonomy is the main precondition for the emergence of intrinsic motivation and is a key element of integration and internalisation. The degree of internalisation will precisely depend on the degree of satisfaction of the need for autonomy (Deci & Ryan, 2000). When an individual is driven by autonomous motivation, they may feel self-directed and autonomous; when the individual is driven by controlled motivation, they may feel pressure to behave in a certain way, and thus, experience little to no autonomy (Ryan & Deci, 2008). Autonomy refers to the sense that one's activities "are endorsed by or congruent with the self" (Reis, et al., 2000). The need for autonomy is not fulfilled if one feels pressured or controlled to display a certain form of behaviour. However, the understanding of autonomy raises various uncertainties that are intertwined with gender, cultural, ideological, legal, and numerous other aspects, which influence the conceptualization and practice of personal autonomy¹.

¹ In individualistic societies, such as the United States, Canada, and those of Western Europe, it is argued that the self is construed as independent or separate from the social order, leading to a morality emphasising individual rights, personal agency and choice, and equality. In contrast, it is argued that in collectivistic societies, such as those in Asia, South America, and Africa, a socio-centric or interdependent self emerges, defined in terms of the unique social roles that individuals occupy in the family or society, often by birth (Helwig, 2006). The view of the self-held in collectivistic cultures leads to a morality of duty, in which conformity to existing social role obligations, upholding hierarchy, and maintaining social harmony is stressed (Shweder et al., 1987 according to Helwig, 2006).

Gender issue

The gender paradox, as highlighted by certain authors, represents a specific aspect of the relationship between the well-being of women and men. This paradox is supported by data indicating that women generally experience poorer mental health compared to men, report lower levels of current well-being, and express less satisfaction across various life domains. However, paradoxically, women also tend to exhibit higher life satisfaction and greater happiness overall. In essence, women appear to be simultaneously more prone to depression yet more content with life (Becchetti & Conzo, 2022).

While a quick critique of the gender paradox did not contest the higher prevalence of depression among women, it emphasised the complexity and the necessity for a deeper comprehension of the differences in subjective well-being between genders. This complexity encompasses the application of various concepts, considerations of life course changes, regional disparities, and the inclusion of other pertinent control variables (Inglehart, 2002; Bartram, 2022). Gender differences in well-being, particularly concerning mental health, have previously been linked to biological factors like hormones (estrogen and progesterone production) or neurotransmitters, as well as to the family environment, social norms, social support, and measurement issues (Piccinelli & Wilkinson, 2000). However, the literature that assumes a biological foundation for these differences has faced criticism for not adequately exploring gender-specific factors contributing to this well-being gap, especially those related to exposure to sexual harassment (Patalay & Demkowicz, 2023). Gendered risk factors include vulnerability to sexual harassment and consequent victim blaming. Rather than attempting to alter the emotional response of women to entrenched misogynistic structures through 'emotional regulation training', we ought to make structural social changes (Spencer & Broome, 2023).

The effects of social ties on mental health differ also by gender (Kawachi & Berkman, 2001: 461). Gender differences related to stress coping and the presence of social support manifest in several fundamental characteristics: women tend to maintain more emotionally intimate relationships than men, mobilise more social supports during periods of stress than men, and provide more frequent and more effective social support to others than do men (Belle, 1987 according to Kawachi & Berkman, 2001: 462). Indeed, the documented differences highlight that women consistently experience higher rates of mental health issues compared to men across various countries and throughout different time periods. This trend persists regardless of the specific measure employed to assess mental health, indicating a consistent pattern of women facing greater challenges in this aspect compared to men. (Blanchflower & Bryson, 2023). Women tend to report significantly poorer health than men on self-reported health indicators (Boerma et al., 2016, cited according to Blanchflower & Bryson, 2023), women also tend to take antidepressants more than men (Blanchflower, Oswald, 2016 cited according to Blanchflower & Bryson, 2023).

Women also score lower on self-esteem measures (Kling et al., 1999). Gender-specific vulnerabilities and risks that negatively affect women's well-being intersect with the challenges encountered by highly vulnerable social groups. The female prison population exemplifies this intersection, as the living conditions in prison profoundly impact their well-being.

Classical liberal approaches to personal autonomy, briefly mentioned for the purpose of understanding the possibilities for achieving personal autonomy in the context of prison life, have not adequately considered women's personal autonomy, in fact, the gender aspects of personal autonomy. The starting point for achieving women's personal autonomy is the prevention of destructive relationships, primarily domestic violence, which undermines personal autonomy in multiple ways. Domestic violence violates a woman's bodily integrity, her self-respect, and self-confidence, depriving her of constructive relationships within the home, and often prevents her from developing alternative and constructive relationships outside of it (Friedman, 2003: 170). Friedman emphasises that the focus of abused women on personal safety and survival hinders the use of cognitive and emotional resources for the development of personal autonomy and the implementation of autonomous reflexive processes (Pavićević, 2021: 186).

Female prisoners in Serbia – wellbeing, autonomy and personal development

In Serbia, the Correctional Institution for Women in Požarevac is the only facility for female prisoners, housing adult women and older female minors serving sentences for criminal offences and misdemeanours. Previous research highlighted the alarming living conditions for female prisoners, emphasizing the need for wider implementation of alternative sanctions, increased budget allocation, and better prison conditions to safeguard basic inmate rights and ease staff work (Batrićević et al., 2024: 275). A recent study, the results of which are published in 2024. by Batrićević et al revealed rather contradictory findings regarding: Prisoner adaptation, Distress and Well-being, in the sense that female prisoners demonstrated high levels of prison adaptation and distress but experienced low levels of well-being. Such difference seems to be the result of factors “inherited” from their pre-prison experiences, i.e., which involved long-lasting efforts to adapt to stressful living conditions, depression, anxiety, victimisation, abuse of substances, multi-faceted discrimination and marginalisation (Batrićević et al., 2024: 282). So, autonomy, as a sub-dimension of well-being for female prisoners, represents a severely limited and endangered personal characteristic. Due to its diminished value, there is an expectation of low potential for personal development, and enhancing it poses a complex and demanding task, achievable in prisons capable of establishing and maintaining high standards of moral prison climate. The foundational and comprehensive thesis of research on the possibility of identity transformation in prisons implies a supportive environment for fostering growth identities (Liebling, 2012; Szifris, 2017; Pavićević, Ilijić & Stepanović, 2021). This thesis acknowledges the individual's role as an agent in shaping and evolving their own identity during the process of altering their self-perception of values, leading to desistance from crime (Pavićević, Ilijić & Stepanović, 2021: 118). It encompasses the potential development of a prosocial, positive identity characterised by personal growth and advancement grounded in elements of relationships, trust, well-being, and openness (Szifris, 2017).

The journey towards increased autonomy involves evolving into an autonomous individual, finding significance in one's uniqueness, and endeavouring to authentically express inner qualities such as preferences, traits, and emotions (Schwartz & Bardi, 1997; Švarm, 2004). Two distinct types of autonomous values can be identified: the first pertains to ideas and opinions, while the second relates to emotions and feelings. Intellectual autonomy

values emphasise the importance of expressing independent ideas and defending individuals' rights to advocate for their intellectual orientations. Examples of this value include curiosity, open-mindedness, and creativity. Affective autonomy values manifest in the independent pursuit of emotionally positive experiences, such as pleasure, excitement, and enjoyment of life (Švarm, 2004: 67). The challenging circumstances hindering the autonomous personal development of incarcerated women in Serbia originate from their pre-prison lives, where they faced significant obstacles in acquiring, understanding, developing, and practising personal autonomy. On one hand, cultural values perpetuate the dominance of collectivist and hierarchical values², reflecting a re-traditionalized patriarchal order and gender treatment of women in Serbian society. On the flip side, a materialistic orientation and a power orientation emerge, which, according to Švarm's research on youth transitioning in Serbia, exhibited a notable correlation with hostile depression and sociopathic aggressiveness in both male and female subgroups (Švarm, 2004). T

he personality traits composing a hostile-depressive personality structure include: feelings of life failure and meaninglessness, hopelessness, disinterest in others, a sense of inferiority, indecisiveness, poor behaviour grades in school, uncertainty in actions and thoughts, lack of empathy, and the need for power through instilling fear in others. It is crucial to emphasise that in this context, the term "materialistic" orientation does not solely signify a quest for economic and material security; rather, it denotes a form of materialistic hedonism, indicating the pursuit of immediate and direct gratification of one's desires and impulses (Švarm, 2004:87).

Directing towards positive and prosocial values, within the framework of the theory of basic values, entails embracing egalitarian values that prioritise transcending selfishness in favour of the well-being of others. This embodies an aspect of personal transformation that involves autonomously, self-consciously, and willingly rejecting values rooted in power, humility, authority, and material wealth (Schwartz & Bardi, 1997; Švarm, 2004). However, the performed studies showed that the prison environment was characterised by poor living conditions, a criminal subculture with corresponding leaders, frequent interpersonal conflicts, rudeness, ill will and pressure from both staff, administration, and other convicted women. All these factors further contributed to emerging personality disorders, depression, formed the feelings of loneliness in imprisoned women, up to suicidal attempts (Mahmood, Tripodi, Vaughn, Bender, & Schwartz, 2012; Fritch, 2007; Loucks & Zamble, 2000; Lapshina, 2007 according to Baranauskienė, Kovalenko & Leonova, 2020:57). Considering that prison is a particularly fragile moral environment, it is important to understand how morality functions in such an extreme situation and to what extent it manages to maintain the moral economy of internal prison life, which includes feelings of reconciliation and

² Basic values differentiate into several dimensions. One of them is based on the nature of the relationship between the individual and the group. This value dimension is bounded by poles such as "conservatism" on one side and "autonomy" on the other. The "conservative pole" relates to the individual as an entity rooted in collectivity, perceiving life's meaning through relationships with members of the close group, highly valuing the status quo, and showing resistance to anything that could disrupt group solidarity or traditional order. Specific examples of this value type include social order, respect for tradition, family security, and respect for parents and elders (Schwartz & Bardi, 1997; Švarm, 2004).

cooperation that are present “when people talk” (Sparks, 2003 according to Liebling, 2004: 213). Prisoners have a sense of justice, and this sense becomes even more acute due to their experiences of prison life (Liebling, 2004).

Results

The research on the quality of life conducted as part of the PrisonLIFE project at the only women's prison in Serbia, the Correctional Institution for Women in Pozarevac, has confirmed that various factors influence the levels of Personal Autonomy and Personal Development. Primarily, there are differences in how female inmates evaluate their prison experience concerning different aspects of Well-being and development, as outlined in the MQPL framework. Starting with Well-being, female prisoners rated this dimension significantly lower than both Personal Development and Personal Autonomy ($p < .001$). As concluded by the authors, this finding could suggest that female inmates perceived their feelings of pain, punishment, and tension associated with the "pains of imprisonment" to be more pronounced compared to their engagement in activities related to personal growth and preparation for release, as well as their sense of agency and self-determination within the prison environment (Ilijić, Pavićević & Milićević, 2024).

Furthermore, female prisoners rated Distress significantly higher than Well-being, Personal Development, and Personal Autonomy ($p < .001$). In summary, female inmates reported lower levels of severe emotional disturbance relative to their experiences of pain, punishment, and tension associated with imprisonment, as well as their engagement in personal development activities and sense of agency and self-determination within the prison environment (Ilijić, Pavićević & Milićević, 2024). Among female prisoners with long-term sentences (more than three years), significant differences were noted between the middle and high-risk categories in the dimensions of Personal Development, Distress, and Global Well-Being and Development Score, suggesting lower scores in the high-risk category (Ilijić, Pavićević & Milićević, 2024). According to the findings presented in this study, participants who admitted to being disciplined exhibited significantly lower scores on the Personal Development scale compared to those who reported never being disciplined (2.64 versus 3.18, $t(89) = 2.73$, $p = .008$). Furthermore, participants who acknowledged being disciplined showed significantly lower scores on the Personal Autonomy scale compared to those who stated they had never been disciplined (2.59 versus 3.06, $t(89) = 2.41$, $p = .018$). Furthermore, respondents who confirmed disciplinary measures such as solitary confinement had a statistically significantly lower score on the Personal Development scale compared to respondents who stated they had never been disciplined in this manner (2.61 versus 3.07, $t(89) = 2.05$, $p = .043$). Conversely, there was no statistically significant difference confirmed between these two respondent subgroups regarding the Personal Autonomy score (2.58 versus 3.00, $t(89) = 1.80$, $p = .075$). Respondents who confirmed disciplinary actions with any of the special measures had a statistically significantly lower score on the Personal Development scale compared to respondents who denied this question (2.48 versus 3.13, $t(82) = -3.10$, $p = .003$). Similarly, respondents who confirmed disciplinary actions with any of the special measures had a statistically significantly lower score on the Personal Autonomy scale compared to respondents who denied this question (2.54 versus 2.98, $t(89) = -2.15$, $p = .035$).

Regarding differences between types of departments, no statistically significant difference was confirmed in the Personal Development score. However, when it comes to the Personal Autonomy score, the results indicated statistical significance, $F(2, 83) = 3.02$, $p = .026$. Subsequent comparisons using the LSD test confirmed that respondents in closed departments had a statistically significantly lower score compared to respondents from semi-open departments (2.65 versus 3.24, $MD = -0.53$, $p = .024$). A statistically significant negative correlation was found between the Personal Development score and the length of stay in prison, where longer stays in prison were associated with lower values of Personal Development ($r = -.274$, $p < .01$). Similarly, the number of stays in prison, as well as the total number of years spent in prison, were associated with lower values of this score ($r = -.293$, $p < .01$, and $r = -.444$, $p < .05$, respectively). Statistical significance was not confirmed in the differences between the scores of Personal Development and Personal Autonomy among respondents based on marital status and employment status. Specifically, respondents who did not have a spouse or partner and those who did have a spouse or partner reported comparable scores on Personal Development (2.93 versus 2.97, $t(89) = -0.20$, $p = .839$) and Personal Autonomy (2.81 versus 2.92, $t(82) = -0.54$, $p = .588$). Similarly, respondents who stated they were not employed and those who were employed reported comparable scores on Personal Development (2.80 versus 3.01, $t(87) = -0.96$, $p = .342$) and Personal Autonomy (2.84 versus 2.86, $t(87) = -0.10$, $p = .924$). Support factors for Personal Autonomy and Personal Development among female prisoners originating from prison services, which are statistically significantly associated with these aspects of well-being, include the treatment service - educational service (Personal Autonomy $r = .414$, $p < .01$, Personal Development $r = .574$, $p < .01$), security service (Personal Autonomy $r = .460$, $p < .01$, Personal Development $r = .477$, $p < .01$), and health service (Personal Development, $r = .351$, $p < .01$). Concerning prison support, it is interesting to note that the presence of a religious figure within the prison is significant for Personal Development ($r = .373$, $p < .01$), while a slightly lower correlation coefficient was confirmed for Personal Autonomy ($r = .255$, $p < .05$).

It is important to note that support from other inmates is not statistically significantly correlated with the mentioned aspects of well-being. Regarding external support, a religious figure outside the prison also represents significant support for Personal Development ($r = .268$, $p < .05$), while there is no statistically significant correlation for Personal Autonomy ($r = .097$, $p = .479$). Support from parents and children does not show statistically significant correlation, nor does support from spouses and friends outside the prison. The assessment of the overall quality of prison life is positively correlated with Personal Development ($r = .571$, $p < .01$) and Personal Autonomy ($r = .587$, $p < .01$).

Additionally, the Personal Development score positively correlates with the Personal Autonomy score ($r = .742$, $p < .001$), as well as with general Well-being ($r = .899$, $p < .001$). Personal Autonomy has a significant positive correlation with the Well-being dimension ($r = .871$, $p < .001$).

Further analysis of the collected data enables us to identify correlations between risk factors and support factors concerning female inmates' attitudes towards Personal Development and Personal Autonomy. A statistically significant negative correlation was

established between the total number of years spent in prison throughout one's life and the extent to which support from educators, or the treatment service, was perceived ($r = -.380$, $p < .001$). Hence, female inmates who spent more years in prison tended to perceive the support received from educators as less significant. Additionally, the duration of imprisonment is highly negatively correlated with the assessment of the quality of life in prison ($r = -.293$, $p < .01$). This emphasizes the need for special attention from treatment services to this segment of the female prison population, as the prolonged stay in prison represents a continuous state of extremely low levels of well-being without any positive correlation with prison or non-prison support. Female prisoners incarcerated for up to 6 months tended to have more positive perceptions of prison life, whereas those imprisoned for over 2 years held less favourable views. Negative correlations were observed among female prisoners, indicating that longer periods of imprisonment were generally associated with lower scores. Notably, the Well-being dimension consistently scored the lowest regardless of the duration of imprisonment among female prisoners (Ilijić, Pavićević & Milićević, 2024).

There is a statistically significant correlation between the support from prison clergy and all prison services, including support from the treatment service and educators ($r = .616$, $p < .01$), as well as support from the security service ($r = .383$, $p < .01$). This correlation highlights the need for female inmates with health issues, especially mental health problems, to receive emotional and spiritual support from all available sources within the prison. Ilijić, Pavićević & Milićević (2024) compared the well-being and distress levels of female prisoners based on their history of psychiatric hospital stays. Female prisoners with a history of psychiatric hospital stays showed slightly lower well-being scores, but this difference wasn't statistically significant. However, they exhibited significantly lower distress levels compared to those without such a history. Interestingly, when considering the overall global well-being and development score, there was no significant difference between the two groups. Thus, while psychiatric hospital stays seemed to influence distress levels among female prisoners, they didn't significantly affect their overall well-being scores.

Education of the inmates positively correlates with the perceived support received from parents ($r = .301$, $p < .01$) and the relationship with the marital partner ($r = .435$, $p < .001$). It has been shown that higher levels of education negatively correlate with the perception of personal autonomy and personal development, both in men and women (Ilijić, Pavićević & Milićević, 2024). This can be explained by the fact that conditions of prison life disproportionately threaten the perception of personal autonomy and personal development among educated categories, regardless of gender, compared to men and women in lower educational categories.

Conclusion

Based on the data obtained, it can be confirmed that there is an association between the subdimensions of Personal Autonomy and the dimension of Personal Development, and their significance for overall Well-being. Additionally, inmates characterised by longer stays in prison, disciplinary problems, and difficulties adapting to prison living conditions are associated with lower levels of Personal Autonomy and Personal Development. Moreover,

there is a correlation with lower levels of education, poor family and social relationships, as well as negative correlations with almost all support factors. Enhancing Personal Autonomy as a prerequisite for Personal Development poses a challenging task that necessitates improving the quality of prison life, which is perceived as very low among these respondents.

These findings align with previous research conclusions, indicating the importance for mental health professionals to address issues such as reducing social isolation, promoting social integration, and enhancing social well-being, which positively affect individuals' sense of belonging, security, and self-esteem (Kawachi, Berkman, 2001). Furthermore, studies on suicides in prisons have identified various factors contributing to criminal behavior, including low self-esteem, bereavement, depression, physical and mental illness, unemployment, family problems, difficulties in relationships, and social isolation (Mann, Apter, & Bertolote, 2005; Penn et al., 2003, as cited in Baranauskienė, Kovalenko & Leonova, 2020:57). The specificities of the female prison population concerning Personal Autonomy and Personal Development indicate two types of issues that should be addressed in potential treatment programs. On one hand, there are inmates with lower scores of Personal Autonomy and Personal Development due to the challenges faced upon entering prison, where their perceived levels of autonomy and development are threatened. These inmates often have higher levels of education, originate from urban areas, and have stronger family and social ties.

The second category of inmates enters prison with low levels of Personal Autonomy and Personal Development, lacking the necessary knowledge, skills, and understanding of what these dimensions of well-being entail, let alone how to achieve them. They are characterised by longer stays in prison, disciplinary measures, low education, mental health problems, coming from rural areas, and having a low level of family and social contacts. Research has confirmed correlations between women's borderline, antisocial, narcissistic personality disorders, and institutional violence in penitentiaries. These correlations indicate the existence of crime risks such as violence and abuse among women prisoners in penitentiaries (Nee & Farman, 2003; Warren et al., 2002; Lebedev & Kuznetsov, 2002, as cited in Baranauskienė, Kovalenko & Leonova, 2020:57).

Preserving or attaining personal autonomy, along with the journey towards qualitative transformation and comprehending personal development among female prisoners through the influences of trust, security, humanity, and dignity, present intricate challenges for treatment and other prison services. The ethical atmosphere within the prison, as reflected in the quality of prison life, holds the potential to offer female prisoners insights and support, fostering positive changes in their comprehension and subsequent pursuit of well-being, extending beyond the realm of crime and transcending gender-oppressive environments.

References

- Anderson, J. (2014) Autonomy and Vulnerability Entwined. In: Mackenzie, K., Rogers, W., Dodds, S. (eds.) *Vulnerability: New Essays in Ethics and Feminist Philosophy*. pp. 134-162, New York: Oxford University Press.
- Baranauskienė, I., Kovalenko, A. & Leonova, I. (2020) The social-psychological factors influencing women-prisoners' feeling of loneliness. *Social Welfare Interdisciplinary Approach*, 1(10)56 DOI:10.21277/sw.v1i10.560
- Bartram, D. (2022) The 'Gender Life-Satisfaction/Depression Paradox' Is an Artefact of Inappropriate Control Variables. *Social Interactions Research*, 2 <https://doi.org/10.1007/s11205-022-02986-7>
- Batričević, A., Pavičević, O., Čopić, S. & Miličević, M. (2023) Quality of Prison Life of Female Prisoners in Serbia: Key Challenges and Areas of Strength. *Revija Za Kriminalistiko in Kriminologijo* 74(4), 273–289.
- Becchetti, L., Conzo, G. (2022). The Gender Life Satisfaction/Depression Paradox. *Social Indicators Research*, 160(1), 35–113.
- Berkman, L.F. Glass, T., Brissette, I. & Seeman, T.E. (2000) From social integration to health: Durkheim in the new millennium. *Social Science and Medicine*, 51(6), 843-57
- Blanchflower, D.G., and Bryson, A. (2023), Seasonality and the female happiness paradox, *Quality and Quantity*, February. <https://doi.org/10.1007/s11135-023-01628-5>
- Braudo-Bahat, Y. (2017) Towards Relational Conceptualization of the Right to Personal Autonomy. *American University Journal of Gender, Social Policy & the Law*, 25(2), 111-154.
- Bulatović, A. (2014) Well-being, capabilities and philosophical practice. *Filozofija i društvo*, 25(4), 105-120.
- Deci, E. L., Ryan, R. M. (2000). The "what" and "why" of goal pursuits: Human needs and the self-determination of behavior. *Psychological Inquiry*, 11(4), 227–268.
- Gray, J.N. (1980) On Negative and Positive Liberty. *Political Studies*, 28 (4), 507–526.
- Helwig, C. C. (2006). The development of personal autonomy throughout cultures. *Cognitive Development*, 21(4), 458–473.
- Kawachi, I., Berkman, L. (2001) Social ties and mental health. *Journal of Urban Health*, 78(3), 458–467.
- Ilijić, Lj., Miličević, M. & Pavičević, O. (2020) Osvrt na početke proučavanja zatvorske socijalne klime i razvoj instrumenata za procenu. *Zbornik Instituta za kriminološka i sociološka istraživanja*, 41(1), 75-87.
- Ilijić, Lj., Pavičević, O., & Miličević, M. (2024). *Well-being in prison: The case of Serbia*. Belgrade: Institute of Criminological and Sociological research. [Unpublished monograph]
- Inglehart, R. (2002) Gender, Aging, and Subjective Well-Being. *International Journal of Comparative Sociology*, 46(3-5), 391–408.
- Keyes, C.L.M. (1998) Social Well-Being. *Social Psychology Quarterly*, 61, 121-140.
- Kling, K. C., Hyde, J. S., Showers, C. J., & Buswell, B. N. (1999) Gender differences in self-esteem: A meta-analysis, *Psychological Bulletin*, 125, 470-500. <https://doi.org/10.1037/0033-2909.125.4.470>
- Liebling, A. (2004) The Late Modern Prison and the Question of Values. *Current Issues in Criminal Justice*, 16(2), 202-219.
- Liebling, A., assisted by Arnold, H. (2004) Prisons and their moral performance: A study of values, quality and prison life. Oxford: Oxford University Press
- Liebling, A., Hulley, S. & Crewe, B. (2011) Respect in prisons: Prisoners' experiences of respect in public and private sector prisons. *Criminology and Criminal Justice*, 12 (1) <https://doi.org/10.1177/1748895811423088>
- Liebling, A. (2012). *Can Human Beings Flourish?* London: Prison Phoenix Trust Lecture
- Liebling, A. (2021) What is Philosophy in Prison? George Eliot and the Search for Moral Insight. *Journal of Prison Education and Reentry*, 7(2), 104-114.

- Netten, K., Gibson, R. (2023) Prisoner Wellbeing: A synthesis of the evidence base. *Journal of Prisoner Health*, 15(1), 91-104.
- Oshana, M. (2003) How Much Should We Value Autonomy? *Social Philosophy and Policy*, 20 (2), 99-126.
- Parsons J. M. (2017) Cooking with offenders to improve health and well-being. *British Food Journal*, 119, 1079-1090.
- Patalay, P., Demkowicz, O. (2023) Debate: Don't mind the gap – why do we not care about the gender gap in common mental health difficulties? *Child and Adolescent Mental Health*, 28 (2), 341-343. <https://doi.org/10.1111/camh.12647>
- Pavićević, O. (2021) Relaciona autonomija: ka feminističkom konceptu lične autonomije. U: Z. Antonijević, S. Čopić (Ur.) *Feminizam, aktivizam, politike: Proizvodnja znanja u poluperiferiji*. 181-195. Beograd: Institut za kriminološka i sociološka istraživanja.
- Pavićević, O., Stepanović, I., Ilijić, Lj. (2021) Filozofija u zatvorskim zajednicama. *Teme*, 45(1) 111-128.
- Pavićević, O., Batrićević, A. & Ilijić, Lj. (2024) *Moralna i socijalna klima u zatvorima*. Beograd: Institut za kriminološka i sociološka istraživanja.
- Piccinelli, M., Wilkinson, G. (2000) Gender differences in depression. Critical review. *The British Journal of Psychiatry*, 177, 486–492
- Reis, H., Sheldon, K., Gable, S. L., Roscoe, J. & Ryan, R.M. (2000) Daily Well-Being: The Role of Autonomy, Competence, and Relatedness. *Personality and Social Psychology Bulletin*, 26(4), 419-435
- Ryan, R. M., Deci, E. L., (2008) A Self-Determination Theory Approach to Psychotherapy: The Motivational Basis for Effective Change. *Canadian Psychology*, 49 (3), 186–193
- Ryff, C., Singer, B. (2008) Know Thyself and Become What You Are: A Eudaimonic Approach to Psychological Well-Being, *Journal of Happiness Studies*, 9 (1), 13–39
- Szifris, K. (2017) “Socrates and Aristotle: The role of ancient philosophers in the selfunderstanding of desisting offenders”, *Howard League for Penal Reform Journal*, 56(4), 419-436
- Spencer, L., Broome, M. (2023) Commentary: Closing the gender gap in depression through the lived experience of young women – a response to ‘Don't mind the gap: Why do we not care about the gender gap in mental health?’, Patalay and Demkowicz (2023) *Child and Adolescent Mental Health*, 28(2), 344-346.
- Stančić, V. (2020) *O opravdanosti distinkcije između pojmova pozitivne i negativne slobode*. Doktorska disertacija. Univerzitet u Beogradu: Filozofski fakultet.
- Stevanović, I., Ilijić, Lj., & Vujičić, N. (2024). Previous prison experience and evaluation of the quality of prison life. *NBP. Nauka, bezbednost, policija*, 29(1), pp. 1–19. <https://doi.org/10.5937/nabepo29-47558>
- Stojadinović, V. (2023) Positive vs. Negative Understanding of Liberty: Political Implications. *Srpska politička misao*, 82(4), 243-255
- Schwartz, S.H., Bardi, A. (1997) Influences of Adaptation to Communist Rule on Value Priorities in Eastern Europe. *Political Psychology*, 18(2), 385-410.
- Šram, Z. (2004) Vrednosti i devijantno ponašanje mladih, U: M. Nikolić, S. Mihajlović (Ur.) *Mladi zagubljeni u tranziciji*, 65-95, Beograd: Centar za proučavanje alternative.
- Van der Kaap-Deeder J., Audenaert E., Vandevelde S., Soenens B., Van Mastrigt S., Mabbe E., Vansteenkiste M. (2017) Choosing when choices are limited: The role of perceived afforded choice and autonomy in prisoners' well-being. *Law and Human Behavior*, 41(6), 567-578.

Healthcare needs and treatment of women in prison in Serbia*

Adequate treatment, access to healthcare services, and maintenance of the health of all inmates in prison, regardless of gender, should not be treated as a secondary issue by correctional institutions, but rather as a matter of public concern, considering the serious health problems of the prison population. However, correctional systems are required to meet the healthcare needs of individuals in prison with limited resources and while facing significant organisational and ethical challenges (Elger, 2011). Incarcerated women have more specific health problems than men, which imposes additional constraints on correctional institutions and the provision of healthcare services (van den Bergh, Gatherer, Fraser, & Moller, 2011). Additionally, the specific needs of female inmates are often overlooked, and their specific health and social needs remain neglected (Augsburger, Neri, Bodenmann, Gravier, Jaquier, & Clair, 2022). In this paper, the author highlights female inmates as a specific and vulnerable category within the prison system. The aim of the study is directed towards assessing the overall quality of life from the perspective of the health condition of female inmates. Special focus is placed on the physical health of female inmates in the correctional facility for women in Požarevac, with a brief overview of their involvement in specialized treatments conducted in the mentioned prison. The basic results indicate that 55.6% of the sampled population confirmed the presence of illness at the time of the study, with mental disorders (including depression, anxiety, nervousness, stress disorder, etc.) being the most prevalent in 35.4% of the sample, followed by cardiovascular diseases at 27%. Regarding the assessment of quality of life, the highest percentage of respondents, 35.6%, neither rates their quality of life as good nor as bad, while 33% of respondents rated their health satisfaction as unsatisfactory. 86.4% of the respondents are not enrolled in any specialised programs. Among the respondents who are involved in specialised programs, the most represented are those enrolled in the addiction treatment program (detoxification program, methadone therapy, alcoholism recovery program), totalling four of them, which constitutes 57.1% of the inmates involved in any programs.

Keywords: prison, female inmates, treatment, specific needs, health-care needs

Introduction

Although convicted women represent a smaller portion of the overall convicted population in Western European countries, the United States (Raynolds, 2008), as well as in the Republic of Serbia, the worldwide female prison population is increasing (Bartlett & Hollins, 2018) in the last two decades. A significant consequence of the limited representation of women in the overall prison population is that prisons and their systems are typically organized based on the needs and requirements of male prisoners. This applies not

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only to architecture and security but also to all other facilities within the prison system (Fair, 2009), as well as deficiencies or inadequacies in treatment, medical care, protection, and other essential aspects of prison life. Most research has therefore focused on men, the majority population. However, it is precisely this minority status and marginalisation that increases the need to recognise women in prison as a distinct group with distinctive needs (Loucks, 2010). Research on the incarceration of women is important for understanding all the consequences of (increased) incarceration (Monazzam & Budd, 2023), but also for identifying the specific needs of female inmates, which are often overlooked. Furthermore, research can contribute to a better understanding of the need to improve the objective conditions in prisons where women are housed, and to the improvement of strategies and practices for dealing with this vulnerable category. The general and most comprehensive goal of the work is to highlight female inmates as a sensitive and specific category within the prison system. A specific goal of the work is directed towards identifying the healthcare needs of female inmates, specifically focusing on physical health, which in this study represents the perception of physical condition and encompasses activities of daily living. Furthermore, the work presents the results of assessing the overall quality of life and the results of overall satisfaction with health. For this purpose, the WHOQOL-Bref (World Health Organization Quality of Life - Brief Version) questionnaire was used. Additionally, the work provides an overview of specialized treatment modalities implemented in the Correctional Institution for Women in Požarevac and a brief review of the involvement of female inmates in these treatments. The paper provides an overview of the general characteristics of the examined population of convicted women through the analysis of general demographic, criminological, and penological characteristics.

About (“typical”) characteristics of imprisoned women

In European penal institutions, the overwhelming majority of inmates are men, representing approximately 95% of the total prison population. Conversely, women account for a mere 5% of inmates (Aebi, Cocco & Molnar, 2023). Research indicates that the proportion of women in prison in any prison system worldwide generally varies between 2% and 9% (Fair, 2009), although in the literature we find data on the increasing rate of convicted women. In 2010, the proportion of women in the prison population was 4.3% (Walmsley 2006 according to Loucks, 2010), while data from 2022 indicate that the proportion of women in the total prison population was 6.9%. In Europe, the percentage of female prisoners remains relatively stable, accounting for approximately 5% of the overall prison population in 2021 (Batrićević et al., 2023). Among countries with over one million inhabitants, the lowest percentages of female inmates (below 3%) are observed in Albania (1.2%), the Republika Srpska in Bosnia and Herzegovina (2.1%), Azerbaijan (2.8%), and Armenia (2.9%). In contrast, the highest percentages (exceeding 7.5%) are found in Cyprus (9.5%), Latvia (8.4%), Czech Republic (8.1%), and Hungary (7.6%) (Aebi, Cocco & Molnar, 2023). In the Republic of Serbia, there is noticeable growth in the number of convicted women in the total prison population. Data indicates that in the year 2000, the proportion of convicted women in the total convicted population was 1.9%, while in 2010, that percentage was 3.1%. The latest available data shows that in 2022, convicted women comprised 4.1% of the total prison population (Aebi, Cocco & Molnar, 2023). There are

several potential reasons for the increasing number of women in prison. The World Health Organization cites global factors such as economic crisis, social inequality and instability, displacement due to war, and criminal justice systems that disadvantage women (WHO, 2014). There are similarities in the type of women imprisoned in each country. Research also indicates that in all countries, convicted women are a group in a very unfavourable position, even among the most vulnerable, and that many convicted women come from environments where abuse and violence were present (Fair, 2009). As a group, female prisoners are often deemed vulnerable (Ginn, 2013). Additionally, female prisoners usually hail from a socioeconomically disadvantaged background, often with no educational qualification, and belong to a minority group (Lewis, 2006 according to Handtke et al., 2015). It is likely that female prisoners have experienced physical and / or sexual abuse, has been a victim of exploitation, and suffers from drug and alcohol abuse. Compared to male prisoners and women living in the community, a typical female prisoner has higher rates of mental health problems, often meeting the diagnostic criteria for a lifetime mental disorder, as well as a greater prevalence of chronic diseases and worse physical health (Fair, 2009: 4). When it comes to the healthcare needs of convicted women, it is important to consider data indicating that women in prison have disproportionately higher levels of health and social needs compared to male prisoners and women in the general population. A large number of women in prison have poor physical and mental health, and many live with trauma (Davies & Scott, 2023). "Female prisoners have specific needs and requirements arising from the nature of their criminal offences, the conditions within prison, and the broader social, socioeconomic and gender context (overall position of women in society)" (Batrićević et al., 2023). Research indicates that convicted women are often the sole caregivers for their children and other dependents (Fair, 2009). In such cases, imprisonment can significantly impact the family structure. Finally, due to their small numbers, women's prisons are rare and may be located in remote regions, posing an additional burden for the convicted woman and her family, and reducing the possibilities for maintaining contacts (Ginn, 2013; Handtke, et al., 2015).

Research indicates that men and women bring qualitatively different life experiences into prison (Jang & Winfree, 2006). For example, the values of female inmates are generally quite traditional, as they, as a group, are focused on family, children, or relationships (Harris, 1993). Ward and Kassebaum (1965: 17) note that the absence of home and family is the most challenging aspect of adjustment for convicted women to prison life. Later, Owen (1998) discovered that the majority of convicted women hold fairly traditional views on gender roles. They see themselves as women and mothers, and relationships with their children are a central event in the lives of many convicted women (Jang, & Winfree, 2006). And precisely the inability of convicted women to fulfil roles that traditionally, in terms of gender and sex, matter to them the most - namely, the roles of mother and wife, produces additional, strong deprivation, stress, and concern, which negatively impacts their adjustment to prison conditions (Špadijer-Džinić, Pavićević & Simeunović-Patić, 2009; Ilijić, 2014). Institutional factors further exacerbate the position of women as convicted individuals (Handtke, et al., 2015). Firstly, convicted women are often incarcerated in prisons that are designed for male (and younger) inmates, who constitute the majority of the prison population (Milićević & Ilijić, 2022; Ilijić, 2023: 546). This means that security

standards are higher than necessary (Fair, 2009; Handtke, et al., 2015). Second, personnel working with female offenders are often not specifically trained to respond to the social and health needs of this population (Lewis, 2006 according to Handtke, et al., 2015). Research on women in prison demonstrates, however, that female prisoners diverge from their male counterparts in that a) they generally end up in prison for different reasons and, once in prison, b) they have other needs (Krabbe & van Kempen, 2017). The conclusion stated by Handtke and colleagues (2015), that the needs of convicted women arising from the description of a "typical" convicted woman are not considered in most existing prison structures, seems accurate.

Physical and mental health of female inmates

Research indicates complex and chronic health problems that women face in prison, often persisting even after their release (WHO & UNDOC, 2009). Additionally, certain chronic conditions and illnesses are more prevalent among female inmates compared to male inmates (such as asthma or certain cardiovascular diseases) (McQueen, 2006). Gender differences persist even when accounting for demographic and socioeconomic factors and substance use (Dean, 2006; McQueen, 2006; Augsburger, et. al., 2022). Research suggests that among female inmates, there is a wide range of mental health problems present (Augsburger, et. al., 2022). Mental health problems are overrepresented in the female prison population; approximately 80% have a mental health diagnosis (World Health Organisation, 2021). Women in prison are five times more likely to experience mental health difficulties than women in the general population (Tyler, Myles, Karadag & Rogers, 2019). The uniqueness of women's trauma histories plays a critical role in explaining gender differences in mental health in prison, but also in substance abuse (Grella, Lovinger & Warda, 2013). Last, because of sexual risk behaviours, drug use, sexual abuse, and often marginalized and socially deprived backgrounds, incarcerated women are at increased risks for sexual and reproductive health diseases, including cancers and sexually transmitted infections (Augsburger, et. al., 2022).

Women often endure domestic, physical, emotional, and sexual abuse prior to incarceration, leading to complex and often unresolved trauma that may contribute to criminal behaviour (Gunter et al., 2012; Alves, Maia, & Teixeira, 2016). Research confirms the correlation between trauma and the development of mental difficulties (Jewkes, et al., 2019; Bright, Higgins & Grealish, 2022), which are factors that can contribute to a range of negative outcomes, both in prison and after release. Negative outcomes include the likelihood of becoming victims of violence and assault (Caravaca-Sánchez et al., 2014) and reoffending (Bright, et al., 2022).

Methods

Procedure

The descriptive and exploratory findings presented in this paper are part of the results generated within the framework of a national three-year research project entitled

PrisonLIFE, aimed at enhancing understanding of the quality of prison life¹ for inmates in Serbia (Stevanović, Ilijić & Vujičić, 2024; Batrićević, et al., 2023). The data were collected at the Correctional Institution for Women in Požarevac, which is also the only prison for female convicts in the Republic of Serbia, using a convenience sampling method. The general criteria for inclusion in the study involved the participants being literate and understanding the official Serbian language, as well as being in prison for at least 30 days and voluntarily agreeing to participate in the research. Individuals expressing interest in participation could apply for the study through treatment officers. Data was collected during a single session in the common dining area of the prison, using a paper-and-pencil method. Researchers were available to assist participants with any comprehension issues regarding the survey items. Inmates who participated in the study placed the completed questionnaires in envelopes and handed them to the researchers. All inmates had previously given written informed consent to participate in the study. They were informed about the purpose of the study, as well as that the collected information would be used solely for research purposes. Additionally, participants had the right to withdraw from the study at any time, with guaranteed anonymity.

The data collection procedure was conducted throughout the year 2022. At the time of the research, there were 270 convicted women in the Požarevac women's prison, and 97 of them participated in the study.

Measures

The World Health Organization Quality of Life Brief Version (WHOQOL-Bref) is an abbreviated form of the WHOQOL-100, comprising 26 items (The WHOQOL Group, 1998). The WHOQOL-Bref addresses subjective well-being in four domains: physical health (7 items), psychological health (5 items), social relationships (3 items), and environmental health (8 items) (Ilijić, Pavićević & Milićević, 2024). The results from the domain of Physical Health have been analysed. Additionally, two items measure overall quality of life and general health perception.

The scoring of each WHOQOL-Bref item is based on a 5-point Likert scale, which ranges from descriptors such as “never” to “always”, “not at all” to “extremely/completely”, “very poor” to “very good”, or “very dissatisfied” to “very satisfied”. The WHOQOL-Bref items 1 (Overall Rating of Quality of Life) and 2 (General Health Satisfaction) are intended for separate analysis. Higher scores in all domains indicate better quality of life (Ilijić, Pavićević & Milićević, 2024).

The Physical Health domain captures perceptions of one's physical state, covering activities of daily living (e.g. q.3. *To what extent do you feel that physical pain prevents you*

¹ In the research of the prison social climate in the Republic of Serbia, which was realised as part of the PrisonLIFE project, the authors were interested precisely in the assessment and measurement of the common subjective experience of prison conditions, which we call the prison social climate (Stevanović et al., 2024). Within the project, the Measuring the Quality of Prison Life Survey (Liebling et al., 2012) questionnaire was used, i.e. the version of the MQPL in the Serbian language that was adapted (Milićević, Ilijić & Vujičić, 2023; Milićević, et al., 2023; Međedović, Drndarević & Milićević, 2023) for research purposes.

from doing what you need to do?), dependence on medicinal substances and medical aids (e.g. 4.q. *How much medical treatment do you need to function in everyday life?*), energy levels (e.g. q.10. *Do you have enough energy for everyday life?*), mobility (e.g. q.15. *How mobile are you?*), pain and discomfort (e.g. q.17. *How satisfied are you with your ability to perform everyday life activities?*), sleep quality (e.g. q.16. *How satisfied are you with your sleep?*), and work capacity (e.g. q. 18. *How satisfied are you with your capacity to work?*).

A single question about overall quality of life is ranked from one (where 1 is „very poor“) to five (5 is „very good“). The second individual question pertains to the overall satisfaction rating with health (where responses are ranked from 1 to 5, where one is "very dissatisfied" and 5 is "very satisfied"). The questionnaire also includes a question regarding the presence of illness (with the options of yes or no. In case of an affirmative answer, the type of illness or diagnosis is recorded). The types of illnesses recorded as free responses are later classified according to the International Classification of Diseases (ICD-10-CM), which is a system of categories assigned to specific diseases based on established criteria.

Data on basic demographic, criminological, and penological characteristics of the examined population, such as age, time spent in prison, participation in education and vocational training, employment status, involvement in specialised treatment programs (and the type of treatment), marital status, educational level before entering prison, classification (department type), and drug use before entering prison, were obtained from the respondents. Data on recidivism - the existence and number of previous imprisonments were collected from legally binding court decisions that are the basis for the execution of prison sentences, as well as files of the convicted persons.

Descriptive statistics

Basic data about the sample

The sample of the examined population consists of 97 female inmates who were serving their sentences at the time of the study in the Correctional Institution for Women in Požarevac. The average age of the respondents is 39.7 years (SD=10.65; range from 21-74). The average age of the inmates at the time of their first conviction is 33.1 years (SD=11.63; range from 12-74). The average length of the imposed prison sentence in the sample of the examined population is 6.2 years (SD=7.12; range from 2-40).

Table 1. The structure of the examined population according to the time spent in prison

<i>Time spent in prison ²</i>	<i>Frequency</i>	<i>Percent</i>
Shorter than six months	16	17.4
7-12 months	15	16.3
1-2 years	21	22.8
Longer than 2 years	40	43.5

² Missing data, n=5.

In Table 1, the structure of female inmates based on the length of time spent in prison is presented. The largest number of convicts have been in prison for more than two years, 40 of them or 43.5% of the sample. Next are the inmates who have been in prison for between one and two years, 21 of them or 22.8% of the sample.

Table 2. The structure of the examined population based on their previous incarceration

<i>First-time offenders³</i>	<i>Frequency</i>	<i>Percent</i>
No	23	25
Yes	69	75

In Table 2, the structure of respondents based on their previous incarceration history is presented. This table shows that the majority of respondents (69 out of a total of 92) are first-time offenders, accounting for 75% of the sample. On the other hand, a smaller number of respondents (23 out of 92) have been incarcerated before, constituting the remaining 25% of the sample.

In the sample of 23 respondents who have been previously incarcerated, the largest number is those who have been in prison once before, specifically 6 of them, which constitutes 27.3%. In second place, in terms of the number of previous incarcerations, are female inmates who have been in prison four times - there are 5 of them, accounting for 22.7%, which is also the highest number of previous incarcerations among the population of female inmates.

In terms of the type of crime, the most prevalent are respondents who have committed crimes against human health, totalling 30 individuals, which constitutes 33% of the sample. Following this, 23 respondents, or 25.3% of the sample, are serving sentences for crimes against life and limb, while the third most prevalent, with 24.2% (22), are respondents who have committed crimes against property.

Table 3. The structure of the examined population based on involvement in education and vocational training in prison

<i>Involvement in education and vocational training⁴</i>	<i>Frequency</i>	<i>Percent</i>
No	88	97.2
Yes	2	2.2

In terms of involvement in education and vocational training programs, in the sample of the surveyed population, the largest number of respondents, specifically 88 or 97.2%, are not involved in these programs, while two respondents, or 2.2% of the sample, are attending education and vocational training programs.

³ Missing data, n=5.

⁴ Missing data, n=7.

When considering employment, the most represented are respondents who are employed, with 60 or 66.7% being engaged in work, while 30 or 33.3% are not employed.

The next question for which we collected responses is whether the respondents, at the time of the survey or previously, were involved in any crime prevention programs available in prison, such as anger and aggression management programs, addiction recovery programs, specific programs designed for sexual offenders, etc. In the sample of the surveyed population, the most represented are respondents who have not been involved in any of the mentioned programs, with 90.2%, while only nine respondents, or 9.8%, are involved. The next set of questions pertained to involvement in specialised treatment programs⁵. The most represented are respondents, 76 of them or 86.4%, who are not involved in any specialized programs, while only 12 of them or 13.6% are involved.

Among the respondents who are involved in specialised programs, the most represented are those enrolled in the addiction treatment program (detoxification program, methadone therapy, alcoholism recovery program), totalling four of them, which constitutes 57.1% of the inmates involved in any programs. Two respondents (or 28.2%) are enrolled in cognitive-behavioural therapy programs, and one is enrolled in an aggression control program (14.3%).

Table 4. The structure of the examined population based on marital status

<i>Marital status</i>	<i>Frequency</i>	<i>Percent</i>
Single	23	24.2
Married	17	17.9
<i>Extramartial union</i>	29	30.5
Divorced	19	20
Widowed	7	7.4

In Table 4, the structure of respondents based on marital status is presented. The most represented population of respondents is those in a non-marital partnership, numbering 29, which constitutes 30.5% of the sample. Following them are respondents who are single, without a partner, numbering 23 or 24.2%, while the smallest number of respondents are widows, totalling seven, which makes up 7.4% of the sample. If we consider the sample based on whether the respondents have a partner (regardless of the type of relationship - marital or non-marital partnership) or not (single, divorced, or widowed), the most represented are respondents without a partner, 49 of them or 51.6%, while 46 or 48.4% of the sample have a partner.

⁵ Missing data, n=9.

Table 5. The structure of the examined population based on education

<i>Educational level</i>	<i>Frequency</i>	<i>Percent</i>
Unfinished elementary school	8	8.4
Elementary school	27	28.1
<i>High school</i>	46	47.9
Vocational college or higher	15	15.6

In Table 5, the structure of the surveyed population based on educational level before entering prison is shown. We notice that 46 respondents, or 47.9% of the sample of the surveyed population, completed high school. Without vocational qualifications, that is, only primary education, there are 27 respondents, accounting for 28.1% of the sample. The category of respondents with incomplete primary education consists of two respondents (or 2.1% of the sample) who have no schooling and six respondents (or 6.3% of the sample) who have incomplete primary education. The total number of respondents with incomplete primary education is 8, or 8% of the sample. Regarding previous convictions, 62 respondents, or 64.6%, have not been previously convicted, while 34 respondents, or 35.4%, have been previously convicted. Regarding classification, or placement in departments based on the level of security and convenience, at the time of the survey, the largest number of respondents, 70 of them, or 76.1%, were classified in the closed department of the institution. Twenty of them, or 21.7% of the sample, were classified in the semi-open department of the institution, while there were only two respondents (2.2%) in the open department.

The next question we focused on in the study pertained to drug use before entering prison and whether the respondents had problems with drugs and/or alcohol before entering prison. At the time of the survey, 44 respondents, or 48%, stated that they had used drugs before entering prison, while 47 respondents, or 51% of the sample of the surveyed population, did not use drugs. In response to the question of whether they had problems with drugs or alcohol before coming to prison, the largest percentage of respondents, 55 or 60.4%, did not have problems with either drugs or alcohol. This finding is not surprising, considering the previously mentioned result that slightly more than half of the sample, specifically 51%, did not use drugs before serving their prison sentences. However, if we consider the above-mentioned data, that 48% of the respondents used drugs before entering prison, what is concerning is that only 19 respondents, or 20.9%, also stated that they had a problem with drugs. Fourteen respondents (or 15.4% of the sample) had problems with both drugs and alcohol before entering prison, while three respondents reported having problems only with alcohol. In the end, we were interested in whether the respondents needed help with drug or alcohol rehabilitation upon arrival in prison. To this question, 65 respondents, or 76.5% of the surveyed population, answered negatively. Eighteen respondents (or 21.2% of the sample) stated that they needed help with drug rehabilitation upon arrival in prison. One respondent (or 1.2% of the sample) confirmed that she needed help with alcohol

rehabilitation, while another respondent confirmed needing help with both drug and alcohol rehabilitation.

The structure of the respondents according to their current health status

In this section, the results obtained from the analysis of the Quality of Life questionnaire (WHOQOL-Bref) will be presented, which includes questions about personal assessment of quality of life and health status. The first question⁶ is of a general nature and relates to the presence or absence of illness. More than half of the respondents, specifically 50 of them or 55.6% of the surveyed population, answered affirmatively regarding the presence of illness, while 40 respondents (44.4%) answered negatively to the question. Out of the 48 respondents who reported having illnesses at the time of the study, the most common response, accounting for 35.4%, was the presence of mental disorders (including depression, anxiety, nervousness, stress disorder, bipolar disorder, affective disorder, borderline personality disorder, etc.). If we include responses falling under the category of mental disorders and behavioural disorders (such as schizophrenia), we find that 39.8% of responses are related to psychological and psychiatric conditions. The second most common responses, comprising 27%, are related to diseases classified as cardiovascular disorders (including heart problems, angina pectoris, hypertension, thrombosis, stroke, etc.), after which 16.6% of the responses follow regarding the presence of diseases classified as endocrine disorders (thyroid diseases, diabetes, etc.). Next, with a frequency of 7.2% of responses, are diseases classified as musculoskeletal and connective tissue disorders (including joint diseases, spinal disorders, osteopathy, and chondropathy).

In terms of response frequency regarding the type of present illness, responses related to respiratory system diseases contribute 4.1%, including acute respiratory infections, chronic respiratory diseases, lung diseases, respiratory illnesses, etc. Neurological diseases (epilepsy, migraines), gynaecological, and immunological diseases contribute 3.1% of responses regarding the type of present illness at the time of the survey. In the end, the lowest representation of 2.1% pertains to responses regarding the presence of addiction disorders, infectious diseases, and nephrological conditions.

Table 6. The structure of respondents based on the assessment of quality of life (general question)⁷

<i>Quality of life assessment - general question</i>	<i>Frequency</i>	<i>Percent</i>
Very poor	15	16.7
poor	21	23.3
<i>Neither poor nor good</i>	32	35.6
Good	15	16.7
Very good	7	7.8

⁶ Missing data, n=7.

⁷ Missing data, n=7.

In Table number 6, the structure of the surveyed population based on the general assessment of quality of life is presented. We observe that the largest number of respondents, 32 of them, accounting for 35.6%, rate their quality of life as average, with a neutral response, neither good nor bad. If we consider the category of poor quality as a single category with variations from very poor to poor, we obtain data indicating that even 40% of the sample, or 36 respondents, have poor quality of life. Fifteen respondents, or 16.7% of the sample, rated their quality of life as good, while only seven respondents (7.8%) rated it as very good.

The next question from the Quality of Life Questionnaire for which we collected data is 'How satisfied are you with your health?' The results are presented in Table 7.

Table 7. The structure of participants based on satisfaction with health⁸

<i>Level of satisfaction</i>	<i>Frequency</i>	<i>Percent</i>
Very dissatisfied	16	17.6
<i>Dissatisfied</i>	30	33
Neither satisfied nor dissatisfied	25	27.5
Satisfied	12	13.2
Very satisfied	8	8.8

As evident from Table 7, the most represented are the respondents who are not satisfied with their health, numbering 30, which constitutes 33% of the sampled population. Furthermore, 16 respondents, or 17.6% of the sampled population, are very dissatisfied with their health. If, similar to the previous question, we consider the category of dissatisfaction with health as a single category with variations in the intensity of dissatisfaction - from very dissatisfied to dissatisfied, we obtain data indicating that 46 respondents are dissatisfied with their health at the time of the study, constituting 50.6% of the sample. The neutral response, indicating neither satisfaction nor dissatisfaction, follows with a representation of 27.5%. Twelve respondents are satisfied with their health, which constitutes 13.2% of the sample. Additionally, eight respondents are very satisfied with their health, accounting for 8.8% of the sample. At the end, the total score for the dimension of physical health from the Quality of Life Questionnaire is 12.97 (SD=3.83; range from 5-20).

Discussion

Based on the results presented in this study, we can highlight several key characteristics of the convicted women, both in terms of demographic, criminological, and penological features, as well as their involvement in specialised treatments, and their health needs and the presence of certain illnesses. We observe that the majority of convicted women included in the study had an average age of 39.7 years. The majority of them had not been in prison before (75% of the sample) and had no prior convictions (64.6%). These findings are

⁸ Missing data, n=6.

consistent with the results of other studies indicating that among the population of convicted women, those who are in prison for the first time for their first committed crime predominate (Handtke et al., 2015; Moles-López & Añaños, 2021).

The highest percentage of convicted women have partners or live in cohabitation (30.5%), have completed secondary education (47.9% of the sample), and have been in prison for more than two years. In terms of the type of crime, the most prevalent are respondents who have committed crimes against human health (predominantly those related to illegal drug trade, production and possession), totalling 33% of the sample.

Furthermore, in terms of treatment and classification of the examined population, the most represented are convicted women classified in the closed department within the institution (76.1%), not enrolled in education and vocational training (97.2% of the sample), but the majority are employed (66.7%). In terms of involvement in any crime prevention programs, a staggering 90.2% of the sample is not enrolled in such programs, and 86.4% are not involved in specialised treatment programs. A concerning finding is that although 48% of the sample reported prior drug use before entering prison, only 20.9% confirm having a drug problem, and 21.2% indicate needing help with drug dependency upon arrival in prison.

In terms of physical health and overall quality of life assessed from the aspect of physical health, more than half of the respondents, specifically 55.6% of the sample, confirmed the presence of illnesses at the time of the study. The most prevalent, at 35.4%, are respondents who have mental disorders, followed by cardiovascular disorders (27% of the sample). Similar findings have been reported by other authors who note that the most prevalent disorders among the population of convicted women are mental disorders (Augsburger et al., 2022; Bright, Higgins & Grealish, 2022). The highest percentage of respondents (40%) rate their quality of life as poor (ranging from very poor to poor). Regarding satisfaction with their health status, the most numerous respondents (33%) are dissatisfied with their health condition. The mentioned results indicate that primary healthcare, medical care, and the improvement of mental health within the correctional facility cannot adequately address the extensive needs of convicted women. Convicted women are not involved in appropriate forms of medical and healthcare, and they are not sufficiently engaged in specialised treatment aimed at addressing and controlling dependencies. The high prevalence of mental health problems necessitates specific interventions, especially those that integrate a focus on previous trauma histories. In conclusion, it seems necessary to emphasise once again that healthcare for convicted individuals represents a particularly challenging area within the prison system. At the same time, it is crucial, both in terms of protecting the human rights of all inmates and from the perspective of preventing recidivism, as preserved physical and mental health of convicted individuals is a prerequisite for their successful social reintegration upon release (Pavićević, Ilijić & Batrićević, 2024: 191; Batrićević, 2011: 135-156; Batrićević, Ilijić 2014: 441-450). This is especially true for mental health, the preservation of which poses a particular challenge, as life in prison, often combined with previous victimisation, frequently leads to its deterioration.

Conclusions and recommendations

The number of women in prison is increasing worldwide, including in European countries and the Republic of Serbia. The rise in the number of convicted women underscores the need for a better understanding of all characteristics of this population in order to adapt the conditions under which they serve their sentences to this population. In this context, it is of utmost importance to recognize the health needs of female inmates, identify them, and promptly implement appropriate medical and health services in prisons. Considering that the prevalence of mental disorders in the population of female inmates is higher than in the general population (as well as in the general female population), greater attention must be paid to the mental health of female inmates, as well as to the treatment of those diagnosed with mental disorders. The heightened vulnerability of women in prison presents unique challenges for correctional professionals, especially healthcare providers, particularly when incarceration exacerbates pre-existing mental health issues and previously experienced traumatic events for women.

The findings of this research highlight the need for improved healthcare and support services within the prison, particularly mental health support. Women in need of support for their mental health should be provided with timely and equitable access to the most appropriate gender-specific treatment interventions and environments. Incarceration could represent an opportunity for women to have access to healthcare for their pre-existing medical conditions and to benefit from adequate medical and psychosocial care to prevent further health decline (Augsburger, et. al., 2022). Healthcare services and medical care in prisons should be based on an approach that is gender-specific, gender-compliant, taking into account all characteristics of female inmates, but also personalised, accessible, and equitable. Access to healthcare resources in prison is also important, and supporting and non-stigmatizing and gender-responsive healthcare management is needed. Enhancing access to counselling, therapy, and educational resources can contribute to the overall well-being and successful rehabilitation of the incarcerated women.

References

- Aebi, M. F., Cocco, E. & Molnar, L. (2023). *Prisons and Prisoners in Europe 2022: Key Findings of the SPACE I report*. Series UNILCRIM 2023/2. Council of Europe and University of Lausanne.
- Alves, J., Maia, A. & Teixeira, F. (2016). "Health conditions prior to imprisonment and the impact of prison on health: views of detained women", *Qualitative Health Research*, 26(6), 782–792.
- Augsburger, A., Neri, C., Bodenmann, P., Gravier, B., Jaquier, V., & Clair, C. (2022). Assessing incarcerated women's physical and mental health status and needs in a Swiss prison: a cross-sectional study. *Health Justice*, 10, 8(2022). <https://doi.org/10.1186/s40352-022-00171-z>
- Bartlett, A., & Hollins, S. (2018). Challenges and mental health needs of women in prison. *The British Journal of Psychiatry*, 212(3), 134–136. doi:10.1192/bjp.2017.42
- Batrićević, A., Pavićević, O., Čopić, S., & Milićević, M. (2023). Quality of Prison Life of Female Prisoners in Serbia: Key Challenges and Areas of Strength. *Revija za kriminalistiko in kriminologijo/Ljubljana*, 74(4), 273–289.
- Bright, A. M., Higgins, A., & Grealish, A. (2022). Women's experiences of prison-based mental healthcare: a systematic review of qualitative literature. *International journal of prisoner health*, 19(2), 181–198. <https://doi.org/10.1108/IJPH-09-2021-0091>

- Caravaca-Sánchez, F., Falcón-Romero, M., & Luna-Maldonado, A. (2014). "Physical attacks in prison, mental illness as an associated risk factor", *Revista Española de Sanidad Penitenciaria*, 16(3), 84–90.
- Davies, K., & Scott, A. (2023). A review of health and social care in women's prisons. NHS England. Available on: <https://www.england.nhs.uk/long-read/a-review-of-health-and-social-care-in-womens-prisons/#1-foreword>
- Dean, N. (2006). Asthma. In: Braithwaite, R. R., Arriola, K. R. J. & Newkirk, C. (Eds.), *Health issues among incarcerated women*, (pp. 276–296). New Brunswick, NJ: Rutgers University Press.
- Elger, B. S. (2011). Prison medicine, public health policy and ethics: The Geneva experience. *Swiss Medical Weekly*, 141, w13273. <https://doi.org/10.4414/smww.2011.13273>.
- Fair, H. (2009). International review of women's prisons. *Prison Service Journal*, 184(3), 3-8.
- Grella, C. E., Lovinger, K., & Warda, U. S. (2013). Relationships among trauma exposure, familial characteristics, and PTSD: A case-control study of women in prison and in the general population. *Women & Criminal Justice*, 23(1), 63–79. <https://doi.org/10.1080/08974454.2013.743376>.
- Ginn, S. (2013). Women prisoners. *BMJ (Clinical research ed.)*, 346, e8318. <https://doi.org/10.1136/bmj.e8318>
- Gunter, T., Chibnall, J., Antoniak, S., McCormick, B. & Black, D. (2012). "Relative contributions of gender and traumatic life experience to the prediction of mental disorders inn a sample of incarcerated offenders", *Behavioral Sciences & the Law*, 30(5), 615-630.
- Handtke, V., Bretschneider, W., Elger, B., & Wangmo, T. (2015). Easily forgotten: Elderly female prisoners. *Journal of Aging Studies*, 32, 1–11.
- Ilijić, Lj. (2014). *Osuđeni i deprivacije – uticaj karakteristika ličnosti na intenzitet doživljavanja zatvorskih deprivacija*. Beograd: Institut za kriminološka i sociološka istraživanja [Convicts and deprivations - the influence of personality characteristics on the intensity of experiencing prison deprivations. Belgrade: Institute for Criminological and Sociological Research].
- Ilijić, Lj., Pavićević, O., & Milićević, M. (2024). *Well-being in prison: The case of Serbia*. Belgrade: Institute of criminological and sociological research. [Unpublished monograph]
- Ilijić, Lj. (2023). Treatment, release and reintegration of elderly in prison - problems and challenges in practice. In: Pavlović, Z. (ed.) *Elderly People and Discrimination: Prevention and Reaction*, Vojvodina Bar Association & Institute of Criminological and Sociological Research in Belgrade, pp. 541–555.
- Jewkes, Y., Jordan, M., Wright, S. & Bendelow, G. (2019). "Designing 'healthy' prisons for women: incorporating Trauma-Informed care and practice (TICP) into prison planning and design", *International Journal of Environmental Research and Public Health*, 16(20), 3818–3833.
- Jiang, S., & Winfree, L. T. (2006). Social Support, gender, and inmate adjustment to prison life: Insights from a national sample. *The Prison Journal*, 86(1), 32–55.
- Krabbe, M., & van Kempen, P.H. (2017). Women in prison: a transnational perspective. In: van Kempen, P.H., & Krabbe, M. (eds.) *Women in Prison: The Bangkok Rules and Beyond*. International Penal and Penitentiary Foundation. Intersentia; 2017: 3–34.
- Liebling, A., Hulley, S., & Crewe, B. (2012). Conceptualising and measuring the quality of prison life. In D. Gadd, S. Karstedt, & S. F. Messner (Eds.), *The SAGE handbook of criminological research methods* (pp. 358–372). SAGE.
- Loucks, N. (2010). Women in prison. In: Adler, J. R., & Gray, J. (eds.) *Forensic Psychology, concepts, debates and practices*. (pp. 498–517). Willan publishing.
- McQueen, S. (2006). Cardiovascular disease. In R. R. Braithwaite, K. Jacob Arriola, & C. Newkirk (Eds.), *Health issues among incarcerated women*, (pp. 261–275). New Brunswick, NJ: Rutgers University Press
- Milićević, M., & Ilijić, Lj. (2022). Ageing of the prison population-characteristics, issues and perspectives. In: Pavlović, Z. (ed.) *Yearbook, Human rights protection: From childhood to the right to a dignified old age*. Novi Sad: Provincial Protector of Citizens - Ombudsman, Institute of Criminological and Sociological Research in Belgrade, pp. 503–521.

- Milićević, M., Ilijić, Lj., & Vujičić, N. (2023). Cross-cultural adaptation and content validity of the measuring the quality of prison life survey in Serbia [Unpublished manuscript].
- Milićević, M., Ilijić, L., Vujičić, N., Međedović, J., Pavićević, O., & Drndarević, N. (2023). *PrisonLIFE project: Adaptation, translation equivalence and content validity of the MQPL survey in Serbian* (Version 1) [dataset]. Zenodo. <https://doi.org/10.5281/ZENODO.8253602>
- Međedović, J., Drndarević, N., & Milićević, M. (2023). Integrating standard and network psychometrics to assess the quality of prison life in Serbia. *Journal of Criminology*, 0(0). <https://doi.org/10.1177/26338076231208769>
- Moles-López, E., & Añaños F. T. (2021). Factors of Prison Recidivism in Women: A Socioeducational and Sustainable Development Analysis. *Sustainability*, 13(11):5822. <https://doi.org/10.3390/su13115822>
- Pavićević, O., Ilijić, Lj., & Batrićević, A. (2024). *Moralna i socijalna klima u zatvorima*. Beograd: Institut za kriminološka i sociološka istraživanja
- Reynolds, M. (2008). The war on drugs, prison building, and globalisation: Catalysts for the global incarceration of women. *NWSA Journal*, 20(2), 72–95.
- Stevanović, I., Ilijić, Lj., & Vujičić, N. (2024). Previous prison experience and evaluation of the quality of prison life. *NBP. Nauka, bezbednost, policija*, 29(1), pp. 1–19. <https://doi.org/10.5937/nabepo29-47558>
- Špadijer-Džinić, J., Pavićević, O., & Simeunović-Patić, B. (2009). Žena u zatvoru – deprivacije zatvoreničkog života [Women in prison – Deprivations of prison life]. *Sociologija*, 51(3), 225–246.
- Tyler, N., Myles, H., Karadag, B. & Rogers, G. (2019). “An updated picture of the mental health needs of male and female prisoners in the UK: prevalence, comorbidity and gender differences”, *Social Psychiatry and Psychiatric Epidemiology*, 54(9), 1143–1152.
- van den Bergh, B. J., Gatherer, A., Fraser, A., & Moller, L. (2011). Imprisonment and women’s health: Concerns about gender sensitivity, human rights and public health. *Bulletin of the World Health Organization*, 89(9), 689–694. <https://doi.org/10.2471/BLT.10.082842>.
- WHO & UNODC (2009). Women’s health in prison: Correcting gender inequity in prison health. Copenhagen, Denmark: World Health Organization Europe, United Nations Office on Drugs and Crime.
- WHO (2014). Prisons and health. Copenhagen: World Health Organization Regional Office for Europe.
- World Health Organisation (2021). “10 Things to know about women in prison”, available at: www.euro.who.int/en/health-topics/health-determinants/prisons-and-health/focus-areas/womens-health/10-things-to-know-about-women-in-prison

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