TREATMENT OF WOMEN PRISONERS IN CROATIA

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Regional Workshop
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International standards

• UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

• UN Standard Minimum Rules for the Treatment of Prisoners

• UN Convention on the Elimination of All Forms of Discrimination against Women

• UN rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)

• Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Protocol)

• European Convention for the Protection of Human Rights and Fundamental Freedoms (amended by Protocols)

• Other European Conventions, Recommendations and Framework Decisions in prison area
National legal framework

- The Constitution of the Republic of Croatia
- The Criminal Code
- The Criminal Proceedings Act
- The Law on the Enforcement of the Prison Sentence (with bylaws)
- The Act on the Ombudsman
- The Act on National Preventive Mechanism for the Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
- The Anti-Discrimination Act
- The Law on Protection of Persons with mental Disorders
Organization of enforcement of institutional sanctions and measures for women

Women are incarcerated separate from men (special wards or cells).

Enforcement of remand in custody and prison sentences up to 6 months for women prisoners is organized on the separate wards or cells in 14 prisons.

Prison sentences longer than 6 months for women prisoners are enforced in Penitentiary in Pozega - in closed, semi-open and open conditions.

Juvenile prison for female juveniles is enforced in special ward of Penitentiary in Pozega.

Juvenile correctional measure for female juveniles is enforced in Juvenile Correctional Institution in Pozega.
Pregnant women, parturient women and mothers with children

Pregnant women and mothers with children who gave birth during incarceration have complete health protection due to pregnancy, birth and motherhood.

If woman gives birth during the incarceration, child stays with the mother on her request and with the consent of the Social Welfare Centre until it turns the age of 3. For this purpose, prison must ensure adequate facilities and qualified staff.

In Penitentiary in Pozega there are special Ward for parturient women and mothers with children. Woman is placed at this ward 6 weeks before the birth and stays at this ward together with her child until it turns 3 years of age.

During 2013 there were 2 women prisoners and two female juveniles with children at this ward.
Women prisoners

On 31\textsuperscript{st} December 2013 - total of 4352 prisoners (all categories).

\rightarrow 194 of them were women

- 127 convicted prisoners (105 in Penitentiary in Pozega),
- 56 in remand custody,
- 5 convicted for misdemeanors
- 6 with juvenile correctional measure

Proportion of women in total prison population is constantly around 4-5%.

Women prisoners are:

- more stigmatized than men.
- often have history of physical or sexual abuse.
- often have various health problems.
- insufficient or no family support (rare and superficial contacts or no contacts with their parents, spouses or children).

Effects of the incarceration are partially different than for men, especially if children are left behind.
During 2013 there were **791 women** with different legal status in Croatian prison system. This is 5.02% of total prison population.
Structure of convicted women prisoners according to the type of offence

31st December 2013

- 31,50% against the safety of payment and business operations
- 18,11% against property
- 14,96% against marriage, family and youth
- 13,39% against values protected by international law
- 8,66% against life and limb
- 4,72% against authenticity of a document
- 3,94% against public duties
- 4,72% other offences
Foreigners and minorities

On 31st December 2013 there were 9 women foreigners in total:
- 2 convicted (1 from Serbia, one under „other“)
- 7 on remand custody (1 from Albania, 1 from B&H, 1 from Bulgaria, 1 from Hungary, 2 from Serbia and 1 from Turkey)

During 2013 we had 43 newly admitted women foreigners in total:
- 2 convicted (1 from Serbia and one from UK)
- 37 on remand custody (3 from Albania, 7 from B&H, 10 from Bulgaria, 1 from Kosovo, 1 from Hungary, 4 from Romania, 1 from Slovakia, 8 from Serbia and 2 from Turkey)
- 4 convicted for misdemeanors (1 from B&H, 1 from Hungary, 1 from Macedonia and 1 from Serbia)

Minorities:
- data on minorities are not available (ethnic declaration is not obligatory)
Penitentiary in Pozega
Department for women prisoners

Most of women prisoners serve their sentence in Penitentiary in Pozega. For example, at the end of 2013, from the total of 127 convicted women prisoners, 105 were placed in Penitentiary in Pozega (82.7%).

In Penitentiary in Pozega women are serving prison sentence in three units:

- closed
- semi-open
- open
In concluding observations on the fourth and fifth periodic report for Croatia the Committee expressed its concern that there is only one prison for females in Croatia and that it is located in a remote geographic location, which makes the family visits difficult, in particular with small children.
Individual Sentence Program
(Offender Management Program)

Every prisoner – men or women - sentenced to more than 6 month is admitted to the Diagnostics Centre (in Zagreb)

EXPERTS:
• psychologists
• social workers
• social pedagogues
• lawyers/criminologists
• pedagogues
• medical physicians

• DIAGNOSTICS:
  - psychological
  - social
  - legal/criminological
  - pedagogical
  - medical

• RISK ASSESSMENT

• PROPOSAL OF PRISON/PENITENTIARY

• PROPOSAL OF INDIVIDUAL SENTENCE PROGRAM
Individual Sentence Program

Is consisted of:

• Allocation to a ward
• Working place
• Special treatment programs*
• Psychiatric and psychological assistance, if necessary
• Other psychosocial treatment (in group or individual)
• Education/vocational training
• Leisure time activities
• Contacts with the outside world
• Privileges
• Precaution measures, safety measures, risk assessment
• Preparation of post-penal period
Psychosocial treatment of prisoners (Treatment Department)

SPECIAL TREATMENT PROGRAMS
Experts: social pedagogues, psychologists, social workers
• Treatment of Drug Addiction
• Treatment of Alcohol Addiction
• Treatment of Sex Offenders
• ART - Aggression Replacement Training
• Treatment of Traffic Delinquents
• Treatment of PTSD
• Prisoner as a Parent

GENERAL TREATMENT PROGRAMS
WORK
EDUCATION
LEISURE TIME
Women prisoners addicted to alcohol and drugs

Women prisoners addicted to alcohol
During 2013 alcohol addiction treatment was applied to 16 women in Penitentiary in Pozega (9 according to a court decision and 7 on recommendation of penitentiary’s expert team).
On 31st December 2013 alcohol addiction treatment was applied to 8 women in Penitentiary in Pozega (5 according to a court decision and 3 on recommendation of penitentiary’s expert team).

Women prisoners addicted to drugs
During 2013 drug addiction treatment was applied to 24 women in Penitentiary in Pozega (13 according to a court decision and 11 on proposal of penitentiary’s expert team).
On 31st December 2013 drug addiction treatment was applied to 16 women in Penitentiary in Pozega (6 according to a court decision and 10 on proposal of penitentiary’s expert team).
Special treatment programs for alcohol or drug addicted women prisoners

Necessity of entering one of the special treatment programs (for drug or alcohol addicts) is defined by the individual sentence program based on:

• mandatory treatment of drug or alcohol dependence imposed by the court
• recommendation of the Diagnostics Centre
• recommendation of the penitentiary’s expert team

All prisoners involved in treatment of addictions (alcohol or drugs) are submitted to regular controls of abstinence after returning from a home-leave and to unannounced controls anytime during the sentence.

Drug addiction treatment necessarily includes:
Medical aspect: general health care, opioid replacement therapy, treatment of psychiatric comorbidity.
Psychosocial aspect: motivational interviewing, counselling, short cognitive-behavioral interventions, individual and group support therapy, modified therapeutic community, contingency management.
Modified therapeutic community

- Continuous therapeutic procedure - includes education, support and self-support, counseling, rehabilitation and social integration.
- Meetings in small groups (10 -15 prisoners) one time a week, lasting hour to hour and a half, combined with individual counseling and support.
- Administred by „therapists” in cooperation with responsible treatment adviser and medical doctor (general practitioner) or psychiatrist if necessary.
- Includes working/occupational aspect and organization of education and leisure time - other members of staff are also indirectly included in treatment (vocational instructor, responsible prison officer, teacher etc.)
- Enables continuous treatment during and after the sentence by connecting prisoner with institutions and NGO-s dealing with prevention and treatment of addictions.
- External partners enable inclusion of family members in the treatment process
PORTOs

- 2014 - pilot implementation of PORTOs (*Prevention of Drug Relapse by Training and Empowerment*) – also for women prisoners in Penitentiary in Pozega

- structured program, based on cognitive behavioral approach (mostly lifestyle theory), contains interventions aimed at relapse prevention.

- 34 weeks - in small groups of prisoners (8-12), 90 minutes once a week.

- It is divided in 5 phases:
  - Preparation phase
  - Phase of education, introspection and encouraging change of lifestyle
  - Phase of skills development and enhancement for change
  - Relapse prevention
  - Ending of a program, feedback and evaluation
ART

- Multimodal program developed by Arnold P. Goldstein
- Originally developed for aggressive delinquents in residential care
- Structured program that combines the use of techniques from cognitive therapy and behavioral therapy
- 10-week, 30-hour intervention, administered to groups of 8-12 clients three times a week
- Main components include anger management, development of social skills and moral reasoning
- It is regularly administered in Juvenile Correctional Institution in Pozega
Prisoner as a Parent


- administrated in several prisons and penitentiaries in cooperation with Family Centers (Ministry of the Family, Veterans' Affairs and Intergenerational Solidarity / Ministry of Social Policy and Youth)
- Terminated for organizational reasons

Very positive feedback and interest to continue with a program

2013 – pilot program **Prisoner as a Parent**

- Developed by a Head Office of the Prison Administration
- Consisted of 14 workshops
- Piloted in one penitentiary

2014 – education of staff for implementation in 12 prisons and penitentiaries

Penitentiary in Pozega

- 19 women prisoners included in program until now (during 2014)
Thank you for your attention!

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