

# **CONTACT BETWEEN CHILDREN AND THEIR INCARCERATED MOTHERS**

**An Analysis of Children's Visiting their Mothers in Prison**

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CONTACT BETWEEN CHILDREN AND THEIR INCARCERATED MOTHERS  
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### *Abstract (Summary)*

*Thousands of underage children in Croatia are growing up without one or both parents, as a result of their parents serving a prison sentence. These children are almost invisible to society and their community; vulnerable, because they themselves are both direct and indirect victims of their parents' behaviour. By entering a prison to serve prison time one does not stop being a parent, and continues to have the same responsibilities and duties. Both the parent and child have the right to spend time together; in fact they have the need for it. Numerous studies have shown that regular and quality contact between incarcerated parent and their child lowers the child's difficulties in adjusting to the newfound situation, general difficulties growing up while at the same time contributing to the prisoner's rehabilitation. The right to regular contact with an incarcerated parent is legislated by the Execution of Prison Sentence Act (EPSA).*

*This study's target group are female prisoners who were serving a prison sentence in the Croatian prison system at the end of 2014, each with a unique criminal-legal status. Having their mother leave home to serve a prison sentence is an especially risky situation for children because generally their mothers are more involved in their everyday care and life than other carers. Researchers created a survey completed by 145 women, or 84.8% of the female prison population in Croatia at the time the survey was conducted with the goal of analysing the number and age structure female prisoners' children under 18 years of age, as well as the organisation and frequency of contact between these children and their incarcerated mothers. The results showed that more than half of the mothers do not receive any visits from their children at the prison or penitentiary where they are serving their sentence. In 31% of cases the mothers do not want their children to visit, in 13% of situations their children do not even know that their mothers are in prison, and in 25% of situations the mother only meets with her children outside the prison during temporary release benefits.*

# INTRODUCTION

## PARENTING – CHALLENGES AND POSSIBILITIES<sup>1</sup>

Over the development of human society the expectations and requirements put on parents and parenting have changed. Today, society describes desired parenting using different terms, such as positive parenting and parenting in the child's best interests (Council of Europe documents), supportive parenting (UNICEF) and in professional literature we come across different terms such as responsible parenting, competent parenting, authoritative parenting and others. Regardless of the term used to describe them, these concepts include parenting behaviours and values such as caring behaviour, meaning that a child's needs are met with love and safety, acceptance, sensitivity, inclusion and support. A parent shows a child their love and happiness, comforts them when they are sad or upset, speaks to them about things that are troubling them, maintains a positive emotional tone at home and offers them basic care and security. All this allows the child to explore the world and return to their parents when they feel confused, angry or sad.

Structure and leading offer children a sense of safety and help them know what to expect. These help children accept responsibility for their behaviour, to become aware of the needs of others and to develop self-control. Therefore, a parent must help a child understand what their standards are, create understandable and appropriate limits and keep track of a child's thoughts and reactions. A parent must also have a regular (but not rigid) daily schedule with regular times and routines for family activities. It is very important to be flexible, discuss and negotiate with children through all their growth phases.

Acceptance involves the need for every child to be seen, heard and valued as a person. To do this parents must show interest in their child's everyday experiences, listen to them, try to understand their opinions and help them express their feelings. This also means allowing the child to have a voice and to provide them with an active role in family life and decision making.

Empowering means strengthening the child's sense of capability, their sense of personal control and possibility of influencing the opinions and behaviour of others. Parents can concentrate on a child's abilities and show that they believe in the child's potential. In addition, parents can create opportunities for a child to learn, gain new experiences and social contacts. All children have phases where they act more like adults, and those where they return to the behaviour patterns of younger children. It is important for parents to support and help children

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<sup>1</sup> Source: Parenting in Contemporary Europe: A Positive Approach, Council of Europe Publishing, April 2007.

during these phases, assisting them to move on to their next phase of development.

Almost all parents agree that parenting is the most satisfying, important and difficult role they will have in their lives. Everybody wants to be a good parent to their child, and many of them need support to achieve this. No person is born with parenting skills – these are learned behaviours. Modern lifestyles put great challenges and pressure on parents, expecting that the parent be a good worker, a good citizen and the best possible parent to their child. At the same time, there is often no answer about how to combine all these roles and expectations. The state and community must support parents in their parenting role and provide programs where they can improve their parenting competencies.

In modern times, children have also been given a new place in society, and have their own rights regulated by numerous international agreements and acts of domestic law.

The Council of Europe promotes children's rights (*Convention on the Protection of Human Rights and Basic Freedoms, the European Social Charter* and its supplemented version), and fully complies with the requirements of the UN's *Convention on the Rights of the Child*, signed by all the UN's member-states. The *Convention on the Rights of the Child* views the child as a subject of rights and defines the standards of rights that states should guarantee for children under 18 years of age. Certain standards are the direct responsibility of states, while others are the responsibility of parents and guardians. Parents and guardians are primarily responsible for the upbringing and development of children and for ensuring the child's best interests. We can therefore deduce that the priority in parenting is the child's well-being and development. In the Convention states must recognise the responsibility parents have and offer them support in raising their children, but also requires that states intervene to protect children if they are being neglected or abused. The Convention includes a child's right to protection (e.g. that the child is not subjected to violence) and their right to participation (e.g. respecting a child's opinion). It also emphasises the importance of achieving every child's developmental potential in order for the child to be as successful as possible, recognising that children develop over a certain time period and have varying needs during different life phases. Different aspects of the Convention mean that parents must provide children with an upbringing and care, help them form their personalities and accept them as people in their own right, encouraging them to develop as individuals.

There are situations where parents are not able to fully participate in raising and caring for their child, one of which is when a parent has to serve a prison sentence.

During 2012, it is estimated that 17,986 children in Croatia had one or both parents in prison.<sup>2</sup> These children are at risk, often neglected and forgotten by society. They have various stories, sometimes they themselves are the direct victims of their parents' crime(s) and are almost always indirect victims. Innocent children must bear the consequences of their father or mother (or both of them) being incarcerated. Many of their rights are therefore not respected or are breached, and they are forced to live with the consequences of their parents' poor choices.

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<sup>2</sup> The number 17,343 is an estimate according to data from the Report on the State and Work of Penitentiaries, Prisons and Juvenile Detention Facilities for 2013, the same statistic according to unofficial data for 2014 is around 14,893.

On the other hand, despite the fact that they are incarcerated and do not live with their children, a father and mother do not stop being parents. Children need help to understand that the responsibility and sentence the parent must face for their misconduct do not mean that the child is being punished. For this reason, it is important to plan contact between incarcerated parents and their children in a friendly setting that makes the communication and relationships necessary for growing up possible.

## THE LEGISLATIVE FRAMEWORK GUARANTEEING CONTACT BETWEEN PRISONERS AND THEIR FAMILIES

Numerous pieces of legislation define the rights of children with incarcerated parents. First of all, these are general documents that protect human rights and basic freedoms, as well as children's rights: *The Constitution of the Republic of Croatia*, *The UN Charter*, *The Declaration on Human Rights*, *The European Convention on the Protection of Human Rights and Basic Freedoms*, with Protocol 11 amended with Protocols 1, 4, 6, 7 and 13 dated September 2003, article 8 The Right to Respect of Private and Family Life ("Everyone has the right to respect for his or her private and family life, home and correspondence.") and *The European Union Charter on Basic Human Rights*. The *Prison Sentence Execution Act* (EPSA, NN<sup>3</sup> 128/99, 55/00, 59/00, 129/00, 59/01, 67/01, 11/02, 190/03, 76/07, 27/08, 83/09, 18/11, 48/11, 125/11, 56/13 and 150/13) defines prisoners' rights among which is the right to contact with the outside world, the right to visits from family members and children. The EPSA states that the purpose of serving a prison sentence is to prepare the person for life outside prison lived in accordance with the law and social rules while guaranteeing humane actions and respecting their dignity while in prison. Individual prison sentence execution programs include measures and steps to rehabilitate and resocialise the convicted individual. The execution program consists of pedagogical, labour, health, psychological, social and security aspects appropriate for that prisoner's and their needs, all in accordance with the facility where they are serving their sentence and possibilities it offers.

The framework of the *Individual Prison Sentence Execution Program* offers specific programs tailored to a prisoner's specific needs. In the process of fulfilling the *Individual Program*, regular and individual counselling sessions are held with parent-prisoners on the importance of maintaining contact with their children while they are serving their prison sentence. Area 5, Section 13 of the *National Program for the Protection and Promotion of Human Rights 2013-2016* describes child protection and the importance of promoting children's rights and raising public awareness and education on the children's rights and responsible parenting. It is also important to note the *Regulation on Prisoner Benefits* (NN 66/10 and 126/13) and the European Prison Rules form an integral part of the *Execution of Prison Sentence Act* (articles 111 and 117). The importance of maintaining contact with children when their parent is incarcerated is emphasised in judicial practice and as such the

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3 Narodne novine (NN) is the Official Gazette of the Republic of Croatia. Hereinafter the Gazette will be referred to as NN.



Constitutional Court of Croatia has in its decisions in this field of law (calling on the Decision by the European Court of Human Rights) said that “The Constitutional Court states its general opinion that the fact that a parent must go to prison does not break the relationship that forms the family life between that parent and their child. Moreover, in these situations the State has special responsibilities to support the maintenance of familial contacts between the prisoner and members of their family.”

A child's right to contact with their incarcerated parent is regulated in documents that are tailored especially for children as a special vulnerable group. These are the *Convention on the Rights of the Child* and the *Convention on Contact with Children*. The European initiative *Eurochips* (the European Committee for Children with Imprisoned Parents) now known as COPE (*Children with Prisoners Europe*) protects the interests of children whose parents are imprisoned, advocating for increased awareness on the needs of children whose parents are in prison and for allowing contact between children and their imprisoned parent(s). The penal bodies in the Republic of Croatia take care to implement all the above-mentioned legislation, especially those which protect children's rights. In Croatia therefore, underage children can visit their imprisoned parent once a week and on holidays. Underage children up to fourteen years of age must be accompanied by an adult who is a family member or guardian during these visits.

In addition to the above-mentioned rights guaranteed by the EPSA which encourage contact between prisoners and their family members, prisoners can be granted benefits - incentives that decrease the negative implications of incarceration and encourage prisoners to work to complete their prison sentence program, and in so doing fulfil the purpose of their prison sentence - rehabilitation. Part of the benefits available are more frequent contact with the outside world, in this case contact with family members. Depending on the assessment in the prisoner's prison sentence execution program, they can be granted more frequent and longer family visits, with or without supervision, visits with their spouse or partner in a room without supervision, temporary release into the town or city where the penitentiary or prison is located (two to eight hours long), as well as temporary releases to visit family members, up to twenty hours per month, and in a month with a holiday, up to forty-four hours. Prisoners who are employed can use their vacation days in their city/town of residence or in another city/town (Šoher 2013). All these benefits are designed to allow for and make contact between children and their incarcerated parent easier.

## **CHILDREN WITH INCARCERATED PARENTS<sup>4</sup>**

Children with incarcerated parents face numerous forms of discrimination and are in an unfavourable position when compared to other children because of their family situation and their parent's criminal-legal status. Their needs are often unrecognised and they are not seen as a group who needs society's special attention, as their lives are marked by the (poor)

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4 Source: Conference Papers from the Expert Discussion, the Rights of Children with Incarcerated Parents. Ombudsperson for children, Zagreb, 2009. .

actions of their parents. The incarceration of a parent and everything that comes before and after it affects a child immensely. The process can be very long and represent a difficult, drawn-out process that includes arrest, investigation, detainment, trial, dealing with the sentence, waiting to leave to serve a prison sentence, the departure itself, serving the duration of the sentence, prison release and rehabilitation and finally beginning to live a normal life again. A child whose parent has been punished for breaking the law feels the loss and separation of the parent while they are serving their prison sentence. Because of these feelings and reactions to this very specific family situation, the child becomes a kind of victim of law-breaking. Oftentimes the child has trouble forming friendships in their community and society, and is not understood by other family members.

The type of crime the parent has committed is an important variable that also affects the child. Situations where one parent has murdered the other parent or another person close to the child are especially dramatic and complex. The same can be said of cases where the criminal acts have harmed the child directly, especially when these involve violence, abuse and sexual delict. In these sensitive situations the assessment of the degree of protection the child requires is very important, including whether contact with the parent is in the child's best interest at all. Despite these special, very difficult situations where the prisoner generally refuses to be a parent once he/she enters prison, in the majority of cases the prisoner loves their child, is a responsible parent and wants to maintain contact with the child. However, there are prisoners who pose a danger to their children and who are not responsible parents, as well as those who do not want contact with their children in prison. A parent's dispute with the law, especially when it involves grave criminal acts and violence, is often the result of a family history of violence that spans generations. This history of criminal behaviour increases the risk of this behaviour being repeated by a child and the parent's antisocial behaviour or parenting model is one of the variables that significantly affects the chances that the underage child will also commit a crime (Marczyk et al., 2003 according to Ricijaš, 2006). Furthermore, reports on social inclusion have shown that maintaining contact with family members through visits is associated with a decreased chance that the prisoner will commit a crime again.

A child's reactions to the consequences of their parent's conflict with the law differs from child to child and depends on a number of factors: the child's age, the community's reactions, support from the people close to the child, the type of crime committed, the length of the sentence and place the parent is serving it as well as the place the criminal act itself was committed. The possibility of having experienced bullying and violence, but also the feeling of friendship and being recognised and understood by others further affect the child and their development in these very specific circumstances.

The effect of prison on a child can be seen in various aspects of their life: emotional, cognitive, social, economic, health and behavioural. Only one-third of children who have an incarcerated parent know where that parent is. Experts agree that it is necessary and important to tell the child where their parent is located and the best way to do this is for the child to find out from family members and in their home.

Although it is not easy to give a simple answer applicable to all children and all families, the opinion is that the majority of children greatly benefit from maintaining contact with their imprisoned parent. The potential benefit depends mostly on the type of support the child gets in communicating with the parent in prison (writing letters, preparing for visits etc.), in understanding the situation the child is in and dealing with it. When discussing the potential benefits, of course we are not considering situations in which the parent is in prison because of a criminal act that has harmed the child directly. These cases mostly involve some form of abuse and neglect by the parent, and as such meeting with the parent, who is the source of the child's trauma, is not recommended or is only recommended in special cases and after the parent, child and their family have been assessed by a professional.

Maintaining the relationship between an incarcerated parent and their child is necessary for the child to grow up balanced and for him/her to be able to get past developmental crises. This relationship can be maintained through visiting the parent in the prison building but also through other forms of contact, including letters, packages or telephone calls.

The benefits and positive consequences of a child having contact with their incarcerated parent are many-fold, especially when the visits are well-planned and take place in a conducive environment. They include the child, the people who care for the child, the incarcerated parent, the prison, prison employees and the community at large (KIDS VIP 2005).

For the child, visits are important firstly because they fulfil the need to be sure that their parent is alive and well. Thanks to visiting a parent in prison the child fulfils its need for closeness and contact with the parent, as well as its need for love and respect.

It is expected that fulfilling the role of a parent and maintaining the parent-child relationship and the aspects common to both, which continue to exist despite the fact that the parent is incarcerated, will help lower the child's potential behavioural problems and problems at school as well as on decreasing their emotional and social difficulties. By accompanying the child to visits, those who are caring for the child – the other parent, grandparents, foster parents or pedagogues in an children's home – can help to solve some issues and help the child deal with the consequences of his/her parent's incarceration. In addition to the need for early, regular and quality contact, a child whose parent is imprisoned also needs understanding and age-appropriate information, privacy, protection from discrimination, support for both child and parents, a chance to share experiences with other children and a positive prison environment (Gabelica 2013).

Having contact with a child is also beneficial for the prisoner: they are more successful in rehabilitation and resocialisation, they see the point of responsibility, are more satisfied and happier and enjoy better mental health when they have the opportunity to be a good parent even though they are in prison. When studying prisoner behaviour, adaptation to the prison environment and reactions to penal treatment, penal psychology also considers a prisoner's contact with family members. A lack of family or friends is the first on a list of twelve stress factors prisoners have identified (Mejovšek 2002).

Alongside all the benefits to maintaining contact between a child and their incarcerated

parent, visiting the parent can be stressful for the child because of meeting a parent they have not seen in a long time, dealing with strict prison procedures, uniformed officials, other prisoners and bars. On the other hand, the end of the visit is often difficult and sad for both the child and the parent. It is important to be prepared for all these situations.

## **WHAT ARE THE CROATIAN PENAL AUTHORITIES DOING TO MAKE IT EASIER FOR CHILDREN TO VISIT THEIR INCARCERATED PARENTS?**

A child visiting their incarcerated parent is in an incredibly complex situation. The child's feelings are often divided between joy about meeting their parent and fear of the prison environment and officials. In order to decrease a child's discomfort during visits to the penitentiary or prison, all prison facilities have made efforts to have designated spaces for children's visits: these rooms are painted in light, vibrant colours and are equipped with child-sized furniture, toys and learning materials, decorated with various images and drawings of cartoon characters, animals etc., made by the prisoners themselves. Over the past few years continued efforts have been invested in improving the conditions of waiting rooms where children wait before seeing their parents and efforts are made to conduct children's body searches (only) visually, except when security concerns demand otherwise. When physical searches are necessary, top priority is on maintaining a child's dignity. In this way the rights of the parent and child to contact are upheld, with the child's best interest in first place.

Prisoners are taught about the importance of positive and responsible parenting and respecting children during individual treatment work, and are counselled on how to dedicate the visiting time to their children, doing activities that are in the child's interest. In fulfilling the needs of the children with incarcerated parents and the recommendations of the Ombudsperson for Children on protecting the rights and interests of children with imprisoned parents, the Prison System Directorate has consistently made efforts to improve the children's visiting room in order to minimise harmful consequences of separation of parent and child and to create an environment where children feel comfortable. During prisoner parenting competency improvement programs, participants are encouraged to spend visiting time with their children engaging in quality activities. This improves prisoners' resocialisation, helps them to see the importance of responsibility and provides them with a sense of satisfaction and happiness, improving their mental health by giving them the opportunity to be good parents despite the fact that they are separated from their family serving a prison sentence.

For the past few years all prison facilities have marked European Prisoners' Children Week in June. During this week various workshops are organised for parents and children and visiting times are extended and more frequent. Prison bodies have renovated children's visiting rooms and purchased new age-appropriate children's toys for children with varying interests. When choosing toys emphasis is put on their educational value as their purpose

is to encourage collaboration between the parent and child (e.g. building blocks, puzzles, stuffed toys, dolls, cars, picture books, colouring books, colouring pencils etc.). In order for children to feel that this week is dedicated to their rights, in addition to the above-mentioned activities the children are given sweets during “their” week by judicial police officers in charge of monitoring visits, thereby decreasing the discomfort children feel due to the presence of uniformed officials at visits. The importance of appropriate communication with children is also emphasised. In certain prison bodies workshops on parenting and being separated from a child are organised with the goal of encouraging prisoners to think about how being separated from a parent can affect a child's emotional development, how to recognise changes and delinquent behaviour and what institutional services are available outside the prison for family members to obtain professional psychological assistance. In collaboration with external experts some criminal bodies have organised workshops on a child's perspective and reactions to a parent's incarceration, providing information on a child's needs during their various phases of development, their experiences and emotions due to the specific situation which has followed them over a number of stressful and unfavourable events, from their parents' arrest to living together again after release from prison (investigation, waiting for the unknown, trial and sentencing, visits and contacts, reactions and the influence of the other parent, family members, community etc.). Prisoners actively participated in these workshops discussing their personal experiences with their own children. Feedback from participants has been positive, saying that they received very concrete and new information on a child's inner world and needs, and that they enjoy the group work. These types of activities make it easier for incarcerated parents and their children to remain in contact. By having visiting rooms that have been created with children in mind and allowing physical contact with their parent, the importance of a positive view of maintaining family and parenting ties is maintained. All the activities that take place that are in the child's best interests and improve their familial ties affect the positive completion of the prison term and contribute to the prisoner's successful rehabilitation.

The Požega Women's Penitentiary has a unit that is unique in the Croatian prison system, the Mother and Child Unit. During 2014, new mothers were housed here with their children, four prisoners and three juveniles, with a total of seven children. On 31 December 2014, two juveniles and one female prisoner were housed with their children. Although the intention was that women and juveniles stay here six weeks before their estimated due date, depending on how they feel and what they prefer, if they want they can also come to the Unit only just before giving birth. Should they have health complications, prisoners are moved to the Prison Hospital, and the birth takes place at the Clinic for Women's Health and Births at the Zagreb University Hospital (*KBC Zagreb*). After the birth prisoners and juveniles are moved back to the Mother and Child Unit in Požega together with their infants, where they stay until their child's third birthday or until they are released if the mother is serving a shorter sentence. Depending on the mother's wishes, the child can be included in a local kindergarten and the centre for social services that is local to the mother's home monitors the child's development and wellbeing.

In collaboration with Roda – Parents in Action, an organisation that is implementing the MA#ME program at the Požega Penitentiary, children's books and board games have

been donated to the penitentiary as well as computer equipment. During the project period penitentiary employees will be trained to help incarcerated mothers to maintain contact with their children and spend visiting time with them creatively. The project will also provide prisoners' children with paid travel expenses to visit their imprisoned mothers, which is very important because the distance of the Požega Penitentiary has proven to be a hindrance to children visiting their parents, as travel is expensive. In fact, this is the main reason why children do not visit their incarcerated parents. (Franjić-Nađ et. al., 2013).

## **THE PRISONER AS PARENT EDUCATIONAL AND DEVELOPMENT PROGRAM**

Quality parenting is the responsibility of the parent but also of the parent's community. The Collaboration Agreement between the Prison System Directorate and the Ministry of Families, Veterans and Intergenerational Solidarity, has meant that since 2010 family centre employees have been implementing the Responsible Parenting program at prison facilities throughout Croatia. At the end of 2012, due to organisational changes that followed changes to the Social Services Act family centres could no longer conduct these programs with their existing human and material resources. In order to continue the program, which both the prisoners and prison system officials were very interested in, in 2013 the Special Programs for Prisoners and Juveniles of the Prison Systems Directorate Headquarters prepared the Prisoner as Parent program, accompanied by a dedicated Guidebook (Frljak, Pavešić-Herkov and Baranček, 2013). After successfully piloting the program in a group of 12 prisoners at the Lipovica-Popovača Penitentiary in 2014, a train the trainers' workshop was held for interested treatment and security officials from 12 prison facilities.

The program's goals are to empower prisoners for an active, positive and responsible parenting role that is in the child's best interests, and to offer help and support in the very difficult situation they find themselves in being separated from their children. The program consists of 14 workshops held once a week monitoring the dynamics of the group process. At the first meetings the goal is to have the group members get to know each other, create group cohesion and a sense of belonging. To do so introductory activities are conducted providing participants the chance to get to know themselves better and to become aware of their own qualities and parenting capacities. During workshops prisoners learn about topics that encourage them to think about their inclusion in their children's upbringing and the methods and styles they use in doing so. Workshops also teach about the importance of positive and responsible parenting, respecting the child and its needs, the role of parents and partners during incarceration and after prison release. There is also discussion on the problems faced by separated families, the difficulties children face when their parent is in prison, how to improve the quality of parent-child relationships and on guiding parents to continue their own parenting responsibilities and spend quality time with their children during visits. The program includes information on child development, skills for communicating with children and other people in a child's life, information on legislation that regulates parents' and children's rights, developing emotional warmth, self-respect and effective parenting.

The Prisoner as Parent program was implemented at the Lepoglava, Glina, Lipovac-Popovača, Valtura and Požega Penitentiaries (on the Female Prisoner Unit and Semi-Open Unit for Male Prisoners) as well as at the Zagreb, Rijeka, Osijek, Varaždin, Pula and Gospić Prisons. It was completed by 184 prisoners, and new groups are currently being formed for the continuation of the program and its expansion to other prison facilities.

The program evaluation (Šimić, Baranček and Franjić-Nađ, 2014) was conducted through a Parenting Competencies Questionnaire at the beginning and end of the program. The questionnaire included 72 questions divided into 8 categories: views on group learning, motivation for learning to be a better parent, parenting stress, including prisoners in parenting, parenting satisfaction, views on child rearing, parenting skills and behaviour / discipline rules. After the Program's implementation positive changes were noted in all categories, of which the most significant was in the parenting skills category. The surveyed participants did not agree with the opinion that "some people are good parents and some are bad parents, and this cannot be changed." Upon completing the Program most of them were of the opinion that parenting could be learned and that they were motivated to do a better job raising their children. Disagreement with the statement that "my child and I are not close" was significant. Upon completing the Program the opinion that corporal punishment should be replaced by punishments such as banning television, going out, computer games, taking favourite toys away etc. was more prevalent. Evaluations of the prisoner's expectations and satisfaction with the Program has shown that the prisoners had very high expectations from the Program and that it still managed to exceed their expectations, especially in their satisfaction with the program facilitator, the interesting topics and implementing the new knowledge in their daily life. One of the Program's effects was also a more positive opinion of the future, a pleasant atmosphere at the workshops and better understanding of parenting skills. Since the results of the evaluation were positive, the Prisoner as Parent Program has been deemed successful and very useful. It is objectively implementable throughout the prison system, and its implementation will continue and spread to more corrections facilities.

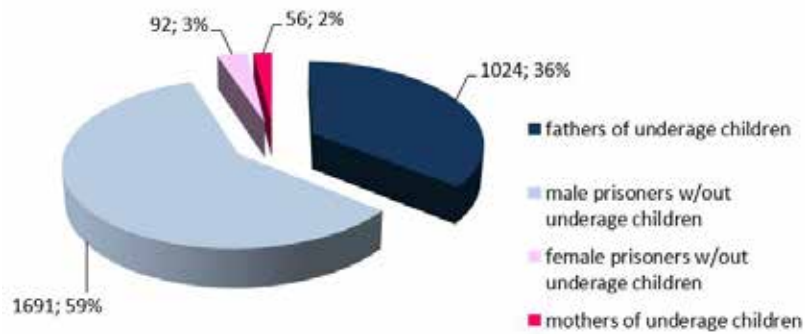
## **THE NUMBER OF PARENTS SERVING SENTENCES IN PRISON, JUVENILE DETENTION AND JUVENILE CORRECTIONS FACILITIES**

On 31 December 2014 in all forms of correctional facilities, the prison system had a total of 1080 parents with 1975 underage children, of which 1025 were fathers (37.75% of the total population of all correctional facilities on 31 December 2014) with a total of 1875 children and 55 mothers (37.16% of the total female population of all corrections facilities on 31 December 2014) with a total of 103 underage children.<sup>5</sup>

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<sup>5</sup> According to data from the Prison System Directorate for 2014.

Image 1.  
The proportion of parents of underage children in the total number of persons serving a prison sentence, in juvenile detention or corrections on 21 December 2014



According to data<sup>6</sup> on the state and fluctuations of persons of all criminal-legal statuses in the prison system, it is estimated<sup>7</sup> that 14,893 children in the Republic of Croatia were separated from one or both parents due to incarceration during part or all of 2014.

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6 Data from the records of the Prison System Directorate for 2014.

7 This is an estimate because the Prison System Directorate keeps records on the number of parents and the number of underage children they have only for prisoners who are serving a prison sentence, are in juvenile detention and corrections, and does not keep records for prisoners in remand prison and those who are serving a sentence for a misdemeanour.

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## GOALS AND ANALYSIS

To study the number female prisoners with underage children and their age structures.

To study the organisation and frequency of contact between children and mothers imprisoned at penitentiaries or prisons.

## METHODS

### SAMPLE

The MA#ME survey was offered to all female prisoners regardless of their criminal-legal statuses<sup>8</sup> who were in penitentiaries and prisons during the time the survey was being completed (between 17 and 24 December 2014). The survey was completed by a total of 145 prisoners, which is 84.8% of the female prison population in the Croatian prison system during the survey period.

Table 1.  
The number of female prisoners who completed the survey according to prison facility

<b>PRISON FACILITY</b>	<b>NUMBER OF FEMALE PRISONERS AT THE FACILITY ON THE DATE THE SURVEY WAS CONDUCTED</b>	<b>NUMBER OF FEMALE PRISONERS WHO COMPLETED THE SURVEY</b>
Požega Penitentiary and Prison – Female Prisoner Treatment Unit <sup>8</sup>	107	98
Šibenik Penitentiary and Prison	1	1
Prison hospital	2	0
Zagreb Prison	31	29
Bjelovar Prison	2	2
Dubrovnik Prison	1	1
Gospić Prison	1	0
Karlovac Prison	1	1
Osijek Prison	3	3
Pula Prison	6	0
Rijeka Prison	1	0
Sisak Prison	1	1
Split Prison	5	2
Varaždin Prison	6	4
Zadar Prison	3	3
<b>TOTAL</b>	<b>171</b>	<b>145</b>

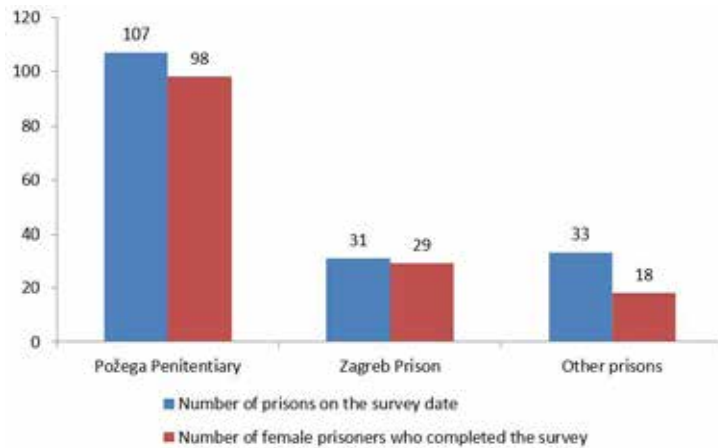
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<sup>8</sup> Serving a prison sentence, in remand prison or misdemeanour.

<sup>9</sup> Hereinafter referred to as Požega Penitentiary.

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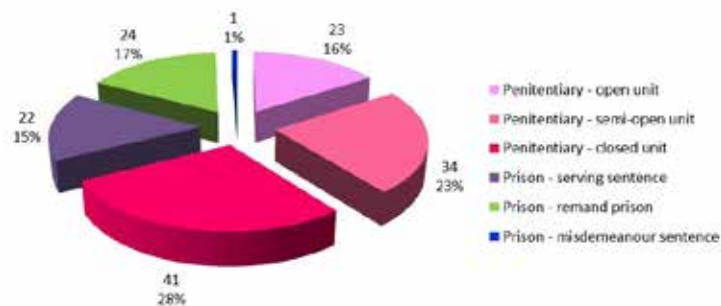
Image 2.  
Female prisoner turnout according to facility



## THE CRIMINAL AND LEGAL STATUS OF SURVEYED (FEMALE) PRISONERS

The structure of the sample population according to the female prisoners' criminal and legal status, more specifically according to the security conditions of their imprisonment at the Požega Penitentiary is shown in the following image.

Image 3.  
Sample structure according to criminal-legal status and security conditions of their imprisonment

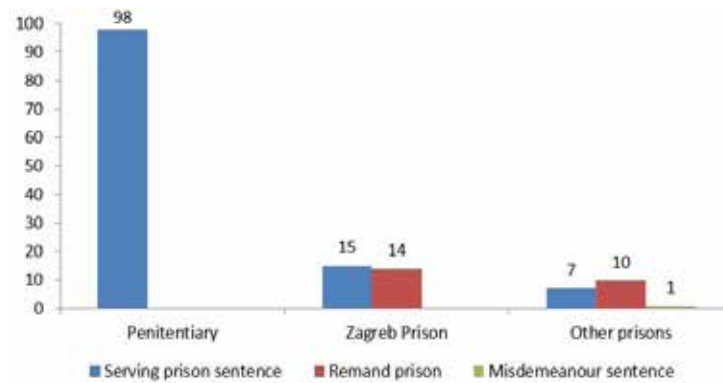


A total of 60.69% of female prisoners with various criminal-legal statuses who completed the survey are located in closed prison units.

## PRISON FACILITIES WHERE (FEMALE) PRISONERS ARE SERVING THEIR SENTENCES

Out of the total number of surveyed prisoners, 67.59% are located at the Penitentiary, the Zagreb Prison accounts for 20%, while the remaining 12.41% are located at the eight other prisons. The structure of the (female) prisoners according to the prison facility they are serving their sentence at and their criminal-legal status is shown in the image below.

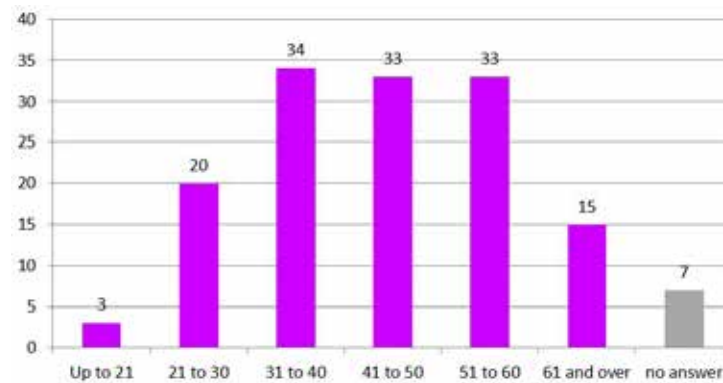
Image 4.  
The structure of the sample population according to prison facility



## THE AGES OF SURVEYED PRISONERS

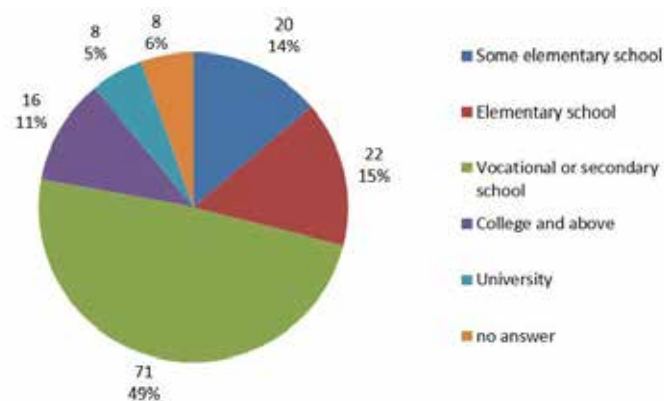
The following image shows the age structure of the surveyed (female) prisoners. In all, 55.86% of the prisoners are over 40 years old.

Image 5.  
The age structure of all the surveyed prisoners



Level of education: about half the surveyed (female) prisoners hold a secondary school diploma; almost one-third of prisoners have completed elementary school; 5% of prisoners have completed a college-level education, while 11% have a university degree or higher.

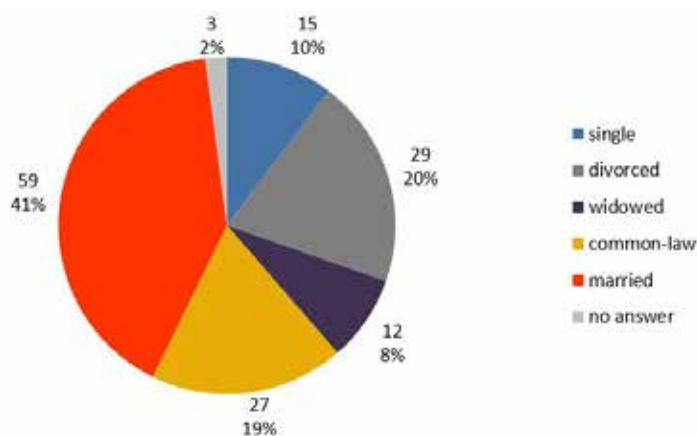
Image 6.  
The levels of education held by surveyed prisoners



## MARITAL STATUS

Of those surveyed, 60% of (female) prisoners are in a relationship (19% common-law, 41% married). Of the remaining prisoners, 10% are single, 20% are divorced and in the sampled population, 8% are widowed.

Image 7.  
The distribution of prisoners according to marital status



## PROCEDURE

For the needs of this analysis, a survey titled MA#ME Questionnaire for the Penitentiary and Prisons was prepared. The version used in the Požega Penitentiary<sup>10</sup> differed from the one used in other prisons by the type of prison facility mentioned (penitentiary instead of prison). Later in the letter inviting prisoners to participate, a copy of which is was located at the beginning of the survey, there were questions that were specific to prisons and those specific to the Požega Penitentiary.<sup>11</sup>

The survey was completed at the Požega Penitentiary on 17 December 2014, and completed in prisons from 17 to 24 December 2014.

Only a selection of the survey questions will be used for the needs of this analysis.

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<sup>10</sup> Appendix 1.

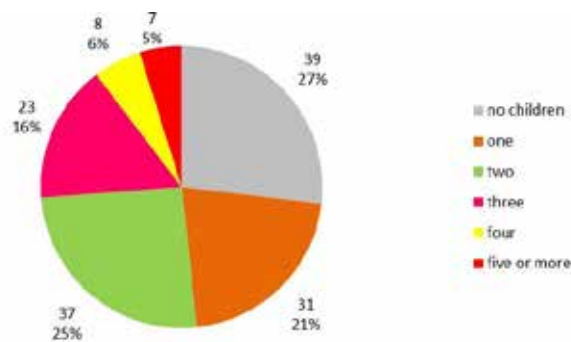
<sup>11</sup> In question 56 for prisoners the answers that could be chosen were on the topic of a prisoners' status (serving a prison sentence, remand prison or remand prison detainment, misdemeanour sentence) while the choices for the Požega Penitentiary regarded the unit the prisoner was in the day she completed the survey (closed, semi-open or open). In question 58, the prison version said "in the city the prison is located in" instead of "in Požega". For question 70, option e) in the survey sent to prisons did not include the words "or is with me in the Penitentiary" because this possibility does not exist outside the Požega Penitentiary.

## RESULTS AND DISCUSSION

### THE NUMBER AND AGES OF FEMALE PRISONERS

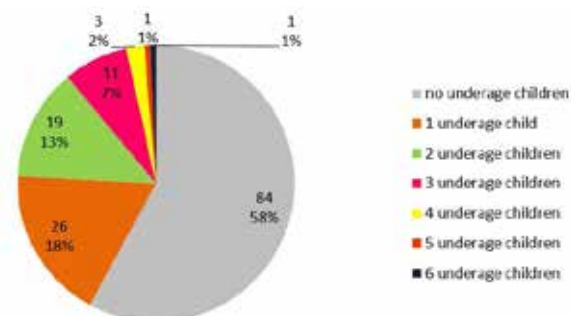
Among surveyed female prisoners (N=145), there were 106 mothers (73.10%). The female prisoners had up to seven children of varying ages, for a total of 250 children (130 children over 18, while 120 children are underage). The distribution of female prisoners according to the number of children they have can be found in the image below.

Image 8.  
Female prisoners who completed the survey (N=145) distributed according to the number of children they have



Among the surveyed female prisoners there were 61<sup>12</sup> mothers of underage children with a total of 120 underage children. They answered the part of the survey with questions for mothers of underage children. The distribution of female prisoners according to the number of underage children they have can be found in the image below.

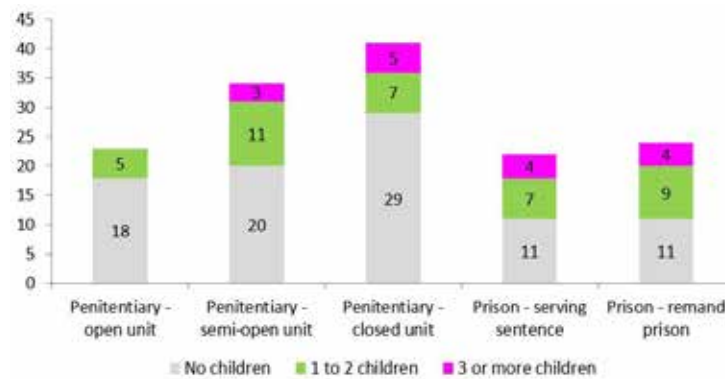
Image 9.  
Female prisoners (N=145) distributed according to the number of underage children they have



12 This included women who were in remand prison and misdemeanour sentences and for whom the Prison System Directorate's records did not have information on parent status and the number of underage children, so the noted number of mothers and underage children is higher than the numbers stated in the Introduction.

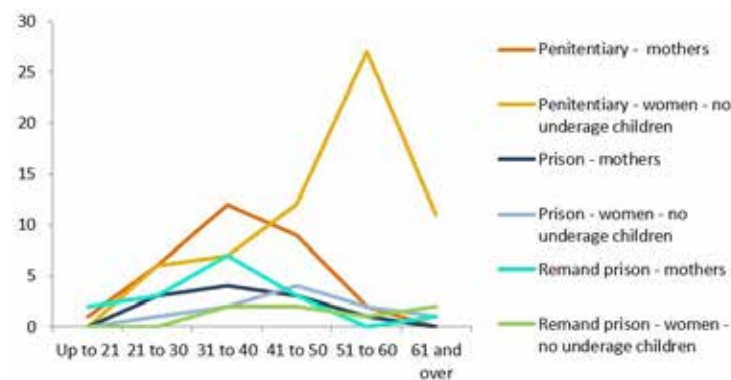
When we consider the female prisoners according to their various criminal-legal<sup>13</sup> statuses in comparison to the number of underage children they have across prison facilities, we can see that at the Penitentiary, women without underage children are the majority across all security level conditions and that they are also the majority in the closed penitentiary wards. In remand prison the situation is the opposite, there are more mothers with underage children than those with no children, while women having underage children and not having them are equally represented among prisoners serving their sentences in prisons. When comparing women in the closed penitentiary unit and those who are serving their sentence in a prison, we see that there is a significantly larger percentage of mothers without children in closed penitentiary units as opposed to prisons, which illustrates that when other criteria for prisoner distribution allow for it, mothers are sent to prisons closer to their place of residence, in order to contact their underage children more easily.

Image 10.  
Female prisoners distributed according to their criminal-legal statuses according to the number of underage children and type of penal facility



Female prisoners in the closed unit of the penitentiary are on average older than the other groups of female prisoners and it is therefore understandable that only a few of them have underage children, as illustrated in the image below.

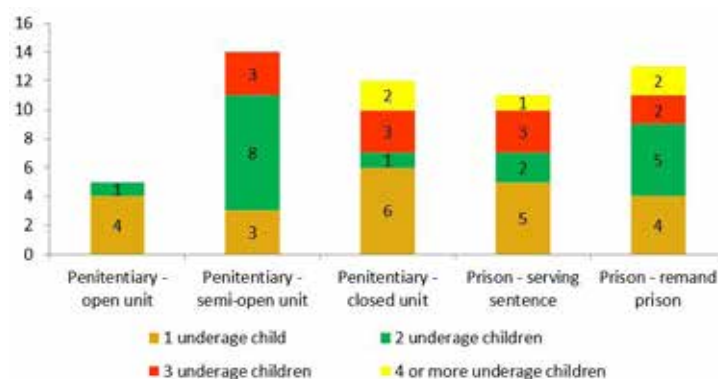
Image 11.  
Imprisoned mothers with and without underage children distributed according to their criminal-legal status



13 One mother with two underage children was excluded from the analysis because when the survey was being completed she was serving a misdemeanour measure.

Women with four or more underage children are more represented in prisons, while at the Penitentiary they are only represented in the closed units. The Penitentiary's closed unit largely holds an older prison population, and should one of the mothers have an underage child, this is most often a second, third or fourth child who has siblings over 18 years old. In the Penitentiary's semi-open and open units of the majority of women have smaller numbers of underage children; in the open unit mothers have a maximum of two children while in the semi-open unit mothers have a maximum of three children.

Image 12.  
Mothers in various prison facilities distributed according to their number of underage children

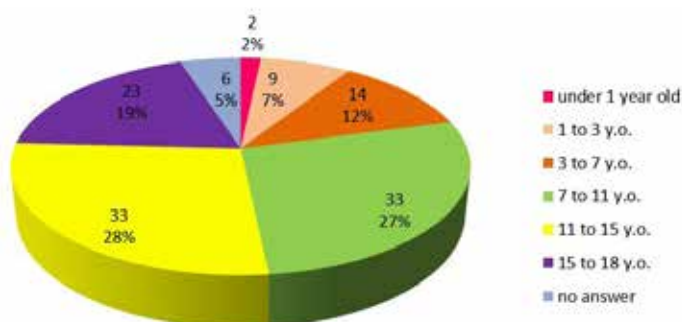


Among surveyed female prisoners are 61 mothers with a total of 120 underage children whose age structure is showed in the table and image below.

Table 2.  
Age structure of incarcerated mother's underage children

Child's age	Up to 1 year old	1 to 3 years old	3 to 7 years old	7 to 11 years old	11 to 15 years old	15 to 18 years old	No answer	UKUPNO
Number of children	2	9	14	33	33	23	6 <sup>14</sup>	120

Image 13.  
Age structure of incarcerated mother's underage children



Of a total of 11 children under three years of age, one was born in the prison system and is living with its mother at the Požega Penitentiary. The remaining ten children were born outside the system<sup>15</sup> and cannot be accommodated with their mothers serving a prison

<sup>14</sup> Four mothers did not write the ages for a total of six underage children.

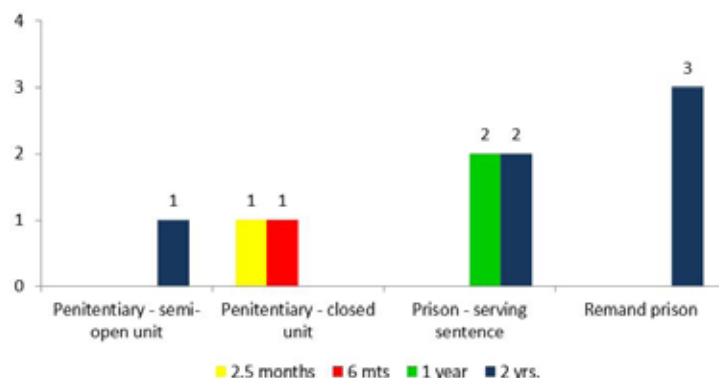
<sup>15</sup> In the period the survey was being completed one child was under six months old.



sentence or in remand prison. However, it is important to note that eight of them regularly contact their mother because she is serving a prison sentence or is in remand prison in the facility located closest to the child's place of residence<sup>16</sup> and family members bring the children to visit regularly. When a mother has a temporary release benefit, she and her children can spend visits outside the prison. Only two mothers stated that they are not in contact with children under three years of age at all because they live 150 km from remand prison and 300 km from the Penitentiary respectively, and their families cannot afford the travel expenses.

Image 14.

Children up to three years of age distributed according to their mother's criminal-legal status and security level<sup>17</sup>



Female prisoners surveyed at the Požega Penitentiary have a total of 60 underage children; female prisoners surveyed at the Zagreb Prison have 35 underage children while female prisoners at other prisons have a total of 25 underage children.

Image 15.

The number of underage children according to their mother's corrections facility



The female prisoners surveyed who are serving a prison sentence have a total of 83 underage children, of which the mothers of six children are serving an open prison sentence, 28 in a semi-open unit and 49<sup>18</sup> in closed units (26 at the Penitentiary and 23 in prison). The mothers of 35 children are located in remand prison, and the mothers of two children are

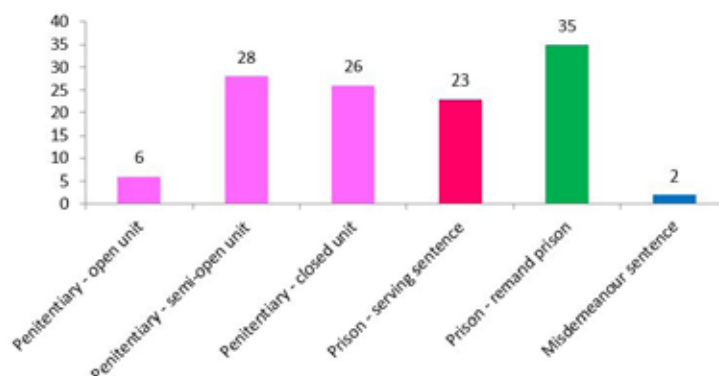
16 One mother is serving her prison sentence in her city of residence and was approved the privilege of continuing to work at her previous place of employment and sees her child regularly.

17 One child, two and a half months old, was born as his mother's third child while she was serving her prison sentence and while the survey was being completed he was living with his mother at the Penitentiary.

18 The youngest (third) of one of these 49 mothers is under one year old and lives with her at the Penitentiary.

servicing a misdemeanour prison sentence. The distribution of children according to the type of facility their mother is at and her criminal-legal status is shown in the image below. The first four bars represent the number of children whose mothers are serving a prison sentence.

Image 16.  
The distribution of children according to their mother's facility and her criminal-legal status

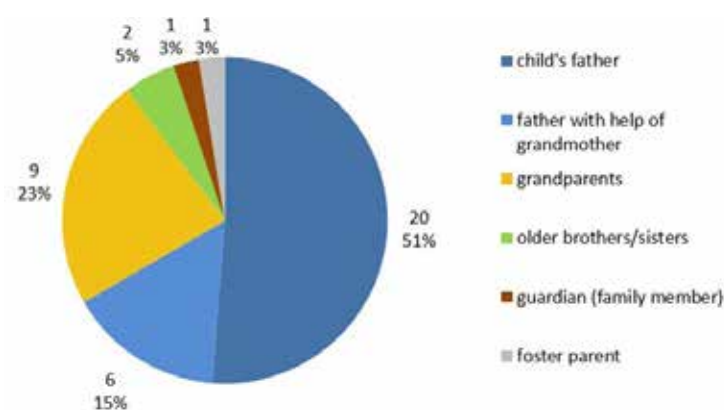


## WHO CARES FOR UNDERAGE CHILDREN WHILE THEIR MOTHERS ARE INCARCERATED

A total of 39 mothers (64%) stated that their underage children are living at the same address as before their incarceration, while 22 mothers stated that their children have moved since their incarceration.

Approximately two-thirds of mothers (66%) stated that their children who are living at the same address as before her incarceration are being cared for by fathers alone or with the help of grandmothers and/or relatives. The parents of the prisoner or of the child's father care for the children in 23% of families, and the remaining 11% of children are cared for by the prisoner's older children (over 18 years old) or other people. As has already been stated, one underage child (one year old), that mother's third child, was living with her at the Požega Penitentiary at the time the survey was completed.<sup>19</sup>

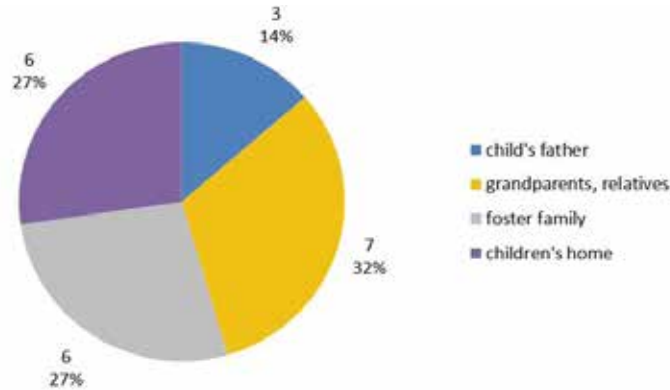
Image 17.  
Persons who care for prisoners' underage children living at the same address as prior to their mother's incarceration



<sup>19</sup> This is not visible in the image because the mother answered the survey about the place of residence and visits made by her two older underage children.

Of the 22 female prisoners whose underage children moved when their mother was incarcerated, ten stated that their children are living with their father, grandmother or relatives, while equal numbers (six each) female prisoners stated that their children are in foster care or live in a children's home.

Image 18.  
Persons who care for underage children who moved when their mother was incarcerated

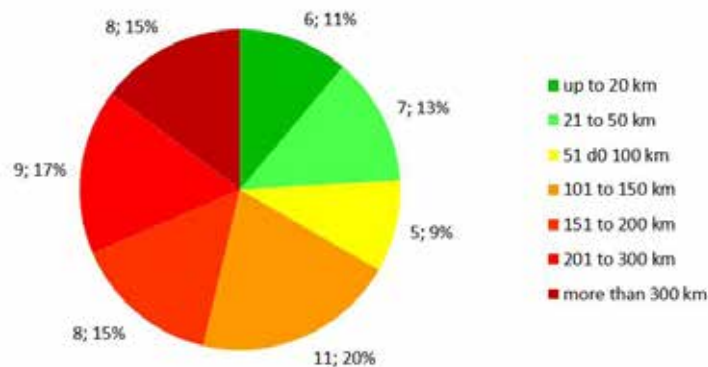


## THE DISTANCE BETWEEN THE HOMES OF UNDERAGE CHILDREN AND THEIR INCARCERATED MOTHERS

Of the underage children who moved when their mother was incarcerated, the new address of almost one-third (7) of them is now even further from the prison facility.

Data on the distance from the children's homes to their mother's prison facility was known by 54<sup>20</sup> female prisoners. In order to visit their imprisoned mothers, underage children must travel from 2 to more than 800 kilometres one-way. The distribution of mothers in all prison facilities where they are serving prison sentences or are in remand prison according to the distance from their underage children is depicted in the image below.

Image 19.  
The number of mothers distributed according to the distance their children have to travel to visit them, one-way travel



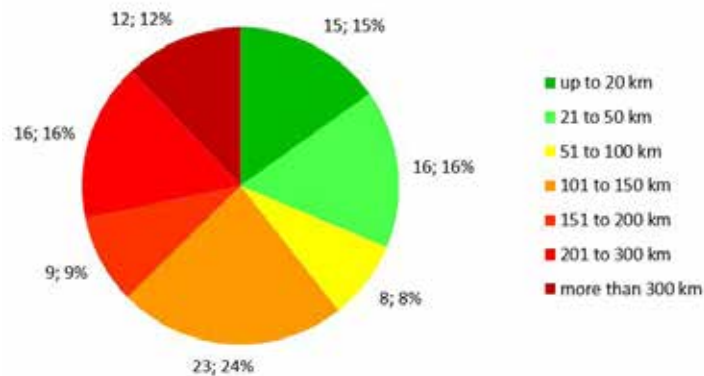
20 For three prisoners whose children remained at their family's address and who did not answer question 49, information on distance was taken from question 61.

Prison facilities where they are serving their prison sentence are up to 20 km away from their children's place of residence (11%), between 20 and 100 km (22%), between 100 and 200 km (35%) and more than 200 km (32%).

The distribution of children<sup>21</sup> according to the distance they have to travel one-way to visit the prison facility where their mother is serving her prison sentence is shown in the image below.

Image 20.

Distribution of children according to the distance they must travel one-way to visit their imprisoned mother

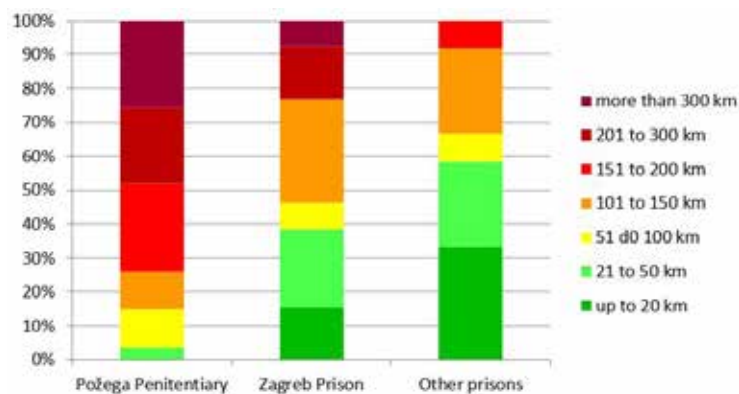


Of the total number of children for whom their mother provided this information, the distribution is as follows: living up to 20 km from the facility where their mother is incarcerated (15%), between 20 and 100 km (22%), between 100 and 200 km (32%), between 200 and 300 km (25%) and over 300 km (15%)

The Požega Penitentiary is the furthest corrections facility for underage children to visit their incarcerated mothers because almost half of the children must travel more than 200 kilometres one-way to visit their mothers there. The proportion of mothers at the Zagreb Prison who must travel the same distance is around 20%. In other prisons no children must travel more than 200 km to visit their mother, while the majority travel up to 100 km (70%), with the vast majority not having to travel more than 150 km (90%).

Image 21.

The distance underage children must travel to visit their mother from their place of residence, distributed by prison facility



21 For a total of 21 children, seven mothers did not write any information or these could not be taken from question 61.

When we consider only female prisoners who are serving a prison sentence, we see that 82% of them are located at the Požega Penitentiary. The remaining 18% are serving their sentences at prisons closer to their children and families, but in much worse spatial and organisational conditions, which they have accepted to facilitate contact with their underage children and other family members. The possibility of sending female prisoners to prisons that are closer to their place of residence is limited by the length of the prisoner's sentence and the security level required. More specifically, only those prisoners sentenced to shorter prison sentences and who have to serve their sentences in closed security conditions are able to serve their sentence in the corrections facility located closest to their place of residence. All female prisoners who are sentenced to a longer sentence or who are eligible to serve their sentence in semi-open and open security units must serve their prison sentence at the Požega Penitentiary because only that facility provides these conditions.

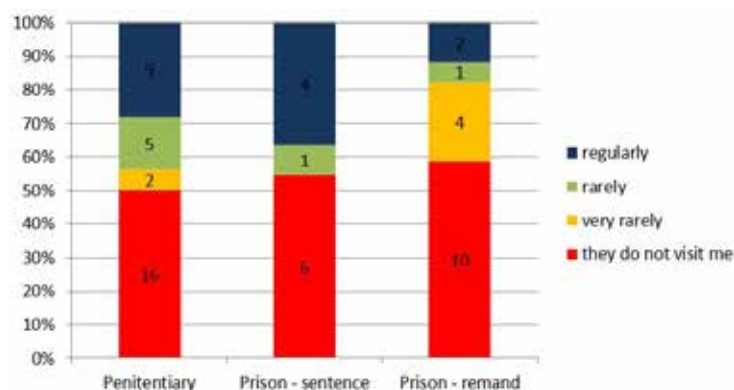
## CHILDREN'S VISITS TO THEIR INCARCERATED MOTHERS

### THE FREQUENCY OF CHILDREN'S VISITS

Approximately half of the total number of surveyed female prisoners, regardless of the facility they were serving their sentence at, stated that their underage children do not visit them in prison. The same statement was made by about 60% of female prisoners in remand prison. This information does not mean that the prisoners currently serving their prison sentence do not see their children, since many of them use temporary release benefits to contact their underage children at home<sup>22</sup> (a total of ten prisoners use the temporary release benefit to visit their home, and among them are six of those who stated that their children do not visit them), or in the city the penitentiary or prison is located in<sup>23</sup> (this benefit is used by six prisoners, of whom three stated that their children do not visit them in prison). However, when female prisoners being held in remand prison state that their children do not visit them, this means that they have no contact with them (in about 60% of cases), while only 19% of mothers stated that their underage children visit them regularly or occasionally.

Slika 22.

Image 22. The frequency of visits by underage children by criminal-legal status of their imprisoned mother<sup>24</sup>



22 Temporary release benefit in their place of residence or another place, while prisoners who work can have annual vacation time approved outside the penitentiary.

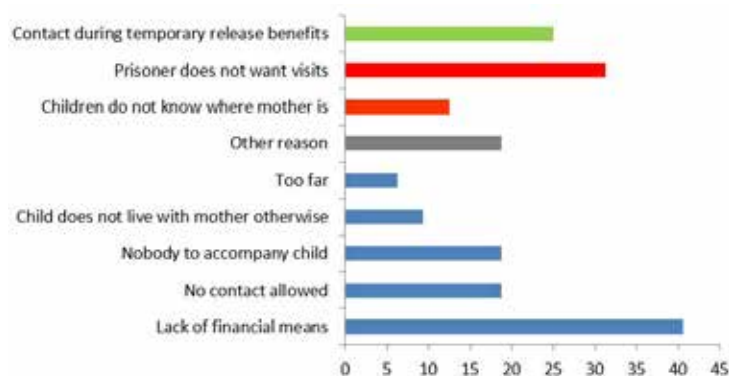
23 The release benefit in the town the prison facility is located in.

24 The image does not include one mother of two underage children who was serving a misdemeanour sentence.

## REASONS WHY CHILDREN DO NOT VISIT THEIR INCARCERATED MOTHERS

The following image shows the reasons why underage children do not visit their incarcerated mothers. The female prisoners could choose one of a number of reasons or write their own answer. The various reasons are grouped by colour depending on whether they are subjective (red) or objective (blue). The green bar means that the underage children meet with their mother but only outside the corrections facility; in 25% of cases the incarcerated mothers stated that their children do not visit them.<sup>25</sup> Some of the reasons for children not visiting their mothers are that the child does not know where the mother is located (13%) or that the mother does not want them to visit (31%). The reasons the prisoners do not want their underage children to visit are mostly due to the belief that being exposed to prison conditions will be stressful for the child (some statements have included “I personally do not want my children to ever step in such a facility because it is negative.” or “It is hard for me to watch someone search my children down to their underwear.”) Reasons that are linked to circumstances of a lack of finances to visit (41%), a restraining order (19%), nobody available to accompany the child (19%), the fact that the child does not live with its mother under regular circumstances (9%) and distance (6%). Among other reasons given are the belief of the possible negative effects of the prison environment on the child (19%), with one prisoner stating “The investigating judge told me that they should not visit me because it is not good for them.”

Image 23.  
The reasons why underage children do not visit their mothers

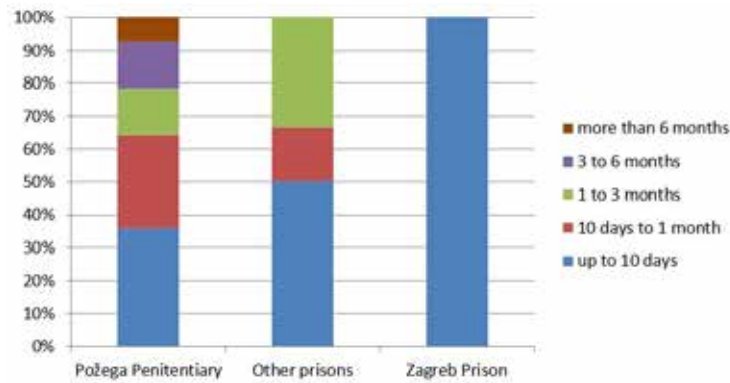


## TIME BETWEEN UNDERAGE CHILDREN'S VISITS

According to information provided by prisoners who provided the dates of the last visit made by their underage children, it is visible that 21% of children had not visited their mother in the past three to six months, while there were no such cases in prisons. At the Zagreb Prison all the mothers who receive visits from their underage children had their last visit within the last ten days, while in the other prisons no more than three months passes between visits.

<sup>25</sup> All three mothers from the open unit of the Penitentiary who stated that their underage children do not visit them see their children during temporary release benefits, as do two of the six mothers in the semi-open unit. One of five mothers who is serving her sentence in prison also stated that she has contact with her children during temporary releases

Image 24.  
Time since the last visit from an underage child

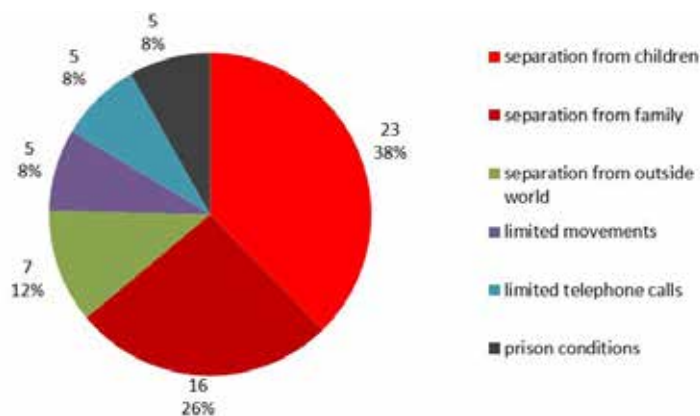


Female prisoners who receive visits from their underage children stated in 93% of cases that they use the maximum time allotted for the visit.

## PRISONERS' NEED FOR CONTACT WITH THEIR CHILDREN

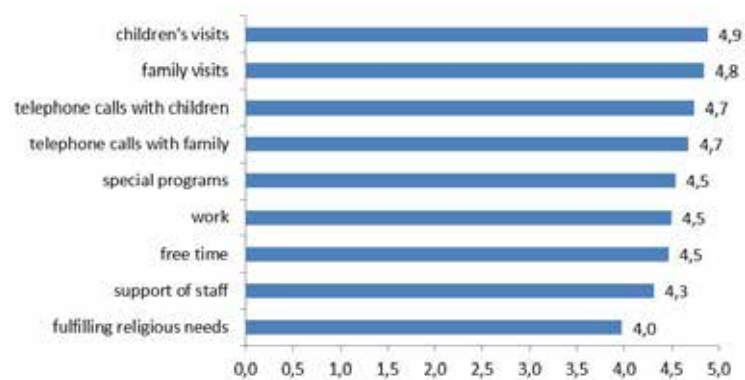
Replies to the question on what they find most difficult during their imprisonment, in 64% of situations female prisoners stated being separated from their children and family is the most difficult challenge.

Image 25.  
What female prisoners find most difficult during imprisonment



Among factors that make serving a prison sentence easier, the number-one factor is maintaining close contact with children during visits, as shown in the image below.

Image 26.  
Factors which make serving a prison sentence easier<sup>26</sup>



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26 The prisoners gave their estimates on a scale from one to five.

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## CONCLUSION

According to data on the state and movement of persons of all criminal-legal statuses through the prison system, it is estimated that 14,893 children in the Republic of Croatia were separated from one or both parents during part or all of 2014 due to imprisonment.

Among the 145 surveyed female prisoners (85% of the female prison population during the survey period), there were 61 mothers with a total of 120 underage children. Ten of eleven children under the age of three do not have the right to be accommodated alongside their mother while she is incarcerated.

A total of 39 imprisoned mothers with underage children (39%) stated that their underage children continued to live at the same address after their imprisonment, while 22 mothers stated that their children moved once she was imprisoned. Most children are cared for by their fathers - 66% of cases where the children remained at the same address, and 32% of cases where the children moved when the mother was incarcerated.

Information on the distance of children's residences from the incarcerated mother was available for 54 prisoners. In order to visit their mothers, these underage children had to travel from 2 to more than 800 kilometres one-way. The Požega Penitentiary is the furthest destination for underage children visiting their mothers – in almost half of cases, children must travel more than 200 kilometres to visit their mothers.

More than 50% of children do not visit their mothers. In most cases no more than ten days pass between visits for children who do visit their incarcerated mothers, while in 21% of cases more than three months pass between visits to mothers incarcerated at the Penitentiary, sometimes more than one year. A lack of financial resources is the most often cited reason for this (in)frequency of visits.

## **GUIDELINES FOR MAKING CONTACT BETWEEN INCARCERATED PARENTS AND THEIR CHILDREN EASIER IN THE FUTURE**

Over the past few years the prison system has made significant progress in creating and maintaining the preconditions for easier contact between imprisoned parents and their children. Guidelines for making this (even) easier in the future include having a larger number of prisoners included in educational and development programs on responsible parenting and involved in moderated children's visits. Emphasis must be put on having a woman serve her prison sentence as close to home as possible, whenever possible. A lack of financial means is the main reason why children rarely visit their imprisoned parents if they visit them at all, giving us the impetus to work among ministries and sectors to ensure financial assistance to cover travel expenses for visits. A more flexible legislative framework is also necessary, which includes psycho-social criteria in deciding how long a child born while their mother is serving a prison sentence can be accommodated with the mother, including mothers in remand prison, as well as having young children born outside of the prison system (before the mother's imprisonment) be accommodated at prison units with their imprisoned mothers.

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## APPENDIX 2 – THE MA#ME QUESTIONNAIRE<sup>27</sup>

### UPITNIK MA#ME



Dear Madame,

Before you is a survey being conducted as part of the MA#ME project, a project by the Roda – Parents in Action Association in collaboration with the Ombudsperson for Children and the Prison System Directorate of the Ministry of Justice. The project's goal is to increase the employability, social inclusion and quality of life of female prisoners and their families, especially their children. The project also seeks to increase expert, public and political awareness about the issues and needs facing prisoners and their children.

By participating in this anonymous survey you will contribute to achieving the project's goals which will in the end increase children's wellbeing. The survey will seek out your opinions on contact between imprisoned parents and their children as well as on children who are growing up with their imprisoned mothers, who gave birth to them while in prison. The survey is intended for all the women at the Penitentiary, regardless of whether you have children or not. You will not write your name on the survey and participating in the survey will not have any consequences for you personally, and you can decide not to complete the survey at any moment. The results will be analysed as a group and your individual answers will not be given to any other person or group.

If you wish to participate in the survey, please answer the questions as truthfully as possible and return the completed survey to a Penitentiary official. If you decide not to complete the survey, please return the blank or partially completed survey at the same time as the women who have completed the survey return theirs.

Thank you for your collaboration!

The ma#me Research Team

Požega, 15 December 2014

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<sup>27</sup> Another name for the Požega Penitentiary

Please read every statement carefully and circle the response that most adequately represents your opinion. If you disagree with the statement, circle either Strongly disagree or Disagree; if you agree with the statement circle either Agree or Strongly agree. If you cannot decide or do not understand the statement, circle No opinion.

Your personal opinion is very important to us, so please complete this survey alone and do not share your answers with anyone. The first few statements describe a situation where a child born while his/her mother was incarcerated is growing up alongside his/her mother in a penitentiary. The later questions are about children's visits and prisoners' other family members. Please complete the survey with your own personal opinions, regardless of whether you have children with your own.

		Strongly disagree	Disagree	No opinion	Agree	Strongly agree
1	The penitentiary is not a good place for raising children.					
2	It is better for the child to grow up with another close person than to live with his/her mother at a penitentiary.					
3	Although she is serving a prison sentence, an imprisoned mother is still capable of taking care of her child					
4	Imprisoned mothers get sufficient professional help in developing their parenting skills.					
5	If an infant is healthy, the best place for it to be is with its mother, wherever she may be.					
6	Children who grow up in penitentiaries do not have the opportunity to grown and develop normally.					
7	I would never let my child grow up in a penitentiary, even for a short time.					
8	A child who grows up in a penitentiary will be stigmatised (negatively) later on.					
9	If it is in the best interests of the child, young children, born outside of prisons, should be able to grow up alongside their imprisoned mothers.					
10	The environment of the penitentiary is good enough for the imprisoned mother to learn how to take care of her child.					
11	It is acceptable to separate a child from its imprisoned mother after its third birthday.					
12	Pregnant women who are serving prison sentences should have additional benefits.					
13	If a woman gets pregnant before she begins serving her prison sentence, the beginning of her sentence should be deferred.					
14	It is acceptable for another prisoner to take care of a child on the Mother and Child Unit while its mother is working.					
15	Growing up in a penitentiary is less harmful for a child than being separated from its imprisoned mother.					

16	A child should not be punished by making him/her grow up in a penitentiary.					
17	A child whose parent is imprisoned is subjected to shame or rejection from his/her community.					
18	The best thing a prisoner can learn while serving a prison sentence is how to take care of her child well.					
19	Being with and raising a child while incarcerated can have a positive effect on a mother's rehabilitation.					
20	A safe and healthy environment can be created for a child to grow up in a penitentiary.					
21	Separating prisoners who give birth while serving a prison sentence into a separate unit is not fair to the other prisoners.					
22	For some children, growing up in a penitentiary can be better than growing up outside of it.					
23	It is good for children growing up in penitentiaries to attend regular kindergartens outside the penitentiary.					
24	Imprisoned mothers who are living with their children in the penitentiary should have more frequent family visits.					
25	The Mother and Child Unit at the penitentiary should have employees who are trained to work with children.					
26	A child has the right to know that his/her parent is in prison, but this information must be conveyed in an appropriate manner.					
27	It is easier for a child if he/she is told that his/her parent is somewhere else (e.g. hospitalised, working abroad etc.) as opposed to telling them their parent is in prison.					
28	It is harmful for a child to be exposed to a prison environment.					
29	An imprisoned parent does not deserve for his/her child to visit.					
30	When the child has been the victim of a crime, he/she should not visit his/her parent in prison.					
31	It is in the child's best interest to protect him/her from the knowledge that his/her parent is in prison.					
32	In order to protect the child from rejection, kindergarten and school teachers should not be aware that the child's parent is in prison					
33	Even when the crime committed has harmed the child, even when the parent has murdered the other parent, the child wants to maintain contact because they love their parents and worry about them.					
34	A kindergarten-aged child cannot understand what prison is and so should not be told that his/her parent is in prison.					
35	If a child knows that his/her parent is in prison, it is best to convince him/her that this will pass quickly, even if the parent is serving a long sentence.					
36	If a child asks why his/her parent is in prison, it is best to say that the parent has been judged unfairly or state that the parent was sentenced for a less severe crime.					
37	It is beneficial for a child's psychological development to visit his/her parent in prison.					
38	Prisoners who are also parents need additional treatment and counselling					
39	Some children blame themselves for their parent's imprisonment.					
40	It must be explained to a child that we all make mistakes and the fact that his/her mother or father is in prison does not make them a bad parent.					
41	It is not good to take children to visit their imprisoned parents because the prison environment can be stressful for them.					
42	I have asked for advice regarding whether to tell my child about where I am.					
43	Contact with children and family members decreases prisoner stress.					



44	I looked for information about whether it is good for my child to visit me while I am serving my prison sentence.					
45	The prison system should cover the costs of a child to visit his/her imprisoned parent if the family does not have the financial means to pay for it.					

The following questions are only intended for mothers who have underage children (under 18 years of age). If you do not have underage children, please skip this section and continue on to question 52 on page 5, Final Questions.

### Questions for mothers with underage children:

46. Please write the ages of your underage children, in the order they were born (add additional information if you have more than six children):

1st child  years old      2nd child  years old      3rd child  years old  
 4th child  years old      5th child  years old.      6th child  years old

47. My underage children are currently living with (circle more than one answer if your children are not living together):

- a) they are at my old address, being taken care of by \_\_\_\_\_
- b) they have moved in with my (who) \_\_\_\_\_
- c) they are in an children's home / children's home
- d) they are in foster care
- e) other, please describe \_\_\_\_\_

48. If your children moved to a new address when you began serving your prison sentence, this new address is now (circle):    CLOSER    EQUALLY    FURTHER    away from the Penitentiary.

49. In order to visit me, my children must travel approximately \_\_\_\_\_ km one-way. .

50. My children visit me:

- a) regularly
- b) rarely
- c) very rarely

- d) they do not visit me because

(draw an X in the appropriate box, you can choose more than one answer)::

- I don't want them to visit me
- we do not live together
- they have a restraining order
- there is no money to finance their trip to the Penitentiary
- nobody can bring them to the Penitentiary
- the children do not know where I am

we see each other during temporary releases

something else, please describe: \_\_\_\_\_

51. If your underage children visit you, please write the date of their last visit (if you can't remember the exact date, write the approximate date): \_\_\_\_\_

**FINAL QUESTIONS (to be answered by all respondents)**

52. Your gender:                      FEMALE                      MALE
53. Your age (circle):
- a) under 21 years old
  - b) 21 to 30 years old
  - c) 31 to 40 years old
  - d) 41 to 50 years old
  - e) 51 to 60 years old
  - f) over 61 years old
54. Your level of education (circle):
- a) some elementary school
  - b) completed elementary school
  - c) completed secondary school
  - d) completed college
  - e) completed university or more
55. Your marital status (circle):
- a) single
  - b) common-law
  - c) married
  - d) divorced
  - e) widowed
56. What unit are you located on:
- a) Closed unit
  - b) Semi-Open unit
  - c) Open unit
57. Your current degree of success is: \_\_\_\_\_
58. Please note the temporary release benefits you currently enjoy (possible to circle many answers):
- a) I do not use temporary release benefits
  - b) I use the benefit of visiting Požega or a nearby town
  - c) I use the benefit of visiting my home town
  - d) I use the benefit to visit a different city
59. I have \_\_\_\_\_ children in total of which \_\_\_\_\_ are under 18 years of age.

60. I am visited by (possible to circle more than one answer):
- a) spouse (or partner)
  - b) parents (adopted parents, guardians)
  - c) children
  - d) family members (please write their relation to you): \_\_\_\_\_
  - e) nobody visits me because: \_\_\_\_\_
61. In order to visit me, my family must travel approximately \_\_\_\_\_ km one-way. .
62. My family members visit me:
- a) regularly
  - b) rarely
  - c) very rarely
  - d) they do not visit me because  
(draw an X in the appropriate box, you can choose more than one answer):
- I don't want them to visit me
  - there is no money to finance their trip to the Penitentiary
  - nobody can bring them to the Penitentiary
  - most of them do not know where I am
  - we see each other during temporary releases
  - something else, please describe: \_\_\_\_\_
63. Write the date of the last visit you had from family members (if you cannot remember the exact date, write an approximate one): \_\_\_\_\_
64. When my family members visit me, we use the maximum amount of visiting time:
- a) yes
  - b) no, because: \_\_\_\_\_
65. If you feel that a child should know that his/her parent is in prison, please describe how to explain this to the child: \_\_\_\_\_
66. If you feel that a child should know that his/her parent must leave to serve a prison sentence, please describe how to explain this to the child: \_\_\_\_\_
67. I believe that the travel expenses for children to visit their incarcerated parents should be covered by (choose one or more answers):
- a) the spouse or common-law spouse of the prisoner or the child's guardian or foster parent
  - b) the prisoner themselves if they have an income while serving their prison sentence
  - c) the centre for social services
  - d) someone else, please write who: \_\_\_\_\_
-

68. If the family does not have the means to pay for travel expenses to visit their incarcerated family member, should there be financial assistance available to cover these expenses from:

- a) prisoners who have an income while serving their prison sentence
- b) social service centres
- c) some other institution, state which: \_\_\_\_\_
- d) the state

69. When visiting incarcerated parents children and parents should have access to the support of an early childhood educator (circle your answer):

YES                      NO

70. My underage child:

- a) I do not have underage children
- b) does not know I am serving a prison sentence
- c) is too young to understand where I am
- d) knows where I am, but we do not see each other
- e) knows where I am and visits me or lives with me at the Penitentiary

71. My family members would visit me more often if:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

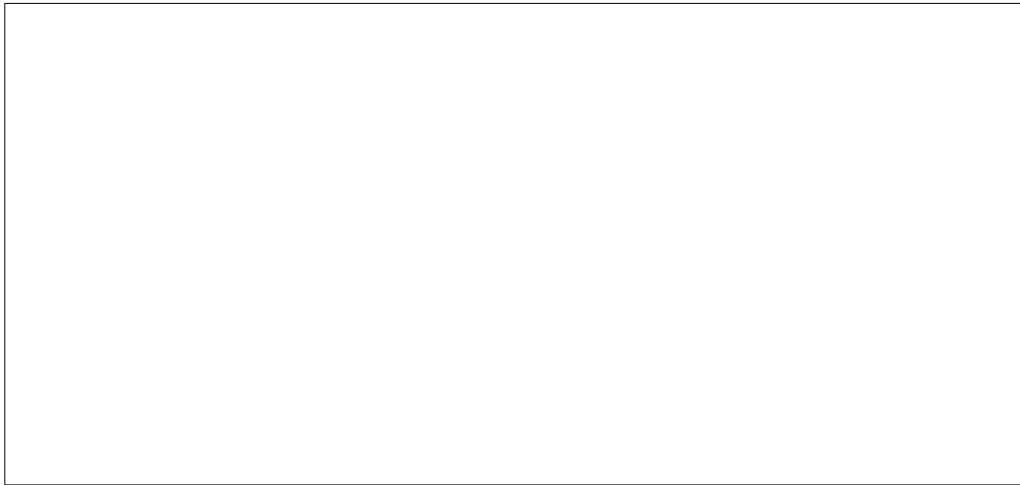
72. I maintain telephone contact with (please note how many times per week for each of the described persons):

- my child (children) \_\_\_\_\_ calls per week,
- my spouse (partner) \_\_\_\_\_ calls per week,
- my parent or parents \_\_\_\_\_ calls per week,
- other family members \_\_\_\_\_ calls per week.

73. Please circle the measures that personally help you to more easily serve your prison sentence, with 1 being that the measure does not help at all, and 5 that the measure helps immensely:

Visits from my children	1	2	3	4	5
Telephone calls with my children	1	2	3	4	5
Visits from family members	1	2	3	4	5
Telephone calls with family members	1	2	3	4	5
Support from early childhood educators	1	2	3	4	5
Working in prison	1	2	3	4	5
Special programs (which) _____	1	2	3	4	5
Free time	1	2	3	4	5
The possibility of practicing my religion:	1	2	3	4	5
Something else (what) _____	1	2	3	4	5

If you wish, use this space to write down any thoughts, ideas or complaints about this survey



**Thank you for your patience and cooperation!**

## APPENDIX 2 – COMMENTS FROM FEMALE PRISONERS

“Those of us who are located far from home are also being punished with not being able to see our children, grandchildren, mothers. The financial crisis in Croatia is well-known and the benefits should not be conditioned by visits; otherwise they become difficult due to illness or financial reasons while the family breadwinner is in prison.” „Djeci nije mjesto u zatvoru. Nenormalno je da dijete živi bez muškarca.“

“Children do not belong in prisons. It is not normal for a child to live without a man.” „Prema djeci treba iskren biti, jer je bolje da istinu sazna od vas, a ne od nekog drugog. I obično djeca to bolje podnesu i nose se time nego mi same.“

“I think visits with children should be longer and there should be more minutes for telephone calls. Thank you.”

“You must be honest with children, because it's better that they find out the truth from you and not someone else. Children oftentimes take the news better than we do.” „Iskreno, svi komplimenti RODI (na aktivnostima ankete, knjige za knjižnicu itd.). Samo naprijed. Bravo i hvala!“

“I believe that prisoners who have a family who cares for them and who have the means to visit more often should have more visiting hours made available! Travelling 400 km one-way only to spend one hour with someone is unacceptable both financially and emotionally.”

“I think the biggest problem is that my child cannot visit me as often as I am legally entitled to, and the problem is the distance i.e. finances. I believe that prisoners in the closed unit of the Penitentiary should have unlimited time to speak to their children on the telephone. I also believe that one hour per week with a child is too short during visits especially considering we are located so far away, and it would be fair to make the visits longer. My child can visit only once per month, and it would be better if we could spend more time together – perhaps by adding the weekly hours together for a monthly time. This benefits the child and the parent.”

“Honestly, compliments to RODA (for the survey, library books etc.). Please continue your work! Thank you!”

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National Foundation  
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of Civil Society



RODA - Parents in  
Action



The Croatian  
Employment Service  
Požega Office



Delfin - Centre for  
the Support and  
Development of Civil  
Society