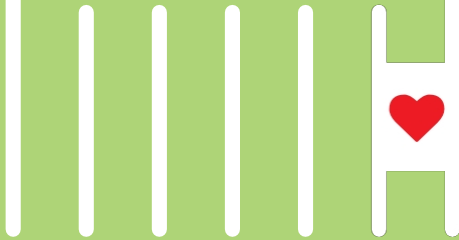


PSSARQ

Psychological Strategies
for the Sexual and Affective
Re-education of Prisoners



Affectivity in the penal system

Historical development in
Germany/North Rhine-
Westphalia, Italy, and Romania



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Affectivity in the prison system

Historical development in Germany/North Rhine-Westphalia, Italy, and Romania

Foreword

The PSSARP project – Psychological and Social Support for Affective Rehabilitation in Prisons – addressed a topic that has long been neglected in European prisons: the importance of affectivity, emotional relationships, and human closeness in the lives of incarcerated individuals. Our consortium, consisting of partners from Germany, Italy, and Romania, set out to scientifically investigate this aspect of rehabilitation, raise awareness of it, and strengthen it through concrete approaches to education and training.

This brochure summarizes the results of the national literature analyses and research that formed the starting point for our joint work. They reflect not only the different legal and institutional frameworks in the three countries, but also a shared conviction: resocialization can only succeed if the emotional and social needs of prisoners are taken seriously and incorporated into the design of the prison system.

In Germany, it is clear that emotional support and meaningful relationships contribute significantly to stabilizing personality and reducing the risk of recidivism. In Italy, it is evident that despite individual reform efforts, such as the introduction of so-called "affectivity rooms," the tension between control and humanity remains high. Romania, on the other hand, with its clearly regulated visiting rights and social reintegration programs, offers examples of how affective relationships can be strengthened as a resource for personal development and reintegration.

These findings illustrate that affectivity should not be considered a private or secondary issue, but rather a central component of a modern, human rights-oriented prison system. The promotion of emotional skills, family ties, and empathetic communication can contribute to a climate that facilitates security, stability, and change in equal measure.

The PSSARP consortium would like to thank all participating institutions and experts who contributed to this publication with their work. We hope that the findings compiled here will provide impetus for research, for practice in correctional facilities, and for political decision-makers in Europe.

The PSSARP project consortium
Germany – Italy – Romania

1 - Germany/North Rhine- Westphalia

After the collapse of the Nazi regime, German prisons were overcrowded with war criminals, Nazi perpetrators and political prisoners. The Allies took responsibility for the prison system and initially set up temporary camps and detention centers. Conditions were often very poor, and abuse was not uncommon. There was a lack of trained personnel and infrastructure, which led to a crisis in the prison system.

In the 1960s and 1970s, a phase of modernization and reform of the German prison system began. New concepts such as resocialization and rehabilitation gained importance, and vocational training and employment programs for prisoners were introduced. The idea of "therapeutic communities" gained acceptance, with an emphasis on community support and treatment to facilitate the reintegration of prisoners. Alternative forms of punishment such as probation and community service were also increasingly used.

After reunification in 1990, the prison systems of the former GDR and the Federal Republic of Germany were merged. This led to an alignment of standards and practices in the prison system. At the same time, the trend towards humanization and professionalization of the prison system continued. Greater attention was paid to the importance of psychological care, education, and work therapy for the rehabilitation of prisoners. Measures were also taken to reduce prison overcrowding and improve conditions for inmates.

The Prison Act (StVollzG) is based on various legal sources and principles that form the basis for the prison system in Germany.

The most important principles include

1. the federal and state constitutions: The StVollzG is based on the fundamental principles and standards enshrined in the federal constitution (Basic Law) and the constitutions of the individual federal states. These include, in particular, the fundamental rights that guarantee the protection of human dignity, the rights of prisoners, and the principle of the rule of law.

2. International human rights standards: The Prison Act is based on international human rights standards as laid down in the European Convention on Human Rights (ECHR), the European Charter of Fundamental Rights, and other international agreements. These standards guarantee respect for the human rights of prisoners and set minimum requirements for the treatment of offenders.

3. Federal laws and regulations: The Prison Act itself is a federal law that lays down the basic legal provisions for the prison system in Germany. It is supplemented by other federal laws and regulations that govern specific aspects of the prison system, such as the Juvenile Prison Act and the Narcotics Act.

4. Case law: The interpretation and application of the Prison Act is also influenced by case law. Decisions by federal and state courts create important precedents for the interpretation and application of the law and contribute to the further development and clarification of legal issues in the field of prison administration.

Together, these legal sources and principles form the basis for the Prison Act and determine the legal framework for the prison system in Germany. Overall, the German prison system has developed considerably since the Second World War, with an increasing focus on the rehabilitation and reintegration of offenders into society.

This development is the result of a large number of actors and institutions that have influenced the system over time. These include government agencies, ministries of justice, prison administrations, experts in the fields of criminology and psychology, as well as international organizations and standards.

However, despite the progress made, German prison authorities continue to face challenges. These include dealing with overcrowding, a shortage of qualified staff, and the needs of prisoners with special needs such as mental illness or addiction problems. There are also discussions about the effectiveness of certain measures and the need for greater use of alternative forms of punishment such as electronic monitoring or community service.

1.1 e development of case law

Until the 1960s, prisons were places that neither politicians, lawyers nor a critical public were interested in. The prison system was not subject to any laws. Some states had issued simple prison regulations through administrative channels. It was not until the early 1960s, when the consolidation of the post-war period was largely complete, that prisons became the focus of public interest. However, it was not only the media that began to address the conditions in German prisons in the mid-1960s by exposing scandals, revealing miserable conditions, and reporting mysterious deaths. Politicians also felt it was time to fundamentally reform the prison system. The impetus came from Federal Minister of Justice Gustav Heinemann (SPD) in 1967, when he commissioned a so-called prison commission to draft a prison law. As a result, in 1972 the Federal Constitutional Court demanded the creation of a legal basis to legitimize the considerable encroachment of the prison system on fundamental rights (of people, including prisoners). The StVollzG was finally promulgated on March 16, 1976, and came into force on January 1, 1977.

Since then, it has been amended and updated several times to meet changing requirements and standards in the prison system.

requirements and standards in the prison system. The law regulates various aspects of the prison system, including the rights and obligations of prisoners

the organization and administration of prisons, the treatment of offenders, security in prisons, and the conditions and programs for the rehabilitation and reintegration of prisoners. Overall, this prison law formed the legal backbone for the prison system in Germany and helped to regulate and improve standards and practices in the prison system in order to promote the reintegration of offenders into society. The individual federal states were able to influence the internal, state-specific organization of the prison system by developing administrative regulations.

However, at that time, the primary responsibility for the development of the prison system lay primarily with government agencies and the Department of Justice at the federal level. These institutions were responsible for designing and implementing laws, policies, and programs in the correctional system. They set the framework within which the correctional system operated and made decisions about resource allocation, personnel policy, and reforms to the correctional system. The reason why these institutions were and are considered primarily responsible is that they have the authority and legal power to drive change in the prison system. They are able to enact laws, allocate budgets, and issue guidelines that determine the course of the prison system. In addition, they are often the main point of contact for international organizations and partners in the development and implementation of best practices. Overall, however, the development is the result of a multitude of actors and institutions that have influenced the system over time. These include, of course, the aforementioned government agencies, ministries of justice, and prison administrations, but also experts in the fields of criminology and psychology, as well as international organizations and standards.

Section 2 of the Prison Act, formulated for the first time, is noteworthy in that it defines the rehabilitation of prisoners as an indispensable goal of the prison system. This goal forms the basis of all considerations. From now on, the entire prison system was to be geared towards this goal, marking a departure from the so-called preventive detention system:

1.2 Legal basis and Structure

The purpose of imprisonment is to enable prisoners to lead socially responsible lives without committing further crimes in the future (the aim of imprisonment). Imprisonment also serves to protect the general public from further crimes. Protecting the general public from offenders and the actual punitive nature of imprisonment have taken a back seat.

Another important reform of the prison system in Germany in 2006 was the federalism reform.

The distribution of responsibilities in Germany's cooperative federalism is administrative, not dual: most policy areas are subject to concurrent legislation by the federal government and the states. Until now, this has meant that the federal government has set the framework conditions and the states have supplemented these with their own laws; above all, however, they are responsible for state administration. The difficulty of such a state structure lies in limiting the level of detail in central decisions so that there is sufficient leeway for the member states, i.e., the federal states, to make their own decisions and laws. Such a distribution must therefore be constantly rebalanced in changing circumstances. The legal distribution of powers is overlaid by the question of financial distribution, which is crucial for the actual fulfillment of powers.

According to the original provisions of the Basic Law, the prison system was part of concurrent legislation. Since the federal government exercised its legislative authority by enacting the Prison Act, the states had no opportunity to legislate in this area. This has changed fundamentally with the reform of federalism, as the states are now solely responsible for prison legislation. This means, on the one hand, that the federal states can create their own penal system laws. As long as they do not do so, the previous (federal) Penal System Act remains in force, so that there is no time pressure on the individual federal states in this regard. This follows from Article 125a of the Basic Law, which states: "Law that has been enacted as federal law but could no longer be enacted as federal law due to the amendment of Article 74 (1) shall continue to be considered federal law. It may be replaced by state law."

There was considerable resistance to the federalism reform in the area of the penal system. All major organizations of German criminal law practitioners (from the German Judges Association to the German Association for Juvenile Courts and Juvenile Court Assistance to the Federal Association of Prison Directors) spoke out against it, as did a large number of university professors of criminal law.

These general fears that the new prison law would move toward security and order and away from the idea of rehabilitation can be dismissed as unfounded in retrospect. All 16 federal states of the Federal Republic of Germany have taken the opportunity to draft prison laws that exceed the expectations of the aforementioned critics. In addition, the federal states have regularly updated their penal laws and adapted them to changing social needs, legal developments, and international standards. This has led to a multitude of different laws and regulations in the various federal states, even though they are often based on similar principles and standards.

The diversity of prison laws in the federal states reflects the diversity and pluralism of the German legal system and enables the federal states to set their own priorities in the prison system. This diversity also applies to the creation of laws, some of which are specific to the enforcement of youth detention or pre-trial detention.

For example, the prison laws of the federal states of Bremen and North Rhine-Westphalia (NRW) show some differences that can be attributed to the respective legal, institutional, and social conditions of the two states. Here are some of the most important differences:

1 Legal basis: The Bremen Prison Act is based on the specific legal provisions and requirements of the city-state of Bremen, while the Prison Act of the state of North Rhine-Westphalia (NRW) reflects the prison law of Germany's most populous federal state.

2 Organization and administration: The organization and administration of the prison system may differ between Bremen and North Rhine-Westphalia. This applies to the responsibilities of the authorities, prison administration procedures, staffing levels, and other organizational aspects of the prison system.

3. Rehabilitation and reintegration: The approaches and programs for the rehabilitation and reintegration of offenders may differ between Bremen and North Rhine-Westphalia, depending on the respective priorities, resources, and experiences of the two states in the area of social rehabilitation.

4. Conditions and standards: Prison conditions and standards may differ between Bremen and North Rhine-Westphalia in terms of living conditions, access to education and employment, medical care, and other aspects.

5. Consideration of special groups: The consideration of special groups such as young people, women, older prisoners, or people with special needs may differ between Bremen and North Rhine-Westphalia, depending on the respective priorities and initiatives of the two states in the area of prison administration.

Comparison of the federal states: Bremen & North Rhine-Westphalia

StVollzG (federal law)

StVollzG Bremen

StVollzG North Rhine-Westphalia

Development of individual sections that may influence affectivity in prisons

Principles

Federal law: § 3 Organization of the prison system

Life in prison should be brought into line with general living conditions as far as possible in Einklang . Harmful consequences of imprisonment

must be counteracted.

The execution of sentences should be geared towards facilitating the prisoner's integration into life in freedom.

Bremen: Principles of prison organization

The prison system must be geared towards helping prisoners come to terms with their crimes and their consequences.

From the outset, the prison system should work towards integrating prisoners into life in freedom.

Prisoners who have been ordered or reserved for preventive detention must receive individual and intensive support in order to make their placement in preventive detention unnecessary. If standardized measures are insufficient or unlikely to succeed, individual measures must be developed. Life in prison must be brought into line with general living conditions as far as possible.

The harmful consequences of imprisonment must be counteracted.

Prisoners' connection to social life must be maintained and promoted. People and institutions outside the prison should be involved in everyday prison life. Prisoners should be able to participate in life in freedom as soon as possible. The different needs of prisoners, particularly with regard to gender, age, and origin, are taken into account in the design of the prison system in general and in individual cases.

NRW: Principles of prison organization

The prison system should be brought into line with general living conditions as far as possible. From the outset, the prison system must be geared towards enabling prisoners to integrate into life in freedom after their release. Prisoners' abilities that they need for a self-determined life in freedom and social responsibility must be strengthened. The harmful consequences of imprisonment must be counteracted.

The personality and dignity of prisoners must be respected. The different life situations and needs of prisoners, particularly with regard to gender, age, migration background, religion, disability, sexual identity, and family and social relationships, must be taken into account appropriately in the design of the prison system.

All those involved in the prison system work together and contribute to achieving the objectives of the prison system.

Prisoners are subject to the restrictions on liberty provided for in this Act. Unless the Act contains specific provisions, restrictions may be imposed on them that are necessary to maintain security or to prevent serious disruption of order in the institution.

Of several equally suitable measures, the one that is likely to have the least adverse effect on the prisoner shall be chosen. A measure must not lead to a disadvantage that is clearly disproportionate to the intended objective. It is only permissible until its purpose has been achieved or can no longer be achieved.

Accommodation

Federal law: Section 10 Open and closed prisons

A prisoner shall be placed in an open prison or open prison wing with his consent if he meets the special requirements of open prison and, in particular, if there is no reason to fear that he will evade the enforcement of his prison sentence or abuse the opportunities offered by open prison to commit crimes.

Bremen: Section 15 Closed and open prisons

Prisoners are accommodated in closed or open prisons. In open prisons, there are no or only reduced precautions against escape.

NRW: § 12 Closed and open prisons

Prisoners are held in closed or open prisons. They should be held in an open prison or open prison wing if this is reasonable, if they meet the special requirements of open prisons and if there is no reason to fear that they will evade their prison sentence or abuse the special conditions of open prisons to commit crimes.

Visits

Federal law: Section 24 Visiting rights

Prisoners may receive regular visits. The total duration shall be at least one hour per month. Further details are regulated by the house rules.

Visits should also be approved if they serve the treatment or integration of the prisoner or concern personal, legal, or business matters that cannot be dealt with by the prisoner themselves, by third parties, or postponed until the prisoner's release.

Bremen: Section 26 Visits

Prisoners may receive regular visits. The total duration shall be at least two hours per month; in the case of visits by children under the age of 14, the total duration shall be increased by one additional hour.

The prison administration may allow unsupervised visits lasting several hours (long-term visits) in addition to paragraph 1 if this appears necessary to maintain the prisoners' family, partnership, or equivalent contacts and the prisoners are suitable for this.

NRW: § 19 Visits

The total duration of visits is at least two hours per month. Further details are regulated by the institution.

Two additional hours should be granted in order to specifically promote visits by the prisoner's minor children. Family-oriented contact should be permitted for the benefit of minor children. The needs of the prisoner's minor children must be taken into account when arranging visiting opportunities, in particular visiting days, visiting times, and the general conditions of visits. Prisoners may also be allowed unaccompanied visits lasting several hours (long-term visits) if this appears necessary and can be justified in order to promote or maintain family, partnership, or other equivalent contacts between prisoners.

Communication

Federal law: § 32 Long-distance calls and telegrams

Prisoners may be permitted to make long-distance telephone calls or send telegrams. In all other respects, the provisions governing visits shall apply to long-distance telephone calls and the provisions governing correspondence shall apply to telegrams. If monitoring of the telephone call is necessary, the prisoner's conversation partner shall be informed of the intended monitoring immediately after the prison or the prisoner has established the connection. The prisoner shall be informed in good time before the start of the telephone call of the intended monitoring and the obligation to report pursuant to sentence 3.

Bremen: Section 30 Telephone calls

Prisoners may be permitted to make telephone calls. Telephone calls to relatives of prisoners within the meaning of Section 11 (1) No. 1 of the Criminal Code are permitted. The provisions on visits apply accordingly. The prison must inform prisoners in good time before the start of the telephone call and the prisoners' call partners immediately after the connection has been established about any intended monitoring.

Bremen: Section 36 Other forms of telecommunication

If other forms of telecommunication within the meaning of the Telecommunications Act have been approved by the supervisory authority, the prison management may allow prisoners to use these forms at their own expense. The provisions of this section shall apply accordingly.

NRW: § 24 Telephone calls

Prisoners may be permitted to make telephone calls via the institution, provided that the spatial, personnel, and organizational conditions of the institution allow this.

NRW: § 27 Other forms of telecommunication

Prisoners may be permitted to use other forms of telecommunication approved by the supervisory authority via the prison, provided that this does not jeopardize the security or order of the institution. In all other respects, the provisions on correspondence, visits, and telephone calls shall apply accordingly, depending on the type of telecommunication.

Affectivity

Affectivity in German prisons refers to the emotional and psychological state of inmates and its influence on the prison environment. There are various aspects that can be considered here:

1. Mental health

Prisoners in German prisons often suffer from mental illnesses such as depression, anxiety disorders, and post-traumatic stress disorder (PTSD). Everyday prison life, isolation from family and friends, and general insecurity can exacerbate these conditions.

There are special programs for psychological care and therapy to improve the mental health of prisoners. Psychologists and therapists are often part of the prison staff.

2. Social relationships

Relationships between inmates and between inmates and prison officers and other staff are often tense and can be characterized by mistrust and conflict. This affects the general mood and affectivity in prison.

Group dynamics, such as the formation of cliques or gangs, can further influence the emotional climate.

3. Rehabilitation and resocialization

Rehabilitation is an important part of the German prison system. Programs and measures aimed at reintegrating inmates into society are designed to help them lead a crime-free life after their release. These programs include education and training measures, therapy options, and leisure activities designed to promote a positive emotional state.

4. Dealing with violence and aggression

Violence and aggression are recognized problems in prisons. Strategies for preventing violence and dealing with aggressive behavior are of central importance for the management of prisons.

Staff training and measures such as mediation and conflict management should help to create a safer and more emotionally stable environment.

5. Importance of the environment

The physical environment, including cells, common areas, and the general condition of the facilities, plays a role in the affectivity of inmates. Adequate accommodation and access to activities can improve mental well-being.

6. Research and studies

There are numerous studies and research projects that address affectivity in prisons. These studies contribute to a better understanding of inmates' needs and to the development of effective measures to improve mental health and the emotional climate.

Overall, it is clear that affectivity in German prisons is a complex issue that is influenced by many factors. Promoting mental health and creating a supportive and safe environment are key objectives of the prison system.

Overall, it is clear that affectivity in German prisons is a complex issue that is influenced by many factors. Promoting mental health and creating a supportive and safe environment are central goals of the prison system.

1.4 Social bonds and their significance for affectivity

However, social bonds appear to play an important and central role in the affectivity of prisoners described above. Social bonds have far-reaching effects on the well-being of prisoners and their chances of successful reintegration into society. The following are some key aspects that underscore the importance of social bonds in the prison system:

1. Mental well-being

Social contact, especially with family and friends, is important for inmates' mental well-being. Regular visits and communication can reduce feelings of isolation and loneliness, thereby reducing the risk of depression and other mental illnesses.

2. Emotional support

Close relationships provide emotional support that can help prisoners better cope with the challenges of prison life. This support can take the form of encouragement, understanding, and comfort, and contributes to emotional stability.

3. Reducing recidivism

Studies have shown that strong social ties can significantly reduce the likelihood of reoffending after release. Prisoners who have close relationships

are often more motivated to adhere to social norms and lead a life without crime.

4. Promoting rehabilitation

Social ties are an essential part of rehabilitation measures in the prison system. They provide a network of support and resources that helps prisoners reintegrate into society after release and pursue professional or personal goals.

5. Improving behavior

Positive social ties can have a positive influence on prisoners' behavior during their time in prison. The prospect of regular visits or the opportunity to communicate with relatives can be an incentive to follow the rules and behave well.

6. Support through programs

Many prisons offer programs aimed at strengthening inmates' social ties. This can be done through visiting programs, phone calls, correspondence, or special family events. Such programs are designed to promote and maintain ties.

7. Preparing for release

During the preparation phase for release, support from social contacts is particularly important. Family members and friends can help with finding housing and employment and provide emotional and practical support to ease the transition period.

8. Children of prisoners

Special attention is paid to the relationships between incarcerated parents and their children. Maintaining these relationships is crucial to the well-being of the children and can also help parents prepare for their role after release. Visitation programs and parenting training are important measures to support these bonds.

1.5 Critical perspectives on social- e bonds

In summary, social ties play a central role in the prison system. They are not only crucial for the mental and emotional well-being of inmates, but also for their chances of successful reintegration into society after imprisonment. Measures to support and promote these ties are therefore of great importance for an effective and humane prison system. However, there are also critical voices and concerns regarding the promotion of social bonds in the prison system. These criticisms relate to various aspects and come from different interest groups:

Security concerns: Critics argue that frequent and close contact with outsiders can increase the risk of illegal activities such as smuggling drugs or other prohibited items into prisons. There are also fears that criminal networks outside the prison could be maintained through visits and communication with inmates, which could jeopardize security both inside and outside the prison.

Resources and costs: Implementing and administering programs to promote social bonding requires considerable human and financial resources. Critics question whether these resources would be better invested in other rehabilitation measures. Some argue that the costs of additional security measures required to prevent illegal activities are too high.

Inequality and injustice: There are concerns that prisoners who do not have strong social ties could be disadvantaged. This inequality could lead to unequal treatment and different opportunities for rehabilitation. Critics point out that not all inmates have access to regular visits or support networks, which can lead to injustices within the prison system.

Impact on victims: Some victims of crime or their families may feel it is unfair that offenders have the opportunity to maintain close social relationships and receive emotional support, while victims continue to suffer the consequences of the crime.

Impact on punishment: It is argued that prison sentences should also have a deterrent and punitive effect. Critics might argue that too many amenities, including the promotion of social bonds, could reduce the deterrent effect of a prison sentence. Some fear that focusing on social bonds could lead to the punishment being perceived as less severe, which could reduce its deterrent effect.

Rehabilitation vs. punishment: A fundamental philosophical and political point of contention is whether the focus of the prison system should be on punishment or rehabilitation. Critics who advocate for harsher punishment might argue that promoting social bonds is too focused on rehabilitation and neglects the aspect of punishment.

In summary, these critical voices show that promoting social ties in prisons is a complex issue that must be carefully considered. While the benefits for inmates' mental well-being and rehabilitation are recognized, security concerns, costs, issues of justice, and the needs of victims must also be taken into account.

1.6 Comparison of European standards

Compared to other European countries, however, Germany is in a good position overall, particularly in the areas of rehabilitation and support for social ties. That said, there are countries such as Norway and Sweden that are even more progressive in certain aspects of the prison system and can serve as role models. At the same time, there are also European countries that face considerable challenges in promoting social ties and humane prison conditions. A final assessment depends on the specific criteria applied, and there is always room for improvement in order to further strengthen social ties and the rehabilitation of prisoners.

1.7 Recidivism prevention through social bonds

This raises the question of whether social ties can reduce the recidivism rate among prisoners. Based on the research findings, the answer must be a resounding YES. Social ties can significantly reduce the recidivism rate among prisoners. Numerous studies and empirical investigations have shown that strong and supportive social networks have a positive influence on the rehabilitation and reintegration of former prisoners. Below are some reasons why social ties can reduce recidivism rates:

1. Emotional support

Stability and trust: Social ties provide emotional support that helps prisoners cope with the challenges of everyday life and the difficulties of reintegration. This support can convey a sense of stability and confidence.

Motivation: Close relationships with family and friends can serve as motivation to lead a crime-free life. Prisoners who feel emotionally supported are often more willing to adhere to social norms and start a new life.

2. Practical support

Living and working: Social networks can offer practical support, such as help with finding housing and employment. These factors are crucial for successful reintegration into society.

Coping with everyday life: Friends and family can help with coping with everyday life, which reduces the likelihood of relapse.

3. Monitoring and accountability

Social control: Close social ties can serve as a form of social control. Relatives and friends can monitor and support former prisoners to ensure that they comply with the conditions of their release.

Sense of responsibility: A sense of responsibility towards loved ones can discourage inmates from engaging in criminal activity.

4. Self-esteem and identity

Strengthening self-esteem: Positive social relationships can strengthen prisoners' self-esteem and identity. A strong sense of self-esteem can contribute to the fact that they are less prone to criminal behavior.

New social identity: With the support of their social networks, inmates can develop a new, positive social identity that contrasts with their former criminal identity.

5. Scientific studies

Research findings: Various studies have shown that prisoners with strong social ties have a lower recidivism rate. For example, a 2002 study by the US Department of Justice found that prisoners who had regular contact with their families were less likely to reoffend.

Meta-analyses: Meta-analyses of rehabilitation and relapse prevention programs confirm that social support is a key factor in the success of these programs.

6. Program initiatives

Visiting programs: Many prisons have introduced visiting programs and family support initiatives to strengthen inmates' social ties. Therapy and counseling: Programs that offer family therapy and counseling can also help strengthen social ties and reduce recidivism rates.

Strong social ties play a crucial role in reducing the recidivism rate among former prisoners. Through emotional and practical support, social control, and the promotion of a positive self-image, close relationships can help inmates lead a life without crime. Therefore, promoting and supporting social ties is an important part of rehabilitation programs and should be taken into account in prison systems worldwide.

In this context, a recent article published in the Heinsberger Volkszeitung newspaper highlights the topicality of the problem, its presence in the public eye, and the urgency of improvements:

When Dad is in prison

Children suffer when a parent is in prison. They suffer from the separation. Because they don't understand what is happening and because it frightens them. The state of North Rhine-Westphalia wants to be a pioneer in "family-sensitive prison system."

It's terrible not being able to see his two small children, says the prisoner in Willich prison. The man in his late 40s doesn't want to say what brought him here or how many years he's serving. But he says that his little ones are happy to be here with him.

"I can walk around here with the children for two hours," read to them, play with them, "Then they don't miss me quite so much." He learns about their everyday lives: "My daughter tells me about kindergarten, my wife about shopping. That's very important." He believes that this is just as valuable for his children as it is for him: "That contact is not broken. The feeling for me—Dad—is still there."

The special conditions ensure that his children feel comfortable when visiting the prison. The visiting room has warm colors and child-friendly decorations, sofas, a children's table with games and books in one corner, and a rocking horse in the other. But there is more that has been designed especially for children here and in the neighboring women's prison in Willich. A mascot whose image waves from the walls in the corridors leading to the visiting room with messages such as "Hello children," "Nice to see you," and "This way." A photo book that explains what prison is all about in a child-friendly way, and various projects.

The prison in Willich is one of six prisons in North Rhine-Westphalia that are systematically testing models and services for "family-sensitive imprisonment." The program started in 2021 but was initially slowed down by pandemic restrictions.

On Friday, Minister of Justice Benjamin Limbach (Green Party) presented the successes achieved so far. During his visit to the facility, the minister emphasized that this is not about benefits for offenders. "The family has not committed any crime. They are not to blame," he said. "But they are automatically involved in the punishment through imprisonment": through separation, stigmatization, shame, and material hardship. According to estimates, around 20,000 children in North Rhine-Westphalia have a parent in prison. And that has consequences: these children are at greater risk of developing mental illness or committing crimes themselves. "We have a socio-political responsibility here," says Limbach. "As the most populous federal state, we want to play a pioneering role in family-friendly prison management."

There are no statistics on the effects, such as recidivism rates, divorce rates, or the well-being of children. The centers rely on experience: families clearly benefit from this, says Anna Wojatschek, prison officer and visit coordinator at the women's prison. "You can see it in the children who come regularly. They become themselves again," she says. "The fear diminishes with each visit. At some point, they come up to me on their own, and eventually you know their names. They can then be cheeky or naughty, just like children are. They start being children again." She believes that positive experiences can help children avoid developing fears, resentment, or prejudices toward the police and the justice system. After all, many of them have only had the terrible experience of having their mother or father taken away from them.

The projects being tested in the competence centers are very diverse. The most important thing is probably the child-friendly design of the rooms. Or family days, where play areas are set up in a hall, a bit like a children's party. Parenting coaching for mothers and fathers has proven to be very popular – but only under the right title. The same course under the heading "parent training" was not very well received.

Some of the successes surprised those responsible. The initiators actually thought that the "Fathers Sew Teddy Bears" activity was too experimental. However, it was met with so much enthusiasm that it has now become a permanent program. And seemingly small things can make a big difference. For example, a camera with a photo printer in the visiting room. Without it, many children would simply not have a photo of themselves with their mom or dad for years.

Katja Grafweg from the Ministry of Justice explained that other prisons in the state are already systematically benefiting from what is being developed in the competence centers. "Prisons can choose what suits their clientele, their structural possibilities, and their structures. In doing so, they can draw on what has been tested in the six pilot prisons."

Even though "family-sensitive prison management" is actually aimed at children, it also serves the purpose of rehabilitation, according to Justice Minister Limbach. A stable family environment is – alongside career prospects – the best prerequisite for life after release.

One million children in the EU are affected

Children

It is estimated that almost one million children in the EU are affected by the imprisonment of a parent, 100,000 throughout Germany and an estimated 20,000 in North Rhine-Westphalia.

Prisons

There are 36 prisons in North Rhine-Westphalia with around 18,900 places, of which around 17,600 are for men and 1,300 for women.

The most urgent task now is to draw up a specific list of questions in order to identify the needs of prisoners and their families. This approach appears promising. Only in this way can the true needs, concerns, and improvements be filtered out from the group of those affected.

Chapter 2 - Italy

Introduction

A brief history of the prisons

The word "prison" has its origins in the Old French word "prisoun," which means "to hold captive."

As the word suggests, and as we all know, prisons are facilities where criminals serve their sentences or suspects are held in custody until a court verdict is reached. However, prison is not just a facility for housing criminals, but an institution whose purpose is to protect society from crime and rehabilitate prisoners.

The main features of a modern prison are (Evie, 2023):

- Security
- Common areas
- Health services
- Catering
- Rehabilitation
- Remuneration
- Deterrence

Until the end of the 18th century, prisons were mainly used to detain debtors, people accused of crimes awaiting trial, and convicts awaiting punishment, usually death or deportation overseas. Imprisonment was rarely imposed, and when it was, it was only for minor offenses. As the death penalty declined in importance at the end of the 18th century, courts began to use prisons as penal institutions for serious criminals. Over the years, the practice of incarceration spread worldwide. By the beginning of the 21st century, most countries had abolished the death penalty, making imprisonment the most severe punishment that courts could impose (Coyle, 2023).

But let's start at the very beginning.

The earliest evidence of prisons dates back to 1000 BC in Mesopotamia and Egypt, where underground prisons were built to hold criminals until they were sentenced to death or slavery. In ancient Greece, on the other hand, prisons were sparsely isolated buildings where prisoners were chained and locked up. Unlike in Egypt and Mesopotamia, however, they were allowed to receive visits from friends or family members. In ancient Rome, however, prisons were less "humane" than in Greece: they were small, dark, claustrophobic underground cells where prisoners were chained to the walls.

A few centuries later, in response to the industrial revolution of the 16th and 17th centuries, there was a dramatic increase in crime, especially in urban areas.

This led to overcrowding and poor hygienic conditions in prisons (Evie, 2023). In the 16th century, many "reformatories" for minors were built in Europe, where discipline and work were the main focus. Due to poor sanitary conditions, a reform took place in the 18th century (Coyle, 2023).

The concept of prison as a penal institution was changed during this period, thanks in part to Jeremy Bentham, which led to the construction of prisons for convicts, especially those serving longer sentences. With the expansion of new prisons, new methods of rehabilitating prisoners began to be experimented with: solitary confinement was considered ideal, as it was assumed that loneliness would help criminals to rehabilitate themselves by making them feel guilty. In 1829, the first form of solitary confinement was introduced in the prison system in Philadelphia, USA: each prisoner remained in their own cell, worked alone, and saw no one except officials and occasional visitors from outside. Later, this administrative method, known as the "Pennsylvania system," became the model for prisons in much of Europe.

The concept of personal improvement became increasingly important in penal theory and led to experiments with various methods, including the "mark system" developed by Maconochie on Norfolk Island in 1840. Under this system, prisoners were to accumulate points according to the severity of their crimes, which could be earned through good behavior, learning, and hard work, and deducted for laziness or misconduct. Prisoners who had accumulated the most points could apply for release. This system anticipated the use of parole, individual treatment, and indeterminate sentences, placing the emphasis on rehabilitation and performance rather than isolation.

The modern prison emerged at the beginning of the 21st century, when reforms such as probation, vocational training, and creative education were introduced. The modern system is characterized by non-governmental supervisory bodies (Amnesty International, Penal Reform International) that work with various prison departments to improve prison conditions. To this day, prisons in most parts of the world are seen as "a sanction of human freedom rather than a violation of human rights through additional punishment" (Coyle, 2023).

However, Bentham is not only known for his efforts to reform prisons, but also for conceiving the "panopticon," derived from the Greek "panoptes" (to see everything), or in his view, the "perfect prison," which primarily served to limit socialization among prisoners (Evie, 2023). The concept envisaged that a guard could observe all prisoners without them knowing they were being observed, which was intended to motivate them to behave better.

As an aspect of human rights, the concept of prisoners' rights is supported by several national and international declarations and constitutions. The basic assumption that "all persons deprived of their liberty shall be treated humanely and with respect for their dignity" is reflected in the following provisions:

their inherent dignity" (Art. 10 of the International Covenant on Civil and Political Rights) is based on the principle that imprisonment is the operative punishment and that it should not be exacerbated by unnecessarily restrictive conditions (Coyle, 2023).

Law, Theories, and Prisoners

Cesare Beccaria's "Dei delitti e delle pene" (1764) is a fundamental legal text and is considered one of the cornerstones of social contract theory applied to criminal law, as it had a major influence on criminal and legal reforms in the 18th century. It can be argued that it is the first text to formally address the rights of prisoners. The text deals with the principles of criminal justice, the rejection of torture and cruel punishments (emphasizing that torture is ineffective and ethically reprehensible for crime prevention), and introduces the concept of prevention as the main objective of the penal system.

Beccaria supported the idea that criminal law should be based on the principles of fairness, proportionality, and utilitarianism. The text criticizes the cruel and disproportionate punishments of the 18th century and defends the idea that punishments should be proportionate to the harm caused by the criminal and aimed at the general welfare of society in order to deter criminals, rather than being used as revenge. He argues that legislators have a responsibility to enact clear, simple, and fair laws that all citizens can understand, and that there should be transparency and the right to defense for criminals during court proceedings (Beccaria, 1764).

Over the years, we have witnessed the development of various theories about prisoners and crime, the most important of which are Seligman's theory of learned helplessness, which was first applied to animals and later to humans and prisoners (1967), Goffman's theory of deprivation (1961), Hirschi's theory of social control (1969), and Goffman's theory of post-incarceration stigmatization (1963).

The theory of learned helplessness states that prisoners develop a sense of helplessness and resignation when they are constantly exposed to stressful situations and have no control over their lives, which influences their behavior and mentality both inside and outside prison (Seligman, Peterson & Maier, 1993).

Deprivation theory argues that life in prison is associated with deprivations such as loss of freedom, privacy, and limited access to resources and opportunities, which can lead to adjustment and behavioral problems in prisoners (Goffman, 1961).

Social control theory views social control as a crucial factor in criminal behavior. Due to their incarceration, prisoners may be subject to stricter control mechanisms that influence their behavior both in prison and after their release (Hirschi, 1969).

Goffman's theory of post-incarceration stigmatization examines the prison experience and how it can lead to lasting social stigmatization and discrimination against prisoners (Goffman, 1963).

These texts and theories are highly relevant to the topic of the project, as we can see that the problems faced by prisoners today have in fact existed since the inception of the prison system.

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2.1. Politics in Italy

Although in many European countries (France, the Netherlands, Switzerland, Germany, Spain, etc.) prisoners are allowed to spend several hours with their family or partner without visual supervision by prison guards, in Italy the topics of affection and "love rooms" remain taboo (Maturo, 2018).

However, Article 18 of the Italian Prison Administration Regulations states:

"Prisoners and internees are allowed to have conversations and correspondence with relatives and other persons, including for the purpose of performing legal acts.

... Rooms intended for visits by family members should, where possible, provide a confidential atmosphere and preferably be located near the entrance to the facility ..."

In Italy, several proposals have been made regarding intimate visits in "love rooms," but to date, all have been rejected or have not yet been accepted. Minister Orlando has proposed that, with regard to affection in prison, these visits, which are different from conversations, should be conducted without visual or audio monitoring by prison staff. The visit should in fact take place in accommodation, which may be rooms, caravans, or special rooms located within the facility but separate from the prison area, and whose cleaning is entrusted to the inmates and must be carried out within a reasonable time frame. However, Constitutional Court ruling No. 301/2012 considers the question of the constitution...

The Court considers Article 18 to be inadmissible and reiterates that visual checks by prison guards do not prevent intimate emotional relationships between prisoners and their partners, but serve the purpose of maintaining order and security within prisons in order to prevent criminal offenses.

It should be remembered that Articles 8/1 and 12 of the Convention for the Protection of Human Rights and Fundamental Freedoms oblige states to allow sexual relations within prison, even between married couples (Maturo, 2018).

The "affection rooms" or love rooms exist (to a certain extent) in Italy on an experimental basis in the prisons of Milan Opera and Milan Bollate (2018). These rooms consist of a kitchen, a refrigerator, a table and chairs, a sofa, and a television. During the permitted hours, family members and inmates can forget that they are in a prison. However, the rooms are equipped with hidden micro-cameras, which users are made aware of. A total of 16 families per year can be recommended by the educators to the prison director, who then decides whether families or partners are allowed to benefit from these "conversations" or not (Maturo, 2018).

The latest legislative proposal for love rooms dates back to 2016. The government was tasked with enacting regulations that take into account the specific social, cultural, linguistic, health, emotional, and religious rights and needs of prisoners (Article 27 of the Penal Code: "...Punishments must not consist of treatment that contradicts the meaning of humility and must aim at the re-education of the convicted person"), and it would be Article 31 that would open the door to love rooms. Permission to use love rooms would make life in prison less "explosive" because "sexual life is an integral part of human existence" (Palma in Crisafi, 2016).

Currently, Italy applies the "permessi pre-mio" system to intimate relationships with partners, i.e., periods of time that may be spent with the family and which the judge grants to deserving prisoners who have behaved well on a regular basis and do not pose a danger to society. Permits may not exceed 45 days per year and 15 days per permit (Maturo, 2018).

2.2. Practices in Italy and their effectiveness

In Italy, regulations governing conjugal visits in prison require continuous monitoring by staff, thereby preventing any emotional or sexual activity (Decembrotto, 2013). This is due to the legal prohibition of any sexual acts in prisons, which extends from the visiting room to the cells (D.P.R. 230/2000, Article 77).

This means that, apart from rare exceptions and occasional "stolen kisses" during visits, it is really difficult, if not impossible, for inmates in Italy to form emotional or sexual relationships. It therefore seems obvious that Italian law does not recognize the right to intimate relationships.

to a partner, a right that should be considered important and respected, as stated in the Constitution (Article 2), as well as the right to maintain family ties in prison (Articles 29, 30, and 31) (Citraro, 2018). In this sense, the prison system continues to maintain its historical role as a repressive institution, even though the Constitution explicitly states that it has an educational function:

"Punishments must not consist of treatment that violates human dignity and must aim at the rehabilitation of the convicted person" (Constitution, Article 27). This goal of rehabilitation is subordinate to the integrity of the person, although this is often disregarded in practice. In this context, Lucia Castellano (Castellano, Stasio, 2010, p. 14), former director of Bollate prison, writes:

"Even today, there is still a contradiction within prison walls between the legally established goal and the daily routine, which is based on the suppression of inmates' identities, the denial of any autonomy, and the violation of the most basic human rights. Rehabilitation or social reintegration remain on paper. As does respect for dignity."

The interruption of human relationships effectively means separating individuals from their personal history and destroying what could be described as the social identity of prisoners. In this context, the Constitutional Court (ruling no. 301/2012) highlighted the issue of affection in prison and called on lawmakers to take into account the experiences of many countries that recognize the emotional and sexual needs of inmates behind bars.

In order to comply with the Constitutional Court's instruction, the existing Italian system introduced the "permessi premio" (leave of absence), which allows inmates to maintain intimate relationships. These permits grant inmates a short period of time with their families (up to 15 days per permit and a maximum of 45 days per year, which corresponds to 3 vacation permits). However, this privilege does not apply to all inmates, but is linked to good behavior and the judge's assessment that the inmate does not pose a danger to society (Citraro, 2018).

In addition, it was recently proposed to introduce "affection rooms" or "love rooms" in accordance with the guidelines of the General States on the enforcement of sentences, an expert commission headed by Minister Orlando. Currently, love rooms exist in Italy only on a trial basis in Milan's Opera Prison. The Affection Rooms are equipped with a kitchen, a refrigerator, a table with chairs, and a sofa with a television. Eligible inmates can spend an entire day talking, drinking coffee, playing, hugging, and kissing like a normal family, temporarily forgetting that they are in prison. Sixteen families, selected each year by educators as the most stressed families, would be eligible for this benefit (Citraro, 2018).

Although there is currently no data confirming the effectiveness of love rooms in Italy, we already know that they are likely to be effective and represent a positive initiative. In fact, studies conducted in prisons in countries

Those who pursue such an approach, such as Cristina Tedeschi, physician and gynecologist, and Debora Rossi, psychologist, explain that allowing inmates to maintain their intimate and sexual sphere not only reduces tension, violent incidents, and compulsive masturbation, but also reduces the number and severity of disciplinary penalties imposed. This opportunity is also inversely related to the risk of recidivism. It has been emphasized that inmates who experience sexuality during their imprisonment are less likely to exhibit deviant behavior after their release than others (Giordano, 2022).

However, apart from this small attempt at change in relation to the love rooms in Milan, Italian case law tends to deny prisoners the right to sexuality and emotional ties, and the few rights relating to the emotional sphere that are granted to prisoners are therefore largely ineffective (Re & Ciuffoletti, 2020).

In summary, it can be said that in Italian prisons, the right to affection and sexuality is systematically disregarded.

2.3. Scientific research in Italy

Psychiatric disorders are the main cause of illness in prisons, where the structure and nature of the institution create a pathogenic environment that transforms the initially precarious state of health of inmates into actual diseases (Poneti, 2018). The psychological stress experienced during imprisonment often arises from the disruption of the natural rhythm of life caused by incarceration. For example, the deprivation of affection and sexual encounters, which particularly affects young people, contributes to psychological imbalances (Clemmer, 2004; Poneti, 2018). In prisons, the prevalence and severity of diseases exceed those in the general population, leading to increased physical suffering that exacerbates the loss of freedom (Poneti, 2018).

Furthermore, the challenge of establishing emotional relationships in Italian prisons is so great that it is the main cause of individual suffering and a significant risk factor for suicidal tendencies (DAP, 2010). For example, 2022 will be remembered as the year of suicides in Italian prisons, with one suicide recorded every five days, with the lack of emotional ties often cited as a key factor.

In addition to prohibiting emotional and sexual activities in prisons, there are restrictions on items such as condoms; unfortunately, this prohibition contributes to a higher risk of disease transmission. The effects of this risk are evident among individuals who seek medical assistance, with some requesting latex gloves as a substitute for condoms or HIV testing due to unprotected sexual intercourse. A nurse interviewed by Decembrotto (2013) as part of a research study in a prison in Bologna highlighted the situation and emphasized the

specific challenges facing the healthcare system in prisons:

"There are people with sexually transmitted diseases who may be sleeping with healthy individuals, putting them at risk of infection. [...] Many ask us for gloves. We don't know what they use them for. They say they are for cleaning bathrooms. I sincerely hope they use them as condoms."

In the same study conducted in Bologna on affectivity and sexuality in the prison context, Decembrotto (2013) analyzed the social and environmental implications of sexual identity, regardless of whether it is lived or suppressed in prison, and showed that these elements are sources of discomfort in both cases. Interviews with inmates and prison staff reveal that suppressed sexuality in prison causes discomfort in terms of identity, which also affects interpersonal relationships.

For these reasons, the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment has repeatedly addressed the issue of sexuality and affection in prison and recognized the importance of promoting respect for these aspects. The Committee has focused on the most obvious aspects of the violation of inmates' privacy and has, for example, highlighted the inappropriateness of allowing sexual relations between inmates and family members during visits in the presence of prison officials (Re & Ciuffoletti, 2020). Forced chastity is, in fact, a form of torture and institutional violence that is not formally authorized by any law. As stated in a report by the World Health Organization (WHO):

"Sexual health is a state of physical, emotional, mental, and social well-being in relation to sexuality; it is not merely the absence of disease, dysfunction, or infirmity. Sexual health requires a positive and respectful attitude towards sexuality and sexual relationships, as well as the opportunity to have pleasant and safe sexual experiences, free from coercion, discrimination, and violence. In order for sexual health to be achieved and maintained, the sexual rights of all people must be respected, protected, and fulfilled."

For this reason, failure to observe these rights is considered an act of violence.

Further evidence of this violence can be found in the statements made by inmates, which are full of suffering: some prisoners describe forced abstinence as outright "psychological torture" (Re & Ciuffoletti, 2020). Many inmates consider torture to be psychological rather than physical, as the inability to maintain relationships with their partners fuels their fear of losing not only the emotional bonds they had built before their incarceration, but also their own emotional capacity.

Unable to express affection and sexuality during conjugal visits, inmates often resort to autoeroticism. Adriano Sofri and Francesco Ceraudo (Sofri & Ceraudo, cited in Re & Ciuffoletti, 2020) have described the painful nature of this practice in Ge-

prison and said that sexuality is usually absent in the first days of incarceration, but after an initial phase of forced abstinence, it becomes an obsession.

In addition, many inmates report sexual and emotional apathy, which seems to be the counterpart to the general suffering that the incarcerated body must endure (Morelli, 2004).

In summary, it can be said that the denial of affective and sexual rights and the lack of comprehensive measures to address prisoners' emotional needs contribute to significant psychological distress, with some describing the experience as a form of psychological torture. Limited initiatives, such as the experimental introduction of "love rooms," underscore the recognition that the emotional and sexual well-being of inmates must be taken into account. The overall situation in Italian prisons, as reported by prisoners and experts, shows that a more humane and rights-respecting approach to sexuality within the prison system is urgently needed. Efforts to promote the mental and emotional health of prisoners, recognizing their right to intimate relationships, are crucial to the creation of a rehabilitative and respectful prison system.

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3. Romania

3.1. e policy in Romania

In Romanian prisons, particular importance is attached to maintaining and improving relations with inmates' family members. The family plays a fundamental role in the lives of prisoners during the two different phases they go through: the period of imprisonment and the period after serving their sentence. As prisoners' social relationships deteriorate with their incarceration, their relationships with their families (spouses, partners) can be one of their most important resources for coping with the different social situations that characterize each phase. This right of prisoners to maintain relationships with their families is enshrined in the most important law governing the functioning of prisons in Romania, Law No. 254/2013 on the enforcement of sentences and measures involving deprivation of liberty imposed by the judicial authorities in criminal proceedings, in the Ordinance for the application of Law No. 254/2021 with No. 157/2016 of March 10, 2016, the Regulation on the security of detention facilities under the National Penitentiary Administration No. 4800/c/2018, and other ministerial regulations – Regulation No. 1322/2017 approving the Regulation on the organization and implementation of educational, social, and psychological activities and programs.

Thus, depending on the prison regime, prisoners in Romanian prisons can receive visits from their family (3 to 6 visits per month, depending on the prison regime to which the prisoner is subject), they can receive a parcel from their family regardless of the type of sentence being served (maximum 10 kg of food and fruit or vegetables) and have intimate visits with their spouse or partner (depending on the situation, these visits can last up to 3 hours, and if the prisoner marries in prison, they can have an intimate visit of 48 hours on the occasion of the wedding). There are also special rooms where they can receive visits from children (rooms specially designed for children with toys, where they can be visited exclusively by their family). Prisoners can also go home while serving their sentence (as a reward) and are allowed to leave prison for 1 to 10 days, but no more than 30 days per year, to maintain family relationships or in special family situations (such as the funeral of a relative or a wedding).

Another category of activities aimed at maintaining and improving the emotional relationship between prisoners and their families are social reintegration activities, which are carried out under the supervision and guidance of professionals in the field of social reintegration: educators, social workers, and psychologists. All persons deprived of their liberty have the right to participate in such activities, regardless of their prison regime and in accordance with the area of intervention determined for each prisoner. These activities aim to prepare prisoners for reintegration into society by teaching them social norms and values, maintaining and improving relationships with their families, and improving their emotional and psychological well-being both during imprisonment and after release.

4.2. Practices in Romania and their effectiveness

In Romania, according to Law No. 254/2013 on the enforcement of sentences and measures involving deprivation of liberty imposed by judicial authorities in criminal proceedings, every prisoner, regardless of the type of sentence, has the right to intimate visits under certain conditions:

- (a)** He has been convicted and sentenced to imprisonment or is currently in pretrial detention. investigative detention;
- (b)** There is a marital relationship, which is proven by a certified copy of the marriage certificate or, if applicable, by a partnership relationship similar to that between spouses;
- (c)** he has not been granted permission to leave the prison in the case of convicted persons;
- (d)** They have not been subject to disciplinary punishment within a period of 6 months prior to the application for an intimate visit, or the sanction has been lifted in the case of convicted persons and in the case of persons who were in pre-trial detention during court proceedings in the last 30 days prior to the application;
- (e)** They actively participate in educational, psychological, and social assistance measures and programs programs or work.

Every prison in Romania has at least one special room for in-time visits, including visits between male and female inmates from different prisons, provided they meet the specified conditions. These visits, which take place every two months and last three hours, are not supervised by prison staff. They help maintain emotional bonds between couples and provide social support for inmates after their release. In addition, prisoners have the right to marry during their imprisonment and are granted a 48-hour intimate visit on the occasion of their wedding.

Thus, the right to an intimate and sexual life is recognized in Romanian prisons in order to support the emotional bond between couples during their time in prison.

As we mentioned in the previous chapter, the possibility of obtaining permission to leave the prison is an important factor in assessing the good behavior and motivation of inmates.

Prisoners in closed, semi-closed, and open institutions who behave well, work, or participate in social reintegration activities can be rewarded with permission to leave the prison for 1 to 10 days, but no more than 30 days per year, in order to maintain good emotional relationships with their family members. This reward encourages prisoners to behave in accordance with prison rules and to strive for a family and couple life. Permission to leave prison may also be granted to an inmate to attend the funeral of a spouse, child, parent, sibling, or grandparent.

The social reintegration programs in which inmates can participate, depending on the risk and needs identified by experts in the field, are:

- **Educational programs and group activities:** Family education program (program to teach family norms and values and develop behaviors based on respect, rights, and responsibilities), activities that encourage inmates to write a letter or poem to their wife, mother, or child. Program for teaching family norms and values and developing behaviors based on respect, rights, and duties), activities in which inmates are encouraged to write a letter or poem to their wife, mother, or child.
- **Social programs and group activities:** Program for maintaining and development of relationships with the support network, which aims to restore, maintain, or develop relationships between persons deprived of their liberty and their family or support network. Parental relationship development program "Me and My Child," which aims to develop the necessary skills to improve the relationship between the incarcerated parent and their child. The "Steps to Family at Home" program, which is run by external staff of the Stanca Veacurilor Foundation, which aims to promote the formation of responsible behavior based on an understanding of the role of the father within the family in order to suppress antisocial tendencies and develop new moral skills necessary for reintegration and harmonious coexistence in the family and society.
- **Workshops with the family** – an activity that maintains and develops promotes bonds between prisoners and their families. The activity focuses on maintaining and strengthening family relationships by fostering contact in an optimal setting that facilitates the process of social reintegration.
- Special **events** attended by family members of prisoners (Christmas or Easter celebrations). Children's party on June 1 (International Children's Day) with the participation of prisoners' children and their spouses, where prisoners interact with their children and family members for a day through various activities such as painting, singing, face painting, and sports competitions, and, last but not least, spending valuable time with them and improving the emotional relationship between prisoners and family members (children, wives).
- **Psychological programs and activities:** such as the program for self-awareness and personal development, which includes group sessions in which ways of thinking and reactions to various situations, including those in the family environment, are discussed. Prisoners have the opportunity to become aware of their own thoughts and behaviors in relation to their families, and in most cases manage to improve their relationships after becoming aware of their own cognitive errors. The program comprises 12 sessions of 60 minutes each and includes techniques for training rational thinking as well as exercises or role-plays to try out new mental scenarios. At the same time, psychologists regularly conduct group activities to celebrate national or international holidays such as Women's Day, Family Day, or the Day Against Violence, or they even involve the prisoners together with their families.

to address issues related to family life or relationships. The psychologists' interest is in preparing prisoners for a life without antisocial behavior.

4.3. Scientific research in Romania

The quality of Romanian prisoners' emotional lives is influenced by several interrelated factors. In the specialist literature, we find studies that examine these phenomena and factors, such as:

a. Family relationships

One of the key elements influencing the emotional well-being of prisoners is their relationship with their families. Regular communication through visits, phone calls, and letters helps maintain emotional bonds and provides important emotional support, reducing feelings of isolation. Studies have shown that strong family ties can significantly improve the emotional health of prisoners by providing a sense of stability and belonging (Tomita, 781). Therefore, the vision of social reintegration approaches promotes contact with the nuclear or extended family through group or individual activities. The experience of professionals shows that inmates' behavior changes when their relationship with their family improves or deteriorates.

b. Social interactions within the prison

The prison environment and its subculture have a profound impact on the emotional health of inmates. Positive interactions with other inmates and supportive relationships can mitigate negative emotions. Support from peers within the prison can help inmates cope with stress and maintain a positive emotional life. Research shows that factors such as peer support and participation in prison activities influence emotional resilience and overall quality of emotional life (Ciurbea, 2023).

c. Psychological care

Access to psychological services, including counseling and therapy, plays an important role in helping inmates cope with emotional and psychological problems. Programs that promote emotional intelligence, resilience, and stress management can improve the quality of affective life. For example, treating mental health problems and substance abuse is crucial for improving the quality of life and emotional well-being of young inmates (Szabo, 2011).

d. Education and rehabilitation programs

Participation in education and vocational training programs can provide a sense of purpose and achievement and have a positive impact on emotional well-being. Rehabilitation programs that focus on personal development can help inmates build self-esteem and emotional stability. Studies underscore the importance of such programs in creating a positive emotional environment and promoting the overall well-being of inmates (, 2016).

e. Institutional environment

The quality of living conditions, including cleanliness, overcrowding, and access to basic amenities, directly affects the emotional health of inmates. A safe environment reduces stress and anxiety and contributes to better emotional well-being. Research has shown that optimal social functioning in prison is closely related to the quality of social interactions and emotional intelligence (Rusu, n.d.).

f. Health and well-being

Good physical health and access to health services are critical to overall well-being, including emotional health. Programs to combat substance abuse can significantly improve emotional stability and quality of life. The importance of addressing health issues, including mental health and substance abuse, in improving the quality of life and emotional well-being of inmates is well documented (Chiriță et al., 2013).

g. Resilience and coping mechanisms

The resilience of inmates and their ability to cope with stress and adversity play a crucial role in their emotional lives. Programs that build resilience and teach effective coping strategies such as mindfulness, meditation, and relaxation techniques can be very helpful. The development of resilience and coping mechanisms in a negative emotional climate, as well as a positive perception of the justice system, influence the emotional health of inmates (Maria et al., 2016).

h. External support and reintegration efforts

External support from non-governmental organizations and community groups can provide additional emotional and practical assistance. Programs that prepare inmates for reintegration into society, including life skills training and support networks, can reduce anxiety and improve emotional well-being. Research findings underscore the importance of external support for successful reintegration and improved emotional stability (Damboeanu & Antonescu, 2013).

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