

# RESOCIALISATION AND REINTEGRATION OF WOMEN OFFENDERS

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## **Abstract**

The aim of this paper is to bring a gender responsive approach to the proper treatment of imprisoned women in the Albanian prison system with the final goal of their successful reintegration into the society after their release from prisons. First, the paper will present the gender responsive theory and what this entails for the re-socialization and reintegration programs of imprisoned women. Further on, the author will present some findings on the main characteristics of the profile of women in Albanian prisons and based on such profiles analyse their special circumstances of life and therefore their actual needs. The paper will present and treat at length concrete variables for assessing properly the women offenders' needs in prisons. At present, these variables do not reflect a gender responsive approach but rather are designed for the male adult population in prisons and therefore, do not take into account the specificities of women offenders. As a result their needs are not properly addressed. Programming treatment in accordance to the needs for these women is still a very challenging aspect for the Albanian prison administration and the more so is the institutional support for these women by other state and non-state actors for the reintegration of imprisoned women after their release. Furthermore, the paper will deal with the psycho-social support that should be provided to these women by psychologists and social workers in prisons in order to rehabilitate, re-socialize and at the end reintegrate them into the society. At the end the paper will present the conclusions and recommendations that will be useful for the Albanian prison system and all actors of the Albanian society responsible for making women offenders' reintegration a success.

**Keywords:** *women prisoners, psycho-social treatment programs, social reintegration, assessment instrument for women offenders.*

## **I. Introduction**

Women offenders in Albania, that is women awaiting trial and the ones having been convicted with a final form court decision, compose a very small group in the entire prison population and therefore the public authorities have not the adequate attention for this group with special needs. Having in mind that women offenders need a differentiated approach in terms of evaluation of their needs and treatment programs in prisons, this paper will present the gender responsive theory and what this entails for the re-socialization and reintegration programs of imprisoned women. Further on, some findings will be presented on the main characteristics of the profile of women in Albanian prisons and based on such profiles analyse their special circumstances of life and therefore their actual needs.

The paper will present and treat at length concrete variables for assessing properly the women offenders' needs in prisons. At present, these variables do not reflect a gender responsive approach but rather are designed for the male adult population in prisons and therefore, do not take into account the specificities of women offenders. As a result their needs are not properly addressed. Programming treatment in accordance to the needs for these women is still a very challenging aspect for the Albanian prison administration and the more so is the institutional support for these women by other state and non-state actors for the reintegration of imprisoned women after their release.

## **II. Aim of paper**

The aim of this paper is to bring a gender responsive approach to the proper treatment of imprisoned women in the Albanian prison system with the final goal of their successful reintegration into the society after their release from prisons. Because the prison systems all over the world have focused historically on the majority population (men) and on those who pose the greatest risk (also men), research on the efficacy of prison system correction also has focused primarily on men. Implementing gender-responsiveness for women offenders is thus a new direction for many prison systems in the world, requiring the thoughtful attention of prison systems and individuals to achieve desired changes.

## **III. The theoretical framework of the paper and its methods**

Gender responsive theory, a contemporary theory developed by female criminologists<sup>1</sup>, lays the theoretical basis of this paper. This theory presents a comprehensive approach to women in conflict with law, therefore in all stages of criminal justice system, encompassing detention/arrest, interrogation, awaiting for trial, adjudication, sentence enforcement, imprisonment and after release period. For the sake of clarity in this paper the focus is on women offenders in the prison system, therefore this theory is referred to in this context, but its application is valid and useful for all the stages women come in contact with all relevant bodies and institutions of the criminal justice system.

The world scientific research aiming at better understanding of women deprived of their liberty starts in the '70s. It is extended and enriched during the '90s and nowadays it is known as the Gender Responsive Theory. This theory underpins the significance of getting to know, first, the paths that led women towards criminality, which are different from men and,

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<sup>1</sup> Bloom, B. Owen, B. and Covington, S. During 2003 and onwards in the U.S.A. have given a valuable contribution in drafting and enriching this scientific theory.

second, the need to have a better understanding of the specific circumstances of the lives of women offenders in order to draft and later implement policies and programs that respond to their specific needs during the period that they serve their sentence under the care of the prison system<sup>2</sup>.

The aim of implementing the policies and practices that are not only in conformity with international standards in this area, but also gender sensitive, is to create an adequate correctional environment for women that reflect an understanding of their life circumstances. To be sensitive and responsive to the specific needs of women in the criminal justice system means among others taking the decisions related to issues such as criminal coercive measures taken towards women offenders, selecting the place of accommodation for these women, selection of staff that will take care for them, drafting the adequate program, activities and services offered to them, infrastructure in the institution etc.

Gender responsive approach has several dimensions and addresses several social factors such as poverty, ethnicity, social strata, and gender inequalities as well as cultural factors. The interventions that this theory proposes to address are issues such as abuses, domestic violence, family relations, various health problems including here also the mental health problems that women have experienced and such interventions offer treatment and possibilities for women to regain different abilities. Such an approach includes helping women gain emotional, behavioural abilities and features that create a sense of personal actualization and enable women to return successful to the society.

The scientific research led by this contemporary theory highlights and analyses first and foremost the characteristics of women deprived of their liberty, including here the detained/arrested women, the ones awaiting trial, convicted women with imprisonment and those with alternative measures. These characteristics include types of criminal offence for which they are accused of, or convicted for, as well as other alternatives to imprisonment and measures; age, status, the family past; parental responsibilities; education and their employment, their histories of victimization and trauma which is often linked to their experiences caused by systematic physical and/or psychological violence etc.

These characteristics and life experiences specific for each woman offender constitute the basis of the theoretical perspectives in the work with these women in the framework of correcting them in the community where they live with the various types of coercive measures and/or measures of their treatment. Theories that explain the unique factors and their impact in women's lives lead researchers towards defining the interventions and programs that suit women in the criminal justice system.

Bloom and Covington analyses some theoretical perspectives<sup>3</sup> which serve as the basis for drafting gender responsive strategies for women deprived of their liberty such as the following:

1. *The pathways to crime perspective* which highlights that women commit criminal offenses different from men and the reasons that led them to crime are different from those influencing men. The pathway that has led a woman to crime is in the majority of the cases influenced by efforts to survive poverty and/or continuous forms of abuse;

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<sup>2</sup> Bloom, B. Owen, B. and Covington, S. (2003), "Gender responsive strategies: research, practice and guiding principles for women offenders", Washington, D.C.: Justice Department, National correctional Institute.

<sup>3</sup> Idem.

2. *Relational theory* is based on the belief that men and women have different notions of maturity, which means that men approach maturity as their road to independence as individuals, whereas women approach maturity through relations they built with others. The right understanding of establishing, maintaining and further develop the relations with the loved ones for women offenders when they are placed in closed penal institutions is very crucial for the process of correction and rehabilitation of women's behaviour and their successful reintegration into the society.

3. *Trauma theory* includes physical, emotional and psychological damage which has come as a result of direct violence and abuse. This includes also the damage caused when the person has witnessed violence exercised or in cases of experiencing different forms of discrimination on grounds of gender, race, social status etc., or due to attitudes that have led to marginalization. Trauma theory provides that effects of trauma and violence on women offenders is fundamental in influencing women being involved in criminality as well as in the way criminal justice reacts and treats these women through different interventions. This theory does not mean that women that have committed a criminal offence should not take full responsibility for what they have done. Rather this theory emphasizes that it is very important to understand the role trauma and violence has played in the lives of these women and having this in mind, appropriate interventions should be initiated and implemented by criminal justice bodies in order to address consequences of these symptoms aiming at rehabilitation and encouraging social behaviour of these women.

4. *Addiction theory* is another theoretical perspective developed by criminologist researchers that is worth to explain but that it should be highlighted that it is not a very relevant perspective for the Albanian case, since at the moment this research was carried out, there was not a considerable number of girls and women offenders that suffer from narcotic substance addiction problems. It is totally different the situation in the European countries and in other countries in the world, where the continuously increasing number of women deprived of their liberty whom have committed criminal offences including here theft and prostitution, in order to make it possible to have narcotic substances, constitute a concerning phenomenon. Based on such a theoretical perspective, the center of substance treatment has succeeded to identify 17 critical issues which should be addressed in the framework of a program for women, which is known otherwise as "Contemporary model of treating critical issues for women"<sup>4</sup>.

The paper's methods have been diverse, combining desk research with primary sources of data through the interviews realized with 70% of the total number of women offenders in pre-trial detention and prison institution in Albania. Furthermore, interviews with prison administrators constitute another source of information for this paper.

#### **IV. What is the profile of women offenders in Albanian prisons?**

If we take time to consider the main characteristics of the Albanian women in the prison system such as social/cultural, economic status, educational level, their family situation and

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<sup>4</sup> Center for substance abuse treatment, (1994): "Practical approach in treatment of women that have abused with alcohol and other drugs" (1999): Treatment of substance abuse for women offenders: Guidelines of promising practices", Washington, D. C.: Health and human resources department, Services of the administration for substance abuse and mental health. Pg. 40.

the type of offenses committed by them, it will clearly help outlining the profiles of these women.

From the entire 5122 inmates<sup>5</sup> in the prison system, 80 are women pre-trial detainees and convicted women. They are accommodated in two institutions in Tirana one a pre-trial institution and another one prison, each with separate wings for women. The data gathered through direct interviews with women, show that there are three profiles or groups of women in prisons. One group is the women who have experienced various forms of discrimination which had led to the path of committing a criminal offense. They are women “destined to crime due to social exclusion”. The other profile is represented by a group of women who have been victims of systematic domestic violence and, therefore, have committed a crime against their abusers, which I call this group, women "towards crime due to violence". While the third profile is represented by women who have chosen their own path towards crime, so these women are not necessarily forced by circumstances of their lives to commit inevitably a criminal offense, therefore, this group is called women "towards crime by choice".

Let me summarise the main characteristics of these women:

*Women destined to crime due to social exclusion:* Women belonging to this group have a low educational profile. Most of them have not completed compulsory education for various family reasons. Out of the total number of women offenders 31.5% of the women offenders have only 8 years education, ca. 12% have only some few years of education. Some of them have no professional training and have experienced poverty or family survival conditions in adolescence. In terms of data ca. 45.5% out of the total number of women for whom there are data, have been unemployed before their imprisonment, whereas ca. 44% of them were employed. In many cases, these are women have worked in the black market (ca. 83% out of the total number of those employed) and, therefore, did not benefit from social and health security. A significant number of this group of women were housewives and therefore economically dependent on their husbands or families. During interviews with some of these women have shown the fact that they are often faced with jealousy mainly from their spouses who have not allowed leaving their home community, moreover, have been unable to go to the relevant local offices to seek economic assistance or apply for work etc.

Most of these women have parental and family responsibility. Ca. 44.5% are married women, 24.6% single and 18.5% divorced. 93.2% have children and it is the same percentage of women that have two or more teenagers. Also, worth noting is that almost all Roma girls and women (12.5%) who are in the prison belong to this group. It is interesting that a considerable number of these women have migrated to neighbouring countries, mainly in Greece and Italy and, while living there, are charged and/or convicted of criminal offenses, mainly for human trafficking or narcotic substances. Many of them have started married life at a very young age leaving their compulsory education unfinished and starting their lives as mothers at a very young age.

Women in this group are accused or have committed offenses such as "theft", "fraud", "falsifying documents", "prostitution", "exploitation of prostitution", "narcotics' trafficking", "human trafficking", "production and/or sale of illegal drugs." It is worth noting that some of these offenses have been committed in conjunction with spouses, partners or family members, often forced by family circumstances and/or bad economic situation they were in.

<sup>5</sup> General Directorate of Prisons (2014). Retrieved on 30 April 2014.  
<http://www.dpbsh.gov.al/newweb/?fq=brenda&gj=gj1&kid=72>

There are many indicators that lead me to conclude that this group of women has experienced more than a form of social exclusion, factors which have direct impact on them in committing a criminal offense.

*Women "towards crime due to violence"*: The largest group of women consist of women who have committed the offense of murder against their ex-spouses, in response to systematic physical and/or psychological violence which they and/or their children have experienced. It is a very concerning fact that ca. 40% of the cases, women are either accused of or convicted with criminal offences against life committed intentionally and in some cases in cooperation with others as well as cases when there is a combination of both of these types of criminal offenses commission. The systematic physical and/or psychological violence has led to the exclusion of these women long before they committed an offense. Even during court procedures these women could not provide the judges with a consistent reasoning that led them to criminal offenses, therefore, in none of the cases, the judges used this factor as a mitigating circumstance while convicting these women. Generally, they have endured long marriage ties under systematic and intensive domestic violence. Many times they have witnessed violence exerted to their children as well, or their children were witnesses of the violence experienced by their mothers. At a certain moment of their lives, when they could not continue to live this kind of life, they addressed themselves to the criminal offense.

Interviews with battered women in the family have shown that their husbands have isolated them within their families by not allowing them to be employed, to go freely in the community, to have their relationships with friends. Narrowing their daily activities only within the immediate family, has led to their isolation and forms of domestic violence have affected the reduction of their self-esteem. The fact that they were mainly housewives and dealt only with family and responsibilities towards children has led to the situation that they are completely dependent on their abusers. While being asked how it was possible to endure this situation of violence, they identified various factors, such as their responsibilities towards children; their powerlessness to change the situation where there found themselves; the fact that they had nowhere to go, their families instructed them to stay with their husbands in good and bad times; inability to find well-paying job to keep the children if they tried to flee from violent environment; their future looked dark without remedy; fear that even if they leave their abusing husbands, their husbands will find them wherever they go and so women would come in difficulties etc.

Even when they reported the violence to the police in the community where they lived, women were faced with insensitivity of the police officers to act and put an end to the domestic violence. Indeed there were times when the police officer "advised" battered women to return to their family since they knew the perpetrator, or had prejudiced woman who reported the domestic violence. Many of the women who are abused come from remote community surroundings or small towns and, consequently, people know each other, or they come from subcultures where reporting violence remains a taboo issue. Having this said, the domestic violence cases are not properly assessed and consequently not even the seriousness of the consequences of these cases such as the loss of life of violators.

Given the aforementioned characteristics of the profile of women belonging to this group, it constitutes a clear group of women who have turned to crime affected by domestic violence. It is worth mentioning the fact that even during the court sessions, domestic violence was not considered as a decisive factor that led them to committing the murder offense. Judges did

not use this factor as a mitigating circumstance while they gave their final verdict of imprisonment for these women.

Returning home after their release from prison for women, victims of domestic violence, seems to be a problem in itself. Interviews with these women offenders in many cases have highlighted fears that they have for resuming with their lives, especially for fully restoring relations with children, close family and the community at large. Some of them have lost contact and close relationship with children, because former spouse's family have contributed to the loss of these relations, when their mother began life in a closed penal institution.

Given the above, I conclude that domestic violence has contributed to the isolation of women in the community when they lived in the free world, where they have experienced various forms of social exclusion and, moreover, has led them to performing violent offenses.

*Women "towards crime by choice"*: Few women belong to this group in closed penal institutions in our country. In the pre-trial detention facility they constitute one third of the total number of women, while in prison there were only two cases of women with this group profile<sup>6</sup>. These are women with a good level of general education, they may have finished secondary education or vocational training courses. In some cases they have completed further education and, therefore, come with an independent economic past. Women who have completed secondary or higher education, have been employed or self-employed in small or medium size businesses.

Generally, they come from a middle social class, from healthy families, with both parents and with a sustainable economic level, lived a good life and had childhood without serious trauma. Results from interviews have shown that they were employed, but, despite this, they had greater expectations for their financial situation, because they come from a middle class. Of course, even these women have experienced financial difficulties and troubles in life, but have not experienced the degree of exclusion like women from the first group.

The types of offenses for which they have been charged or convicted, inter alia, are: "fraud", "disobeying orders of the official of public order police", "counterfeiting money", "falsifying documents", "drug trafficking", "revealing secrets of a company", "sexual exploitation".

Most of these women are relatively young and few of them are mothers. These women have an atypical lifestyle, not "submissive" like women of the first and second group. They are more aware of their rights and have often raised their voice to the injustices that were done to them during their stay in police commissariats, court hearings, and then, in closed institutions. However, based on their statements during the interviews, it can be concluded that, although these women led themselves to committing a criminal offense by choice, unlike women of the first and second group, still they were not aware of everything they have chosen or done, moreover, not fully aware for the consequences of their actions.

Given the profiles of the three main groups of women in prison, it is worth recommending appropriate interventions for the re-socialisation and reintegration of these women into society.

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<sup>6</sup> Papavangjeli, E. (2014). Women offenders and their re-integration into the society – gender perspective in criminal justice system. Tirana: University of Tirana, published at <http://www.doktoratura.unitir.edu.al/wp-content/uploads/2014/02/Doktoratura-Edlira-Papavangjeli-Instituti-Studimeve-Europiane.pdf>

## V. Conclusions and Recommendations

The researchers of the Gender Responsive Theory, but also the findings of this paper, highlight that what functions for these women is a multi-faceted approach addressing a set of their needs. Treating women while being gender responsive take into consideration the factors that lead these women towards committing the criminal offence, consequences of trauma and victimization due to violence experienced by women are accepted and treated as well as are taken into close consideration the special need of women to maintain family and children relations.

Gender responsive principles<sup>7</sup> shortly presented below constitute the basis that orient the way the problems should be addressed on issues related to management, supervision and treatment of women offenders, while these women face different institutions of the criminal justice system. While considering these principles, concrete recommendations are presented below to be taken into close consideration by policy and decision makers at the General Directorate of Prisons and management of prisons accommodating women offenders:

1. *Gender*: Acknowledge that gender makes a difference: First step in implementing gender responsive programs is to understand the right way that women offenders are very different from men offenders. If we share this understanding that gender makes a difference, this will lead to implementation of programs and policies drafted for women starting with the way how the needs of these women are assessed through a proper assessment/classification tool which should be “woman oriented”. It is strongly suggested that the screening tool for first entry women in penal institutions should have the following variables: criminal history; education; financial/employment situation; family conflicts; conflicts with other family members/relatives/friends; housing guaranties; history of the anti-social behavior; history on drugs/alcohol; present drug consumption; psycho-social status/mental illnesses history; present depression level; present psychosis; present anti-social behaviors; anger management; abused at childhood; violence experienced at an adult age. Having these specific needs of women offenders, prison authorities are fully able to build an individualized treatment program that focuses on building social skills and prepare women for successful re-entry into society.

2. *Environment*: Create an environment based on safety, respect and dignity: Based on the experiences brought by women in this research, many of them have faced criminal justice institutions with feelings of fear. Many of them come from a past that they have experienced violence, they are victimized by close family members and often they have experienced trauma as a consequence of victimization. Prison professionals should be sensitive towards these specific circumstances and therefore, should not repeat patterns of victimization towards these women for example in drafting and implementing a gender sensitive disciplining policy for women, in building trusting relations with prison staff and other people who care about these women etc. Continuous training prison staff that work with women on how to built safe climate for women offenders is another important aspect to be considered by Albanian prison authorities.

3. *Relationships*: Develop policies, practices and programs that are relational and promote healthy connections to children, family, significant others and the community where they will return: It should be rightly understood the importance it takes for these women, the

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<sup>7</sup> Bloom, B. Owen, B. and Covington, S. (2003), “Gender responsive strategies: research, practice and guiding principles for women offenders”, Washington, D.C.: Justice Department, National correctional Institute.



establishment and maintenance of relationships with others. For example special program activities for mothers in prison on parenting are responding to the women's needs in this regard. Institutionalizing initiatives between prison and other institutions such as orphanages or communal care centres where children stay is another concrete initiative that should be given priority since the first day women enter prisons.

4. *Services and supervision:* address issues of mental health, substance abuse, trauma through comprehensive, integrated, culturally relevant services adjusted to the reality of the country. These services should be appropriately supervised by well-trained personnel of penal institutions. Special programs for reducing trauma and victimization and building self-esteem of women should be part of the treatment programs in prisons. There are some fragmented good activities organised in prisons but still it is needed to have these programs as integral part of prison treatment program. Differentiated special care treatment by a multi-disciplinary group of professionals should be provided to women with different mental ill problems in special prison units. There is a good experience in one of the prisons with the functioning of the special care unit but still there is a need to consolidate this experience and coupled with continuous training of all staff that work in such units.

5. *Economic and social status:* Create possibilities for women to improve their social and economical status. It should be taken into account that women turned to the pathways of criminality, in the majority of the cases, due to their bad social and economical situation. Often their rehabilitation depends on their abilities to be economically independent. Their bad economical and social status prevents them from benefiting from goods and services in their interest, turning them into marginalized individuals. During their stay in penal institutions, women should be provided with full support aiming at enabling them economically, including here not only programs offered in prisons but also preparation for release programs implemented by all relevant institutions outside prisons. Prison program at present offers vocational training for women in sewing, hairdressing, green housing, cooking, foreign languages and computer courses, but nevertheless, the types of vocational training courses are not offered based on an assessment of labour market and the demands of this market but rather on tradition in offering to women these types of vocational courses. Having this said, it is strongly recommended to diversify the vocational courses based on the most required types of work from the labour market and the women offenders' interests for such courses. This will be more effective in helping women get job skills which are important for their reintegration into the society. Another aspect of support which should be given to women to strengthen their economical status, is that prison authorities liaison with local employment and social care offices to see opportunities of how these women can benefit from different support and economical aid programs that already exist.

6. *Community:* Establish a system of community supervision and successful re-entry of women. This means that developing and later implementing gender responsive programs for women offenders requires cooperation and collaboration with comprehensive services of other structures of the criminal justice system such as probation service, prosecution office, courts, police, municipalities and communes, free legal aid offices, regional employment offices, social services local offices, juvenile custodial institutions, shelters, educational and vocational training institutions, health care institutions, NGOs offering different services etc. Each of these institutions is a potential partner in the cooperation process in order to guarantee services in the framework of a designated program at the level of the institution and individual case level for each and every woman. It is strongly recommended that this cooperation starts in prison when these women are still waiting for their release. This

cooperation should not be depended on the good will of the prison management but should be institutionalised and, therefore, this way guarantees the sustainability of services and economic support for these women.

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