

Mujeres tras las rejas en Grecia

Women behind bars in Greece

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WOMEN BEHIND BARS IN GREECE*

MUJERES TRAS LAS REJAS EN GRECIA

MULHERES ATRÁS DAS GRADES NA GRÉCIA

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ABSTRACT

The article refers to the circumstances of female prisoners in Greece after 1980 and the next decades, taking into account the UN Bangkok Rules of 2010.

The findings are mainly based on national and European statistics, watchdogs' reports, as well as press releases and strategy plans of prison officers' and prosecutors' unions.

According to our findings, women have slightly higher crime rates at younger ages than in the past, and generally the type of crimes they commit has changed.

As for the prison organization and living conditions of female prisoners, the main problems are the unequal division of personnel in the two prisons examined, the chronic understaffing of specialized

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and healthcare personnel, the poor training and pessimistic attitudes of prison officers, and the inadequate operation of training and education programmes connected to their reintegration. However, the greatest challenges in today's correctional facilities is security and the prevalence of narcotics in the prison. Therefore, advanced security systems, as well as discreet surveillance and body scanning are absolutely necessary to prevent the contraband.

Prison authorities and the Ministry of Justice are aware of the gender specific issues and sensitive to these. What is missing is a radical reform of prison management and modernisation in the whole correctional system of the country without abandoning its leniency and boosting the confidence of the staff in order to help them support the prisoners.

Moreover, there is still time for the organisation and promotion of an "early warning system" in order to stop an increase in females' criminality and their rates in prison population.

KEY WORDS

Female prisoners' rates; sentencing policy; time in prison; Human Rights; prison staff; aftercare.

RESUMEN

Este artículo trata las circunstancias de mujeres prisioneras en Grecia después de 1980 y las siguientes décadas teniendo en cuenta las reglas de Bangkok de Naciones Unidas de 2010.

Los resultados están principalmente basados en estadísticas nacionales y europeas, informes de guardianes, además de comunicados de prensa y planes estratégicos de la fiscalía y funcionarios de prisiones.

De acuerdo con nuestros hallazgos, las mujeres tienen una tasa de delincuencia ligeramente más elevada y a una más edad temprana que en el pasado; generalmente el tipo de crímenes que cometen ha cambiado.

Respecto de la organización de la prisión y las condiciones de vida de las reclusas mujeres, los principales problemas son la división desigual de personal en las dos prisiones examinadas, la constante falta de personal especializado y de

atención sanitaria, el escaso entrenamiento y las actitudes pesimistas de los funcionarios de prisión, así como el funcionamiento deficiente de programas de capacitación y educación vinculados con su reinserción. Sin embargo, los mayores retos en los establecimientos penitenciarios actuales son la seguridad y el predominio de narcóticos en la prisión. Por lo tanto, sistemas de seguridad de avanzada, además de una vigilancia prudente y escaneo corporal son absolutamente necesarios para prevenir el contrabando.

Autoridades penitenciarias y el Ministerio de Justicia están al tanto de las problemáticas específicas del género y son sensibles a éstas. Lo que falta es una reforma radical en la dirección de la prisión y la modernización de todo el sistema penitenciario del país sin dejar de lado su indulgencia y, estimular la confianza del personal para ayudarlos a respaldar a las prisioneras.

Además, todavía hay tiempo para la organización y promoción de un "Sistema de alerta temprana" para frenar el incremento en la criminalidad femenina y su porcentaje dentro de la población carcelaria.

PALABRAS CLAVES

Tasa de mujeres en prisión, leyes de sentencia, tiempo en prisión, Derechos Humanos, personal penitenciario, reinserción.

RESUMO

O artigo refere-se às circunstâncias de prisioneiras na Grécia depois de 1980 e nas próximas décadas, tendo em vista as regras de Bangkok UN de 2010.

Os resultados baseiam-se principalmente em estatísticas nacionais e europeas, relatórios dos cães de guarda, bem como comunicados de imprensa e planos de estratégia dos sindicatos, dos oficiais da prisão e dos promotores.

De acordo com nossos resultados, as mulheres têm um pouco mais elevadas índices de criminalidade em idades mais jovens do que no passado, e geralmente mudou o tipo de crimes que cometeram.

Quanto à organização da prisão e das condições de vida de mulheres presas, os principais

problemas são a divisão desigual do pessoal nas duas prisões pesquisadas, a falta crônica de pessoal de especializado e de saúde, o treinamento pobre e atitudes pessimistas dos oficiais da prisão, e a operação inadequada dos programas de treinamento e educação ligados à sua reintegração. No entanto, o maior desafio em estabelecimentos prisionais de hoje é a segurança e a prevalência de narcóticos na prisão. Portanto, avançados sistemas de segurança, bem como a vigilância discreta e corpo digitalização são absolutamente necessários para evitar o contrabando.

As autoridades prisionais e o Ministério da Justiça estão atentos às questões de gênero específico e são sensíveis a estas. O que falta é uma reforma radical de gestão da prisão e a modernização do sistema correcional do país sem abandonar sua clemência e aumentar a confiança dos funcionários a fim de ajudá-los a apoiar os prisioneiros.

Além disso, ainda há tempo para a organização e a promoção de um "sistema de alerta precoce" para evitar um aumento na criminalidade das fêmeas e as suas taxas na população carcerária.

PALAVRAS-CHAVE

Taxas dos prisioneiros femininos; política de condenação; tempo na prisão; Direitos humanos; agentes penitenciários; cuidados posteriores.

INTRODUCTION

This article discusses the situation of female prisoners in Greece after 1980 and for the next decades.

Our intention is firstly to examine the eventual changes in the types of crimes committed by women and convicted with a prison sentence and their proportion in the prison population during the last thirty years, which includes a period of economic welfare and development (1980s), and a period with the relatively unguarded borders and a high inflow of immigrants (1990s, 2000s). Unfortunately, little data have been published and are available when the article has been submitted for the period after after 2010 in order to sufficiently examine the conditions since the beginning of the economic crisis in Greece. Secondly, our intention is to discuss the incarceration of women in correctional facilities.

Prisons for men and those for women operate under the same rules. In accordance with Greek prison regulations, women's prisons are additionally required to adjust to their gender requirements and corresponding needs. However, gender specific standards have not been issued.

The adoption of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) in December 2010 represented an important step forward in recognising the gender-specific needs of women in criminal justice systems and providing the standards that should be applied in their treatment.

The prison systems, including the physical layout, healthcare provision, family contact and training opportunities, are typically designed with male prisoners in mind (2013, p. 4).

Until the adoption of the Bangkok Rules, international standards had not properly reflected the specific needs of girls and women, both in regard to the conditions of detention and to alternatives to imprisonment. According to Penal Reform International, to Bangkok Rules, because women and girls represent two to ten percent of the global prison population, their characteristics and needs have remained unacknowledged and largely unmet by criminal justice systems. The Bangkok Rules are also the first international instrument which specifically addresses the issue of the children of female prisoners. All UN member states are encouraged to implement the Bangkok Rules in the administration of penal institutions, and to consider incorporating them in relevant legislation. Nonetheless the rules are not binding instruments that states sign and ratify. Therefore, countries are not legally obliged to comply with them, even after endorsing them.

The present article will initially outline the International and National Human Rights protection for female prisoners in Greece, as well as certain issues referring to criminal law and criminal procedure law and the followed sentencing policy. Further on, the proportion of women that are counted in official crime rates and in prison populations according to their offense during the study time will be examined. The criminal career and social profile of convicted women, as well as the sentences they serve will be sketched out. Moreover, issues of prison life, such

as healthcare, drug rehabilitation programmes, safety and security, incarcerated women residing with their children in prison, contact with the outside world, and aftercare will be presented, taking into account the reports of European and national watchdogs and the context of Bangkok Rules (hereinafter: BkR). Finally, a short assessment of the situation of female prisoners will be carried out and open issues to improve their treatment will be presented.

1. Sources, methods and limitations of the study

The findings of this study are based on three lines of evidence. **The first source** is official crime and prison data (ELSTAT) - provided by the Ministry of Justice, police records, population (ELSTAT, 2013-2015) and Eurostat statistics (2008-2013, 2015b), as well as the Council of Europe's, Annual Penal Statistics as presented in SPACE surveys (2010, 2012-2014).

The second source of the study are all primary research publications referring to imprisoned and released women and publications on the blog operated by the correctional personnel and convicted women of one of the two women's prisons.

The third source are international organisations' or European reports such as the Eurostat Yearbook (2015a), the UN Committee on the Elimination of Discrimination against Women (CEDAW), the European Committee for the Prevention on Torture (CPT), documents of the Greek Centre of Gender and Equality Studies, articles in the Press, releases of the Prison Officers' Federation (Correctional Officers and External Prison Guards), as well as of Prosecutors' Association (EEE).

2. Results

From our research we found that in Greece, the proportion of women included in official crime rates and prison population statistics shows an increasing trend since the 1990s.

Women have slightly higher conviction rates at younger ages (26-36) than in the past. The types of crimes they commit have changed with violations of drug legislation remaining in the top three offences for which women are imprisoned. In first place are offences against public welfare / 'common dangerous

crimes' i.e. building regulations; violations against labour welfare legislation: insurance and pension funds etc., and second are crimes in relation to the performance of the official duties of civil servants (e.g. bribery), public order offences, and absconding (or the attempt to abscond) from prison.

The proportion of imprisoned women in the total prison population shows a small increase after 1990, reaching the highest levels in 2000 and 2005. The rates of female prisoners compared to the total female population also rise.

Not only is the commitment of women to criminality higher than before 1990s, but also their participation in all prison sentences, from short to long, in relation to the men. In general, women serve at a higher rate than men a short sentence of up to three years, probably related to the severity of their crimes. The rates of women serving a sentence over 10 years to life have been constantly decreasing during the last three decades, while the rates of men show a gradual increase up to six percent.

An increasing trend is also apparent in the imprisonment of young females with a rise in absolute numbers between 1998 and 2001 - which however remain low (until 1997, 1-7; since 1998, 66-31). The development of their sentencing does not show significant changes during the course of time though, with the majority serving sentences up to six months.

As for the prison organisation and living conditions of female inmates the main problems are the unequal division of personnel in the two prisons examined, the chronic understaffing with specialised and health care personnel and the inadequate operation of training and education programmes for the female inmates.

The briefing of prisoners by the admission staff relative to the dangers of denying health screens, including for sexually transmitted diseases or blood-borne diseases (BkR, 6[a]) is, according to the reports of the European Committee for the Prevention on Torture (CPT), inadequate. In addition to the above, regular tests for infectious diseases (hepatitis etc.) are not integrated into prison life (BkR, 6[a], 17).

Despite the long existing drug sensitisation, mobilisation and rehabilitation programmes

for female prisoners, a separate unit or facility for detoxification of substance abusers is still unavailable (BkR, 15).

The Greek penal system foresees and provides several possibilities for those convicted and serving short sentences not to be imprisoned and it is especially generous to young females (BkR, 65), and mothers with toddlers. As far as juveniles are concerned, the operation of a special department for females is not a solution, because it would be soon filled following the development of the young males' institutions. Contact with the outside world is more than liberal in relation to other European countries as well (BkR, 26, 27, 28). Humane treatment of all prisoners was and remains at the core of Greek prison policy (see also, although not explicitly, Koulouris & Aloskofis, 2013, p. 31).

Prison authorities and the Ministry of Justice are aware of the gender specific issues and quite sensitive to these. However, the limited training of prison officers, along with general and special security issues that arise is a serious problem for the smooth management of all prisons. They also cause the staff to feel demoralised because they are unable and powerless to adequately deal with prison problems, such as collective disorder and violence. In addition, prison security infrastructure to manage and respond to prison incidents remains basic.

In Greece, the human rights' legislation for the protection of prisoners and of female prisoners in particular, as well as the supervision of its operation is sufficient. However, much can be done to better comply with the country's commitments with international law and the Bangkok Rules, and this would require a reform of prison management, investment in training of personnel, as well as in modernisation of prisons' infrastructure.

3. Research analysis

3.1. International and National Human Rights Framework

Greece is a contracting party to the following international and European human rights treaties and conventions that specifically concern women:

- **The UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)** 1979 - Signature 2 March 1982;

Ratification, Accession(a), Succession(d) 7 June 1983 (Law 1342/1983, Government's Gazette 39/A/1983);

- **The UN Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW-OP)** 1999 - Signature 10 December 1999, Ratification, Accession(a), Succession(d) 24 January 2002 (Law 2952/2001, Government's Gazette 248/A/2001);

- **The CoE Convention on preventing and combating violence against women and domestic violence** 2011, Signature Greece 11 May 2011 (Status as of: 15/10/2013); and

- **The UN General Assembly Resolution Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development, in particular 23/...Accelerating efforts to eliminate all forms of violence against women: preventing and responding to rape and other forms of sexual violence**, Signature Greece 11 June 2013.

These treaties are incorporated into national legal order by the issuing of Laws and Decrees.

As far as other international human rights treaties and conventions are concerned (which are of specific importance to women in prison as well), Greece is also a contracting party to: **the Universal Declaration of Human Rights/UDHR (A/RES/217)** (1948); **the UN International Covenant on Civil and Political Rights/ICCPR** (1966) and its two Optional Protocols (1966, 1989), Law 2462/1997; **the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment** (1984), Law 1782/1988; **the European Convention on Human Rights/ECHR** (1950/1953); **the European Convention for the Prevention of Torture** (1987); and **the European Social Charter** (1961).

Fundamental human rights are directly enforceable through the domestic courts. Moreover, the citizens have a right of complaint to an international judicial body a) if they have previously used up all legal means offered by the national law, and b) if a state or if the Greek state has violated some of their rights included in the articles of the European Convention on Human Rights and its Protocols.

In February 2013 the UN Committee on the Elimination of Discrimination against Women/ CEDAW has visited Greece and in March released its seventh periodic report of Greece adopted by the Committee. More specifically, CEDAW noted the difficult situation faced by women in prison, particularly with regard to severe overcrowding of cells, non-separation of pre-trial and convicted detainees, as well as the non-separation of persons under administrative detention from criminal detainees, the detention of irregular migrants, refugees and asylum-seekers and women's limited access to adequate health facilities and services, free legal aid, as well as the lack of effective judicial review and prolonged arbitrary detention (2013, paras. 34, 35).

The Committee urged Greece to: a) Take measures to reduce the number of women in detention, including through targeted prevention programmes aimed at addressing the causes of women's criminality; b) Address the situation of women and girls in detention through the development of comprehensive gender-sensitive policies, strategies and programmes aimed at facilitating their access to justice and ensuring compliance with their fair trial guarantees; and providing educational, rehabilitative and resettlement programmes for women and girls; and c) Improve the conditions of women's detention facilities in accordance with international standards, to solve the problem of overcrowding in prisons, guarantee separate accommodation for different categories of detainees; and ensure the provision of adequate health facilities and services, in accordance with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) (CEDAW, 2013, par. 35; cf. CEDAW, 2012, paras. 21, 22).

However, in regard to the above critical points in the CEDAW report (2013), and in particular, the non-separation of pre-trial and convicted detainees cannot apply to women because already in May 2008, the Prison for convicted women in Thiva/Viotia prefecture began operating and separately in the old facility of Korydallos/ Pireaus remained the women awaiting their trial. In January 2014 the total number (stock) of imprisoned women was 618 and their corresponding percentage to the whole prison population was 5.1%, 153 (24.7%) of them were on remand (see also ICPS, 2014).

Concerning now the other point of CEDAW criticism, that "administrative detainees, irregular migrants, refugees and asylum-seekers" are placed in prison facilities, it is true, but they are detained *only* if they have committed a crime and *not* because of their status. Otherwise, some may stay in prison establishments short term and only as "guests", as described in the official statistics (Ministry of Justice, 2003-15), due to overcrowding in undocumented immigrants' centres until they will be transferred to them.

As far as "the lack of free legal aid" is concerned that CEDAW is critical of, according to Greek law and practice *all* defendants irrespective of their gender, race etc. have certain rights at the pre-trial and trial stage included in the Constitution and the Penal Procedure Law. To the previous rights have to be added those deriving from International and European conventions ratified and integrated into the national law (cf. Constitution Art. 28[1]). The most important is the right to be heard (Art. 20 Constitution; also 287[5] Greek Penal Procedure Code/GPPC) and the "presumption of innocence" (UDHR, Art. 11[1]; ICCPR, Art. 14[2]; ECHR, Art. 6[2]; EU-Treaty, Charter of Fundamental Rights of the Union, Art. II-108), which until now applies to the whole penal procedure and which, unfortunately, is frequently disregarded by the private mass media, especially television, in certain reported cases (Androulakis, 2003, pp. 27-30). Moreover, the accused/suspect has the right to appoint a defence counsel (no more than two) from the very beginning of the police or judicial investigation (or to receive legal aid if s/he is indigent) and to communicate with his legal counsel at any stage of the investigation (GPPC, Arts. 96, 100, 273[2]).¹

In "crimes caught in the act" the short time-period s/he is to be brought before the court, limits the defendant's ability to present an adequate defence. Therefore s/he may request a delay to prepare their defence, and the court is obliged to grant it, but no more than three days (GPPC, Art. 423[1]).

1. Although the law provides for persons in detention to have access to a lawyer from the very beginning of the investigation, the practice is, unfortunately, sometimes different. The CPT, during its 2005 visit, registered a number of allegations according to which the access to a lawyer had been delayed for up to three days (CPT/Inf (2006) 41, par. 39).

In conclusion, during the pre-trial phase in felonies and serious misdemeanours to which pre-trial detention can be imposed, the defendants must be legally represented. In case that s/he is not already represented by private counsel and is unable to afford one, the court appoints an attorney. S/he is a private defence attorney paid by the state (GPPC, Arts. 100[3], 340[1 section b], 376, 423[1 section a]). In less serious misdemeanours by the request of the defendant the court must nominate a counsel; it is also usual for the court to nominate a defence counsel even without the request of the defendant.

In trial phase, although the law provided for decades the appointment of a counsel cost-free for cases in civil courts (legal aid - "privilege of indigence" Civil Procedure Code, Art. 194), in criminal courts this wasn't the case. The court appointed an attorney free of charge and the Athens Bar Association provided legal assistance for special categories of offenders in economic need as aliens, minors, Roma or drug addicts. Bar Associations in other cities of the country provided sporadically legal aid. Such aid was and is still offered for specific cases by the National Refugee Council, the Marangopoulos Foundation for Human Rights, the Office of Legal Aid of the Law Faculty of the University of Athens in co-operation with the Athens Bar Association etc. (Spinellis & Spinellis, 1999, pp. 31-32). Since 2004 the law (3226) provides full legal aid (see also EJN, 2005, 2007). Since 2007, minors are also entitled to legal aid if they are victims of sexual crimes, trafficking, exploitation or victims of crimes against their personal freedom (Art. 1[3] as amended by Law 3625/2007, Art. 6[1,2]).

The law also foresees the assignment of an attorney during the court trial for defendants, who do not have the financial means to appoint a lawyer themselves, charged with felonies or misdemeanours of the authority of the three-member court and for all courts of appeal (Art. 7[2]). In addition, they are appointed in criminal proceedings for civil claims of torture victims, as well as for violation of human dignity and several other crime groups, if they are felonies or misdemeanours under the authority of the three-member court for which imprisonment of at least six months is foreseen (Art. 7[3]).

Legal aid is granted by the judge or the president of the district court in which the

case is to be adjudicated or is pending (Law 3226/2004, Arts. 3[1 section a], 6[1], 8[1]). For minors, not only the court but also the prosecutor, the investigating judge or the judicial council can appoint a counsel, if it is regarded as necessary (Art. 3[5] as amended by Law 3625/2007, Art. 6[3]). In issues irrelevant to a trial, legal aid is granted by the one-member district court of the applicant's residence (Art. 8[1] refers to civil cases). The Law (3226/2004) foresees also the advisory aid that may be provided in criminal cases by the duty prosecutors and the supervisory prosecutors of the prison establishments, or in civil cases by the presiding duty judge of the authorised district court (Law 3226/2004, Art. 5) (Lambropoulou, 2012, p. 435). Therefore, it is an unreasonable criticism by CEDAW that women, in particular, have limited access to free legal aid. The same applies to the third critical point of CEDAW about the lack of effective judicial review and prolonged arbitrary period of detention of women, because detention is under several forms of review, i.e. automatic, ex officio and by the detainee him/herself (see also Lambropoulou, 2012, pp. 424-425, 427-430).

The GPPC foresees two forms of automatic *detention-term control*. The first one is the control of *continuing* or not the pre-trial detention up to one year, namely six more months (Art. 287[1]), and the second one is the control of extension or not of the one year to the maximum term of 18 months (Art. 287[2]).

Apart from the automatic control, the suspect/defendant him/herself can initiate proceedings for release. In particular, the *detainee* can apply for the revocation or the replacement of the detention (or the remand on bail/restrictive conditions). The application is to be submitted to the investigating judge up to the end of the inquiry, e.g. up to the time s/he forwards the file to the prosecutor (GPPC, Art. 286). Yet, it can be applied later, in fact at any time, but not by the accused of drug laws violation, who can submit his request only after two months of the detention enforcement. If his/her request is rejected, s/he can apply again after one month from the previous refusal (Law 1729/1987, Art. 21; Law 3459/2006, Art. 42[2 section b]). At the end of 2009 the previous regulation was fully replaced (Law 3811/2009, Art. 25[4]), with a vague notification according

to which “the decision for pre-trial detention or its continuation should take in any case into account the indices showing that the accused is addicted to drugs”. The time spent in detoxification centre is calculated as part of the detention time or the imposed sentence (Law 3459/2006, Art. 32[1 section e]).

The detention or the release on bail can be also removed *ex officio* by the investigating judge or after the suggestion of the prosecutor (GPPC, Art. 286[1 section a]), or the application of the investigating judge to the judicial council. Additionally, the investigating judge can replace the detention with restrictions and the restrictions with remand (GPPC, Art. 298), justifying in detail his/her order and after the written response of the prosecutor (GPPC, Art. 286[1]). S/he can likewise replace the imposed restrictions with others.

The detainee can lodge an appeal against the decision of the investigating judge who denied his/her application for revocation or replacement to the judicial council, within five days after the announcement of the rejection (GPPC, Art. 286[2 section b]). The rejection of detention’s revocation causes no precedent, thus it can be filed again by the accused as many times as s/he wishes.

The second, and perhaps the primary, procedural alternative which offers the law to the accused is that s/he may challenge the *lawfulness of the warrant* of pre-trial detention to the judicial council, which decides definitely on the issue (GPPC, Art. 285[1]). Filing an appeal does not have a suspending effect and after its lodging the investigating judge can continue the inquiry until the judicial council meets its decision (GPPC, Art. 285[2,5]).

Criteria which are taken into account for the review are: the progress of the investigation and the existing of special or general preventive reasons. Several specialists note that the overuse of pre-trial detention does not correspond to its role, which is to ensure the defendant’s appearance at trial, and not to operate as a means of “pre-sentencing” (i.e. making the accused serve some of his/her anticipated sentence) (cf. Anagnostopoulos, 2013). This is what the bar associations during the very last years often refer to in their information magazines, flyers, and press releases (*The Lawyer’s Tribune*, 2009, p. 10; Papadamakis, 2004, p. 305; see also US Department of State 2013/2014, section

1d, p. 8) and that pre-sentencing contradicts the presumption of innocence² (Androulakis, 1974; 1994; pp. 184-198 Mylonas, 2001, p. 707).

Criticism on long sentences and remand time, the overcrowding in prisons and detention centres along with the prisoners’ unrests in November 2008, resulted in the issuing of measures and legal amendments (December 2008). The *upper* level of pretrial detention was reduced from 18 to 12 months for felonies to which a prison sentence of five to ten years is foreseen. For felonies, for which either longer imprisonment (over ten years) or sentenced to life is foreseen, the upper level of pretrial detention didn’t change, since it can be prolonged for six more months as before. However, it was emphasized that the prolongation refers only to *absolutely exceptional cases* and to the above mentioned crimes (GPPC, Art. 287[2]).

In particular, as far as the CEDAW criticism of “prolonged arbitrary detention” concerns, on October 11, 2011 three persons, among them was one woman, accused of serious terrorist crimes were released before the adjudication of their case, exactly because of the completion of their pre-trial (detention) time. Until June 20, 2012, when two of them disappeared, their trial hadn’t yet taken place. Similarly, one more terror suspect had been released for the same reason, and disappeared on February 10, 2014. Nevertheless, all three have been rearrested after four and five years being at large. After all, the CEDAW report has inaccuracies and raises doubts about the reliability of its sources.

According to the **Greek Constitution** (1975/1986/2001/2008), **legislation, measures, policies and good practices apply without differentiation to all people, men and women** (Arts. 4, 5). Any further distinction between imprisoned men and women, or special provisions that are of importance to women in prison are not foreseen by the Constitution.

Prison Law (2776/1999, Art. 3) also forbids any discretionary treatment of the prisoners

2. *The presumption of innocence places the legal burden on the prosecution to prove all elements of the offence - generally beyond a reasonable doubt: in dubio pro reo - and to disprove all the defence arguments.*

(or detainees). Special treatment is provided only for juveniles and the mentally ill. However, prison law foresees that female prisoners are strictly separated from men, and prison rules and conditions are adjusted to their gender and corresponding needs.

The Greek Prison Law (GCC) and the Internal Regulation(s) of the prison institutions are generally based on the UN Standard Minimum Rules for the Treatment of Prisoners (1955), the UN Basic Principles for the Treatment of Prisoners 1990, the European Standard Minimum Rules for the Treatment of Prisoners drawn up by the Council of Europe in 1973, the Recommendation Rec. (2006)2, which updated the European Prison Rules in 2006 and replaced the Recommendation No. R (87)3 of the Committee of Ministers of CoE from 1987. Prison Law is also based on special Recommendations of CoE about the pre-trial detention (No. R(80)11), the furloughs (No. R(82)16), the detention and treatment of dangerous offenders (No. R(82)17), the detention of foreign prisoners (No. R(84)12) etc. All these rules constitute the context of prison policy in Greece. The UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment 1988 (G.A. res. 43/173), although it has not drawn any special attention to women convicts, it has attracted the great attention of various Greek NGOs and Research Institutions in the country, the media, in particular the Press, and country branches of international organizations to irregular migrants (i.e. UN High Commissioner for Refugees, Amnesty International, Greek Council for Refugees, National Commission for Human Rights), as well as the Greek Ministry of Interior, the Police, and the national Ombudsman's Office.

3.2. Facts and figures

In Greece 33 correctional institutions are operating in total. Two of them are for women, one for those awaiting their trial (Korydallos/Pireaus prefecture) and the other one for those convicted (Thiva/Viotia prefecture).

Few women either from Northern or from Southern Greece usually serve their time in one of the male prisons in the north (Diavata/Thessaloniki) or the south (Neapoli/Crete) of the

country respectively, in separate wings, so that they are not far from their homes. The allocation is also associated with the jurisdiction of the court and the severity of their crime (misdemeanour courts; courts of Appeal in bigger cities).

The female prisons' capacity is 570 positions; 300 for convicted and 270 for remand. According to the data of the last two years, the occupancy level for both facilities was ranging between +8.4% and +13.5% (2014: 618-647; 2015: 572), while only for the convicted was ranging between +28% and +55% (384-465).

According to the 2011 Census, the "**de facto**" population in Greece is 10,815,197 residents, 49% male and 51% female (ELSTAT, 2013, p. 1, Table 1).³

The country's **labour force** is 4,862,900 people, of whom 27.3% were unemployed in 2013 and 27.8% in 2015 compared with 16.5% in 2011 (ELSTAT, 2014: 8). The unemployment rate is higher for females (2014: 29.6%) than for males (2014: 23.3%) and for the ages 15-24 (51.5%), followed by the age groups of 25-29 (41.1%) and of 30-44 (24.7%) (ELSTAT, 2014, pp. 6, 8). According to level of education, the highest unemployment is among those finished the lower (30%) and upper secondary school (29%), followed by those who have finished technical-vocational educational schools (27%) (ELSTAT, 2015, p. 2, Table 2).

According to the latest Eurostat publications (2017), the GDP per capita in PPS (Purchase Power Standards) in Greece is 33% (EU-28, 100%) below the EU-28 average. Since the beginning of the economic crisis in 2010 the per capita GDP of the country has been constantly decreasing. In 2013, it was 25% below the EU average, and 29% by 2015 (Eurostat 2016, 2017). For 2013, Trading Economics identifies GDP per capita in PPPs at \$23,746 and based on the latest figures for 2015 at \$24,094, while in accordance with other estimations is lower.

3. According to newer calculations, the population has risen to 10,940,777 (see ELSTAT, 2014: 4). The article is based on the publication of 2013.

3.2.1. Women in detention (pre-trial and trial detention)

Table 1: Women in (pre-trial and trial) detention at the end of the year (stock*) in time series (1970-2010, 2014)

Year	1970	1980	1990	1995	1998	1999	2000	2001	2005	2006	2007	2008	2010	March 2014
Total number of women	17	37	90	86	158	114	126	111	248	226	229	244	269	222
Total number of men	478	626	1506	1900	2246	1638	613	1786	2828	2820	2630	2871	3382	2519
% women of detainees	3,4	5,6	5,6	4,3	6,6	6,6	17,1	5,9	8,1	7,4	8,0	7,8	7,4	8,1
% women detainees of total female population in Greece	0,000	0,007	0,002	0,002	0,003	0,002	0,002	0,002	0,004	0,004	0,004	0,004	0,005	0,004
Total	495	663	1596	1986	2404	1732	739*	1897	3076	3046	2859	3115	3651	2741

Source: ELSTAT, 1970, Table G1, p. 87; ELSTAT, 1980-1995, Table G11; since 1998 online Table G01.YP; Eurostat, 2008, 2009, Table 8, 2012, 2013, Table 9; Ministry of Justice, 2014.

Note: In 2000, 777 detainees of unknown gender are not included.

* A 'stock' variable is measured at one specific time, and represents a quantity existing at that point in time (December 31/January 1 each year)

As we see from the Table 1, the absolute numbers of women detainees at the end of the year have increased more than six times (17/37 - 269/222). However, their proportion in the detainees' total follows only a *slight* but regular upward trend, apart from the high increase in 2000 (17.1%). On the contrary, the men's proportion in detention decrease, despite some fluctuations, to reach the lowest values (flow and stock) in 2000 (88.6% and 82.9% respectively) and the highest in 1995 (94.9% and 95.7%).

3.2.2. Women in prison convicted of crime

Table 2a: Convicted women in prison at the end of the year (stock) in time series (1970-2010, 2014)

YEAR	1970	1980	1985	1990	1995	2000	2001	2005	2006	2007	2008	2010	2014
Total number of women in prison	140	99	99	113	142	260	287	362	375	398	450	310	465
Total number of men in prison	2900	2392	2173	3479	3728	3526	5787	6433	6859	7606	7600	7226	9591
% women of all prisoners	5,4	4,0	2,4	3,1	3,7	6,9	4,7	5,3	5,2	5,0	5,6	4,1	4,6
% women prisoners of total female population in Greece	0,003	0,002	0,001	0,002	0,003	0,003	0,003	0,006	0,007	0,007	0,008	0,006	0,007
Total	2643	2491	2432	3592	3870	3786	6074	6795	7234	8004	8050	7536	10047

Source: ELSTAT, 1970-1995, Table G1; 2000-2010, Table G1 online; Eurostat, 2008, 2009, Table 8; 2012, 2013, Table 9.

Notes: Female prisoner's rate on female population was calculated in 1970, 1980, 1990, 2000, 2010 according to census, 1971, 1981, 1991, 2001, 2011, op.cit.; 1985 according to estimated population for 1987 and 1995, 2005-2010 according to estimated population for the respective years by ELSTAT.

As we see from Table 2a, the decrease of convicted female prisoner rates from 1970 to 1985 is remarkable. This is due to decriminalisations, higher suspension rates (Arts. 99, 100 Greek Penal Code/GPC), and lower conversion limits of imprisonment to a punitive fine (GPC, Art. 82[1, 2]).

We also see that the absolute numbers of women prisoners (convicted) after 1990 calculated on a given date (stock, annually on 1st January) increase almost four times, while for men the number doubles and in 2014 triples. Yet, the larger increase has taken place after 2000 for both genders.

The proportion of imprisoned women in the general prison population shows a slight increase after 1990, reaching the highest levels in 2000 and 2005. The rates of female prisoners compared to the total female population also rise from 0.002 in 1990 to 0.008 in 2008.

A similar trend is found on the rates of female prisoners during the course of the whole year (flow) in relation to the total female population, as shown in Table 2b, which rises from 0.006 in 1990 to 0.017 in 2008. Here again, we see that the absolute numbers of women rise regularly, having more than tripled between 1985 and 2008, while that of the men more than double. Both males and females absolute numbers follow since 2006 a parallel upward trend and decline both in 2010. The female proportion in prison populations increases from 4.4% in 1990 to 9% in 2000, to follow afterwards a slight downward trend ranging from 6.7% to 5.7%.

Table 2b: Convicted women in prison during the whole year (flow*) in time series (1970-2010)

YEAR	1970	1980	1985	1990	1995	2000	2001	2005	2006	2007	2008	2010
Total number of women in prison	943	429	271	333	628	860	849	862	868	874	949	839
Total number of men in prison	11622	7757	5927	7255	8749	8699	11838	12220	12802	13090	14125	13799
% women of all prisoners	9.5	5.2	4.4	4.4	6.7	9.0	6.7	6.6	6.6	6.3	6.3	5.7
% women prisoners of total female population in Greece	0,021	0,009	0,005	0,006	0,012	0,016	0,015	0,015	0,015	0,016	0,017	0,015
Total	9912	8186	6198	7588	9377	9519	12687	13482	13170	13964	15074	14598

Source: ELSTAT, 1970-1995, Table G1; 2000-2010, Table G1 online.

Notes: Female population in 1970, 1980, 1990, 2000, 2010 according to census 1971, 1981, 1991, 2001, 2011 op.cit.; 1985 according to estimated population for 1987 and 1995, 2005-2008, according to estimated population for the respective years by ELSTAT, 2007 and 2009, op.cit.

* A 'flow' variable is measured over an interval of time, i.e. per unit of time (here a year).

A possible explanation for the higher representation of women in prison population is the more intensive involvement of women in socioeconomic life and their increased opportunities to commit a crime of higher visibility than a decade ago and consequently to be arrested and convicted (see more under 4.2.4). Another reason might be also the situation caused by the successive waves of irregular immigrants that have entered Greece since the early 1990s. According to International Organization for Migration/IOM-Greece, in 2011 more than 90% of illegal crossings in the EU took place on the borders of Greece (see also Frontex, 2015, p. 19), while the recent (2015-16) refugee crisis in Europe has shown that Greece is at the forefront of an increasingly international problem. We associate immigration and official crime trends by no means, yet the situation that has been

developed, in particular by itinerant groups, cannot be overlooked. The proportion of foreign female prisoners (convicted and pre-trial detainees) fluctuates between 30% (2007) to 48.4% (2000) of the female prison population during the last 15 years, without showing a clear trend though (ELSTAT, 1998, 2000-2010, Table G.06.1; Aebi & Degrande, 2010, Table 3, p. 57; 2012, Table 3.1, p. 74; 2013, Table 3.1, p. 80; 2014, Table 3.1, p. 84).

An increasing trend is also found in young females' imprisonment with the higher rise in rates and absolute numbers between 1998 and 2001, afterwards dropping continuously to increase again after 2008. It has to be taken into account that their numbers are very low (until 1997, 1-7; since 1998, 66-31) (see more below, Table 6).

3.2.3. Criminal career and profile of female prisoners

According to a 1997 research, the typical female prisoner in the 1990s is: Greek, single, i.e. divorced, a widow, or not married, between the ages of 35-60, a mother of at least two children, with low education and unemployed. According to prisoners' statement entering prison, they are "housewives", although they

have usually been working (support) at the family enterprise. She typically lives in the Greater Athens area, it is the first time she is convicted, she has committed property, violent crimes or drug offences, and serves a relatively long sentence, of over 5 years to life (Thanopoulou et al., 1997, pp. 123-127).

Contrary to the increase of detained and imprisoned women in absolute numbers and rates, the development of convictions does not show a significant rise averaging around 12% during the years (9-13%). The higher rates are during 1995 and 2008 that range between 12.2-13.7% of the total number of convictions⁴ (see also below, 4.2.3). The possible explanation for these differences but not the only one, which also applies to men in comparison with the arrest-and detention rates, might be the overloading of police, prosecutors and courts. This eventually means that police send more suspects to the prosecutor, the prosecutor doesn't have enough time for a thorough investigation, thus s/he consequently either files the case, or forwards it to the court. Since the vast majority of those convicted lodge an appeal, it is possible that a percentage is acquitted from the charges by the appellate courts.

Table 3: Conviction rates of women per age group (1998-2010)

Total	8449	8336	7456	7271	8276	9123	9132	6869	6257	5318	5440	5082	4801
Age groups females/Year	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
13-18 y.o.	331	268	270	297	307	268	206	284	156	139	111	108	74
%	3,9	3,2	3,6	4,1	3,7	2,9	2,3	4,1	2,5	2,2	2,0	2,1	1,5
18-21 y.o.	489	352	444	348	424	447	383	316	220	196	244	219	239
%	5,8	4,2	6,0	4,8	5,1	4,9	4,2	4,6	3,5	3,7	4,5	4,3	5,0
21-34 y.o.	2906	2747	2398	2225	2725	2906	2866	1960	1721	1450	1655	1485	1586
%	34,4	33,0	32,2	30,6	32,9	31,9	31,4	28,5	27,5	27,3	30,4	29,2	33,0
35-59 y.o.	4009	4061	3608	3815	3956	4597	4786	3675	3464	2982	2895	2750	2426
%	47,4	48,7	48,4	49,7	47,8	50,4	52,4	53,5	55,4	56,2	53,2	54,2	50,5
60 y.o. and over & unknown age	714	908	736	786	864	905	891	634	698	571	535	520	436
%	8,5	10,9	9,9	10,8	10,4	9,9	9,8	9,2	11,2	10,7	9,8	10,2	9,9
Total	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0

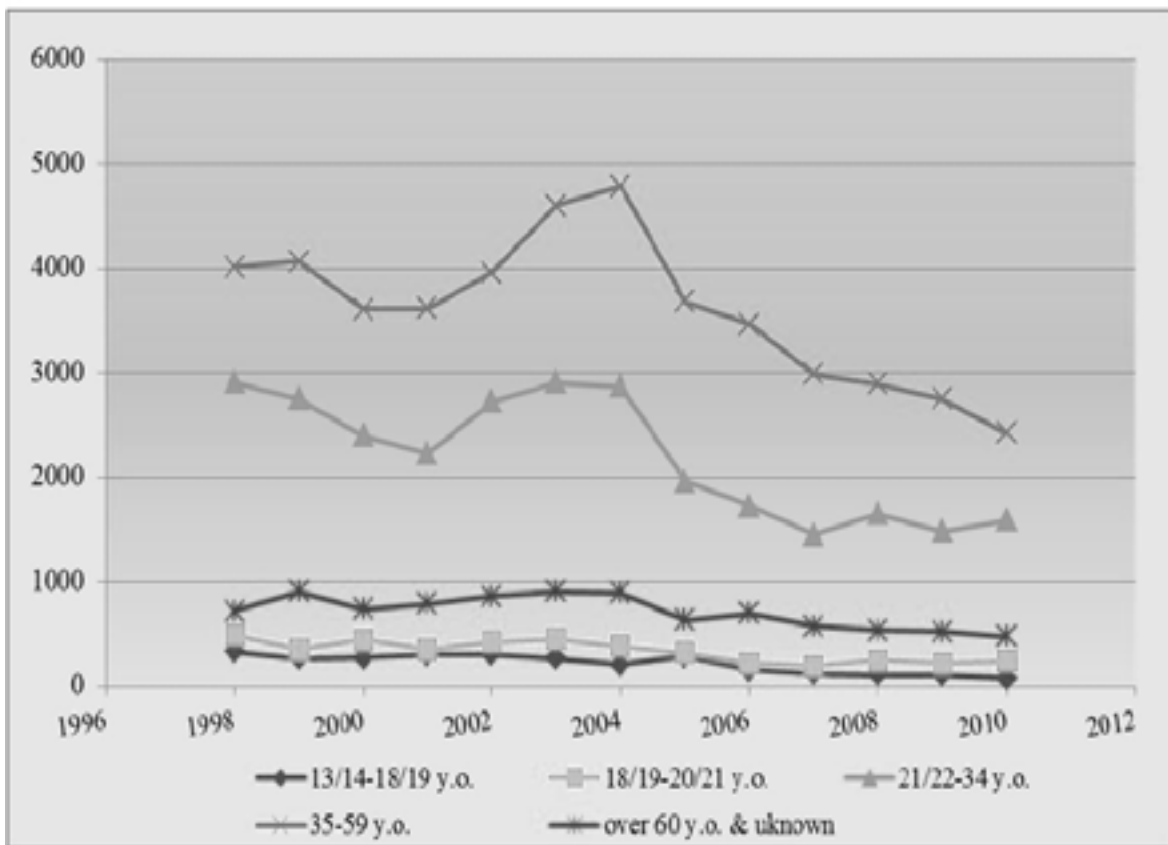
Source: ELSTAT, 1998-2010, Table E24 online.

Notes: Since 2003, age groups of juveniles have changed from 13-17 to 14-18 and from 18-20 to 19-21, due to new legislation (Law 3189/2003).

In the first group, a few minors less than 13 years old are also included.

Women usually start committing crimes, between 18-24 years of age and are at their height between 35-44 years of age, followed by the age group 45-59, when interestingly they also slow their criminal activities. Because of different age groupings in official statistics, we are obliged to put together the age groups 35(-44) - 45(-59) for reasons of homogenisation. More specifically, women from over 35 years of age show a constant increase in conviction rates after 1998 with a decrease of 4% in 2010, while the proportion of the rest of the age groups decreases. Those between 35-59 years of age have the highest rates in convictions of all age groups that fluctuate between 47.4% and 56.1%. The age group of 21-34 shows lower increase rates of 7% in the convictions, ranging between 27.3-34% while an increase in 2010 reaches 1999 levels (33%, Table 3). The group over 60 years of age remains relatively stable between 8.5% and 11.2% (Figure 1a). Similar to women, men between the ages of 35-59 show the higher proportion in convictions which remains stable during the years, but is lower than that of women, ranging from 44-41% and has a slight decreasing trend (2.6%-1%) (Figure 1b).

Figure 1a: Convicted women per age group (1998-2010)



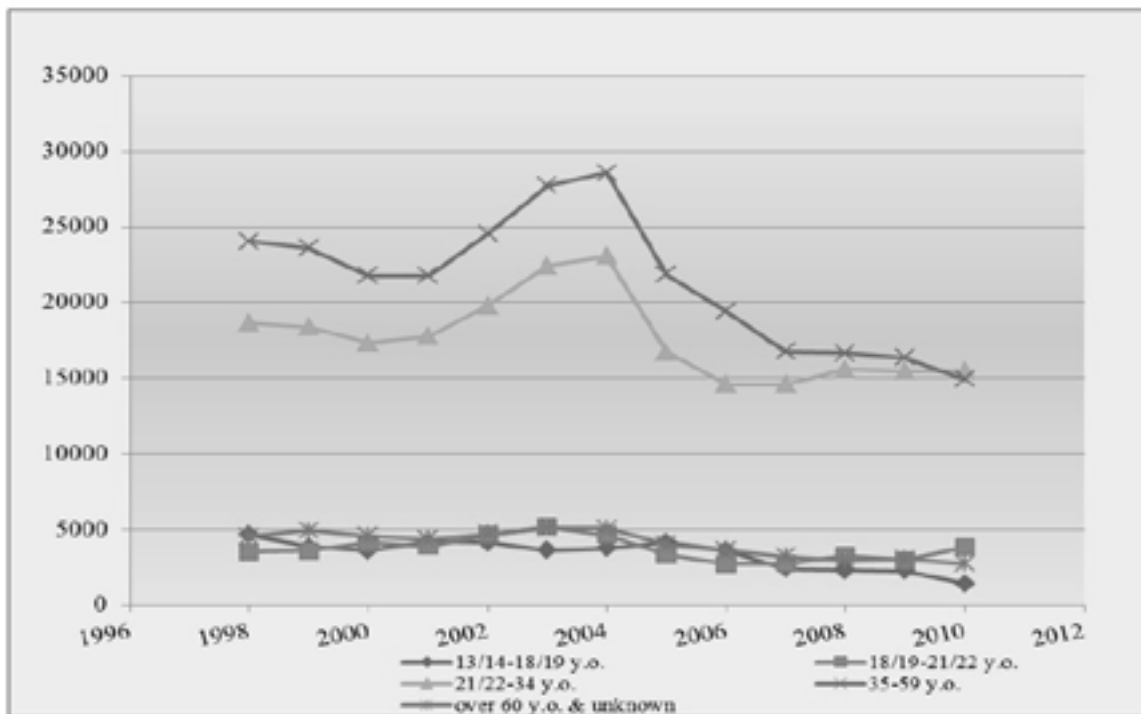
Source: ELSTAT, 1998-2010, Table E24 online.

4. According to the European Sourcebook of Crime and Criminal Justice Statistics (Aebi et al., 2010, 2014) in 2006, 12.3% among convicted offenders in Greece were females, while in 2010, 11.7% (Table 3.2.2.1).

The age group of 13-18 for both genders shows a low decrease of around 2% over the years, while young women between the ages of 18-21 follow a slight downward trend in convictions, opposite to men who have a low increase trend (around 1.7%).

Summing up, women between 35-59 show the highest increase in convictions, outnumbering the increase in that of men (Figure 1a).

Figure 1b: Convicted men per age group (1998-2010)



Source: ELSTAT, 1998-2010, Table E24 online.

Regarding recidivists, few years are available from the Justice statistics. For those (2006-2010) for which we have information we see that 8.6-10.6% of the total (flow) number of prisoners held during the whole year, have already committed a (new) crime; 0.24-1.12% of them are women, and 98.9-99.8% are men.

56.7-66.5% of the men have previously committed the same or similar crime and 33.5-43.3% a different crime. The proportion of women to the first group, "recidivists" as defined by law, is very low, ranging from between 0.1% and 1.2% (n = 1-12). The same applies to the female rates in the second group of prisoners, i.e. previously committed an irrelevant crime, ranging from 0.6-1%, while for

the men it is over 99% of the total (flow) number of prisoners held during the respective years (ELSTAT, 2006, 2007, 2008, 2010 Table G6.3 online).

From Table 4 is apparent a remarkable increase in all crime groups committed by women and for which they serve prison sentences after 1999.

5. *The European Sourcebook of Crime and Criminal Justice Statistics (op.cit. 2010, 2014) refers that between 2006 and 2011, among convicted prisoners in Greece 6.2-4.8% in the total stock (Table 4.2.1.3) were females (2011: 4.7%). Their rates in certain crimes were the following: 2006: 5.4% intentional homicide - attempt (Table 4.2.3.3), 0.8% completed homicide (Table 4.2.3.4), 2010: 4.4% intentional homicide; 2006: 4.5% assault, 2010: 3.9% (Table 4.2.3.5); 2006: 1.9% aggravated assault, 2010: 4.3% (Table 4.2.3.6); 2006: 4.4% theft, 2010: 8.3% (4.2.3.11); 2006: 7.7% drug offences [total] (Table 4.2.3.19), 2010: 5.8% (Table 4.2.3.12).*

Table 4: Female prisoners (convicted & detainees - flow) according to crime(s) in % related to men, in time series (1980-2010)

Year	Violent offences	Property Offences	Offences against the public welfare ('common dangerous crimes')	Other offences	Violations of Special Penal Laws	Violations of the Military Penal Code
1980	5,0	6,0	9,0	10,9	4,3	0,3
1985	4,6	4,0	5,8	4,9	5,7	0,0
1990	4,0	4,0	4,4	5,5	5,2	0,4
1995	6,7	4,1	6,4	9,6	9,0	0,3
1998	4,7	5,6	4,3	9,7	8,5	0,0
1999	5,2	6,1	1,9	11,7	8,8	0,0
2000	5,3	7,1	7,1	9,3	11,9	0,0
2005	5,8	6,8	5,8	13,9	8,1	0,0
2006	6,2	6,7	12,8	13,9	7,7	0,0
2007	6,5	6,7	25,0	16,2	7,1	8,3
2008	6,7	8,0	7,0	12,5	6,7	0,0
2010*	8,0	6,4	11,8	12,4	6,2	33,3
16/3/2014	4,9	4,8	4,0	2,8	5,0	0,0
Female Abs.	131	222	2	15	242 [204 Drug offences]	0,0

Source: ELSTAT, Table G1, since 1998 Table G1a online; 2014, Ministry of Justice, op.cit.

Notes: In *Violent offences* are included: assaults, homicides, domestic violence, child abuse, rape, sexual abuse, as well as crimes against the public order and religious peace.

In *Offences against the public welfare ('common dangerous crimes')*: crimes against the security of traffic and public welfare (building regulations), violations of the labour welfare legislation (insurance and pension funds).

In *Other offences* are included: crimes related to obstructing justice (e.g. withholding information, fostering of crimes and/or criminals), court offences (perjury), bribery, extortion, crimes in relation to the security of the State and its international relations, begging (mendicity), some public order offences (using explosives in demonstrations, plundering, harassment by alarming etc.) as well as against political parties, absconding (or attempt) from prison.

In Violations of *Special Penal Laws*: Violations of antidrug legislation; traffic regulations, market regulations; dishonoured cheques, illicit trade in antiquities, people smuggling etc. In 2014 tax evasion, money laundering and migrant smuggling are specifically mentioned and have also been included.

* In 2010, for Violations of the Military Penal Code 2 persons (33.3%) from total 6.

The highest increase is in a) offences against the public welfare/ 'common dangerous crimes' i.e. building regulations; violations of the labour welfare legislation, i.e. insurance and pension funds;

b) the group of 'other offences', namely court offences (e.g. withholding information, fostering of crimes and/or criminals; perjury), crimes in relation to the performance of the official duties of civil servants (e.g. bribery), systematic begging (mendicity), and some public order offences (e.g. using explosives in demonstrations, plundering etc.) as well as against political parties (e.g. harassment by

threatening, intimidating, alarming, using explosives), absconding (or attempt) from prison; and

c) the violations of Special Penal Laws, i.e. dishonoured cheques, and drug crimes. The representation of women in drug crimes although doubled after 1995, doesn't follow the intensive trends of the other two crime groups ('common dangerous crimes' and 'other' offences).

An increase in the female proportion of crime rates for which are imprisoned, reflects decrease on the males' representation.⁵

A 2006 study in the then single women's prison of Korydallos (Mitrossyli & Fronimou, 2006) found that women have been imprisoned for three major crime categories with the following order: violations of the antidrug legislation, like the majority of male prisoners (Aloskofis, 2005, p. 42), property crimes, and crimes against life, which in our study are included under violent offences (Mitrossyli & Fronimou, 2006, p. 28). On the contrary, two earlier studies carried out on the same prison in 1995, found that the category of drug crimes were at the third position of offenses for which women ended up in prison (17.9%); crimes against life came first (30.5%) and property crimes second (18.9%) (Thanopoulou et al., 1997, p. 126, p. 295, Table 21; Milioni, 2009, p. 592). The researchers of the 2006 study underline that this change in the leading causes of imprisonment took place within ten years, showing the development of drug crimes into one of the most sensitive issues of contemporary Greek society (Mitrossyli & Fronimou 2006, p. 28). In our study, however, drug crimes come third in the range of crime categories (the majority of violations of Special Penal Laws) for which women are imprisoned (Table 4).

According to our study from the 465 convicted female prisoners in January-March 2014, 165

(35.5%) were serving a sentence for violations of drug laws, 128 (27.5%) for property offences, 50 (10.7%) were convicted for homicide, 10 (2.1%) for violent crimes (i.e. kidnapping, child abuse, extortion), which in our categorisation on Table 4 are put together with homicide, making in total 12.8% (i.e. homicides and violent crimes, n: 60); 43 (9.2%) were convicted for participation in organised crime groups and human trafficking, four (0.86%) were convicted for crimes against duty and service, one (0.21%) for common dangerous crimes (arson), and 64 (13.7%) were convicted for 'other offences' without reference of any more details.

In summary, the criminal profile of the female prisoner is yet somewhat different from Table 4, which shows the trend of the last decade, corresponding to that of the 1990s: women convicted for homicide, property offences, and violations of antidrug legislation represent 73.7% of the prison population; serving sentences from 5-15 years (59%); without serious criminal record; unemployed or housewives (60%); 57.6% (356) of Greek nationality (from the 262 foreigners 66.8% are from the Balkan countries); and being a mother (75%). Moreover, the women rates in registered crimes and their participation in all prison sentences is higher than before 1990s and in relation to men.

3.2.4. Prison sentences and sentencing policy

Table 5a: Female convicted prisoners according to their sentence (flow) and in relation to sentences of the total number of prisoners (%), in time series (1980-2010)

Year	Prison sentence up to 6 months	6-12 months	1-3 years	3-5 years	5-10 years	over 10 years to life	Closed Juvenile institution	% of female prisoners during the year ('flow')
1980	6.0	6.0	4.5	3.4	2.7	9.6	10.2	5.2
1985	6.0	6.8	4.0	1.9	2.9	6.2	4.9	4.4
1990	7.5	4.0	4.5	1.4	3.4	6.4	1.9	4.4
1995	15.2	6.5	4.6	3.1	4.8	7.5	2.1	6.7
1998	17.0	6.8	7.9	4.4	3.7	3.8	3.6	6.9
1999	12.5	11.8	10.5	4.8	4.2	4.3	3.9	7.4
2000	15.2	12.4	12.7	6.0	5.0	3.9	6.5	9.0
2001	10.0	9.8	9.3	5.7	3.8	4.0	5.4	6.7
2005	8.3	9.4	8.9	5.3	5.4	3.6	7.3	6.6
2006	10.3	9.9	9.0	6.1	4.6	5.1	4.0	6.6
2007	8.5	8.5	9.7	5.8	4.7	4.5	6.3	6.3
2008	7.9	10.0	7.9	5.6	4.9	4.7	17.5	6.3
2010	8.4	8.3	6.6	6.0	3.8	3.7	18.4	5.7

Source: ELSTAT Table G2, since 1998 Table G6.1 online, op.cit.

The only prison sentences with decreasing female rates over the years are the longest ones, i.e. those over ten years to life. While in 1980 their rate was 9.6%, in 1990 it decreased to 6.4%, in 2000 it went further down to 3.9% and in 2010 to 3.7% after a slight rise between 2006 and 2008). This can be associated with the type of crimes committed by women, as it is presented in Table 4. Up to the 1990s, according to Justice Statistics, female prisoners with long sentences usually had committed property or violent offences, while afterwards we see that the proportion of women in violent and property offences has not significantly increased, and both are crime groups of which they have the lower rates (Table 4).

The study of Thanopoulou and associates in 1997 referred to above (4.2.2) found that the majority of crimes committed by the women in 1973, 1983 and 1993 was begging, "honour crimes"- mostly insult and slander, court offences - mostly perjury, property crimes - forgery, thefts, embezzlement, and crimes against personal freedom - snatch and illegal detention, mostly of their own children if they are divorced or have

lived separately from their husband. The conviction rates of women, in general, ranged from 8-13% (Thanopoulou et al., 1997, p. 37).

As already mentioned, in our study the participation of women in 'common dangerous crimes', drug offences, violations of market regulations etc. is higher after 1999. Moreover, the representation of women in drug crimes although doubled after 1995, doesn't follow the intensive trends of the other two crime groups ('common dangerous crimes' and 'other offences').

According to the same authors, the majority of women (45.3%) serve long sentences (over 5 to 20 years), which is not the case for men, 29.5% of which serve a prison sentence up to five years and 13.5% a life sentence (Thanopoulou et al., 1997, p. 126; Fronimou, 2000, p. 369). In the present study we found however, that women serve at a higher rate than men short sentences up to six months, which has increased significantly in the years 1995-2000 and then diminished, to rise in turn the group of those serving a prison sentence from 6-12 months and 1-3 years (Table 5a).

Table 5b: Female convicted prisoners according to their sentence each year (flow) in % in time series (1980-2010)

Year	Prison sentence up to 6 months	6-12 months	1-3 years	3-5 years	5-10 years	over 10 years to life	Closed Juvenile institution	Annual total in %	Total number of female prisoners during the year ('flow')
1980	48.6	17.1	17.1	6.8	5.6	3.7	1.2	100.0	428
1985	32.9	19.1	23.1	6.1	11.9	4.7	2.2	100.0	277
1990	24.8	14.9	36.7	2.7	16.4	3.9	0.6	100.0	335
1995	40.5	11.6	14.2	7.1	19.6	6.6	0.3	100.0	632
1998	35.3	12.4	21.2	10.2	17.7	2.6	0.7	100.0	695
1999	23.6	16.3	26.0	10.8	19.3	3.0	1.0	100.0	730
2000	30.1	14.3	24.0	9.8	18.4	2.1	1.4	100.0	860
2001	27.6	15.7	20.5	11.3	20.3	3.4	1.3	100.0	849
2005	16.7	12.6	20.8	15.9	29.8	3.0	1.2	100.0	862
2006	17.6	11.3	19.7	18.2	28.7	4.0	0.5	100.0	868
2007	14.6	10.1	21.2	18.1	31.2	4.2	0.6	100.0	874
2008	15.6	12.5	17.1	16.9	31.2	4.5	2.2	100.0	949
2010	24.9	13.1	13.5	13.3	28.4	3.8	3.0	100.0	839
2014*	1.2	1.0	3.6	8.1	38.0	45.8	2.4	100.0	421

Source: ELSTAT, Table G2, since 1998 Table G6.1 online.
Note: *2014 stock (Ministry of Justice).

Overall, women serve at a higher rate than men a short sentence of up to three years, probably related to the severity of their crimes. The rates of women serving a sentence over 10 years to life have been constantly decreasing during the last three decades, while the rates of men show a slight gradual increase (90-95/96%). The opposite happens with prison sentence of 3-5 years, but especially of 5-10 years: men's rates show a small decrease (97-95%), while that of women double (2.7-5.4/4.9%) during the research period.

This is also verified when comparing the proportion of sentences' length that women have served in the same year (Table 5b) and not only in comparison with the men. The females' rates with 5-10 years imprisonment have increased almost six times, from 5.6% to 31.2%, followed by those serving sentences of 3-5 years, which have

almost tripled (6.8-18.2/16.9%). Furthermore, although the number of young females serving a sentence in a closed institution is very small, we see a fluctuating increase after 2000.

Due to the small number of female juvenile offenders a separate institution does not exist and these offenders have been serving their time since 2008 in the prison at Thiva, while previously in the single female prison (Korydallos). In January 2014, ten young females were serving their sentence in the above prison. Male juvenile offenders, on the other hand, were held at the juvenile reformatory in Korydallos prison complex until it ceased operating in 1996, and were then transferred to the prison in the Avlona/Voioitia prefecture. The Closed Juvenile Institution column in Tables 5a and 5b corresponds to the definition in the Penal Code.

Table 6: Rates of young females and males in closed institutions according to the length of their sentences and in relation to the total number of young prisoners each year (time series) (1980-2010)

Serving sentence	Gender/Year	1980	1985	1990	1995	1998	1999	2000	2001	2005	2006	2007	2008	2010
	M Total	460	277	213	377	600	542	581	600	620	630	640	847	777
	F Total	1	3	1	1	61	63	66	46	11	20	29	32	66
	M-F TOTAL abs.	461	280	214	378	754	607	647	686	651	640	677	899	843
Up to 6 months	M %	40,8	23,2	11,2	11,1	12,9	10,2	17,0	23,2	22,3	25,8	31,8	42,7	28,1
	F %	0,0	0,0	0,0	0,0	4,9	3,8	4,9	1,9	1,1	1,4	0,7	1,2	2,4
	M-F %	40,8	23,2	11,2	11,1	17,8	14,0	21,9	25,1	23,3	27,1	32,5	44,0	30,5
6-12 months	M %	16,9	20,4	18,2	16,4	8,5	8,4	9,3	10,1	10,6	8,5	12,7	10,5	13,4
	F %	0,2	0,4	0,0	0,0	0,8	2,4	1,4	1,2	0,8	0,9	0,4	0,2	0,9
	M-F %	17,1	20,7	18,2	16,4	9,3	10,7	10,7	11,2	11,4	9,4	13,1	10,7	14,4
1-3 years	M %	29,3	35,0	51,0	22,2	18,2	14,7	11,4	12,1	14,4	12,9	10,6	9,5	9,1
	F %	0,0	0,4	0,5	0,1	1,1	2,1	2,5	1,2	0,6	0,8	1,0	0,9	0,2
	M-F %	29,3	35,4	51,3	22,3	19,2	16,8	13,9	13,3	15,1	13,6	11,7	10,3	9,4
3-5 years	M %	10,4	13,9	6,1	37,3	22,5	14,8	11,3	8,2	12,0	15,6	14,6	10,0	9,5
	F %	0,0	0,0	0,0	0,0	0,1	0,7	0,2	0,9	0,5	0,6	0,3	0,2	0,7
	M-F %	10,4	13,9	6,1	37,3	22,7	15,5	11,6	9,0	12,4	16,2	14,9	10,2	10,2
Over 5 years	M %	2,0	6,4	12,1	12,7	29,5	41,2	40,8	39,8	35,9	32,7	26,0	21,6	32,0
	F %	0,0	0,4	0,0	0,0	1,2	1,8	2,9	1,6	1,8	0,9	1,8	1,0	3,6
	M-F %	2,0	6,8	12,1	12,7	31,0	43,0	42,8	41,4	37,8	33,6	27,8	24,6	35,6
TOTAL		100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0

Source: ELSTAT, Table G2, and G09.2 online

The rates of juveniles in closed institutions according to the length of their sentences and in relation to the total number of young prisoners each year are presented on Table 6 below. 1998 is the first time that there has been such an increase in the imprisonment of young females, where from one in 1995 they rose to 61 persons. The development of sentencing does not show significant changes during the course of time. In 1998 their rate of imprisonment up to six months corresponds to 4.9% of the total prison sentences for juveniles, decreasing after 2001 until 2008. The representation of young females serving a prison sentence over five years in 2008 with a rate of 3% and in 2010 with 3.6% to the total number of juveniles imprisoned this year is remarkable. The image is different for the young males with an increasing proportion in high sentences over five years after 1998, but also an increase in short sentences of up to six months after the decrease between 1990 and 1999.

In summary, on the basis of available information the main female prisoner characteristics during the last fifteen years can be outlined as following:

She is of Greek nationality (ELSTAT, 1985, 1990, 1995, Table G1; 2006-10, G01 online) as in the 1990s, although at lower rates; 26-47 years old, while in the 1990s she was 35-60 y.o.; graduate of the 9-years compulsory education, unskilled worker, unemployed or without occupation, while in the 1990s she had low(er) education and was unemployed; convicted for offences against the public welfare/ 'common dangerous crimes', public order offences and violations of antidrug legislation; in the 1990s for violent crimes/ against life, followed by property crimes and violations of antidrug legislation; serving sentences from 1-5 years, while in the 1990s they were serving a sentence of over 5 years to life; without serious criminal record, as in the 1990s; marital status unknown, in the 1990s she was single; mother with further information unavailable, in the 1990s mother of at least two children.

3.3. Time in prison: treatment and human rights in action

3.3.1. General treatment policy

For decades the general prison policy and the treatment of prisoners by the custodian personnel is leniency. For example, frequent contact with the outside world (visits, correspondence, telephone, information from the Press, TV privileges),

free movement inside the prison, and since the late 1980s the early grant of furloughs, the possibilities for graduate studies, the "school(s) of second chance" (see below, 4.3.2), as well as the overall efforts of the whole prison staff to overcome shortages and face adequately the rapidly changing situation with good will and understanding are some of their "best" practices. This is a primary reason why even citizens of European countries prefer to serve their sentences in Greek prisons than in their own countries despite overcrowding, and the shortcomings of the facilities. However, tolerance and leniency cannot always and for everyone be a substitute for the existing failings of the system, because it can result in exorbitant demands or expectations of the prisoners and lead to "corruption of authority" of the prison staff.

Humane treatment of all prisoners cannot be regarded *stricto sensu* as an operational best practice, but it is still the core of treatment corresponding to clemency characterising the justice system and the country's population. The international obligation that all persons under any form of detention shall be treated in a humane manner (ICCPR, Art. 10, Part III), and with respect for the inherent dignity of the human person is expressly codified in Prison Law 2776/1999 (Arts. 2, 3, 4) and in the Constitution (Art. 7[2]).

All prisoners, pre-trial detainees and those convicted must have access to sanitary installations and have a bath or shower on a daily basis. Moreover, everyone, irrespective of their legal status, can wear their own clothes (GCC, Art. 33[1, 4]). For those in need, prisons have storage areas with clothing donated from citizens and charities. In addition, the staff help to gather clothing for the inmates through donations as well.

3.3.2. Treatment of specific groups

Juvenile female prisoners stay in the same part of the prison where pregnant women and mothers with children are. Juvenile female prisoners can attend school or whatever form of public education (technical school, university) outside prison, if they have passed the relevant examinations, unless this is not permitted for security reasons. In such a case they can attend an e-learning course wherever available. If they want to take the general examinations for higher education, they can be supported inside the facility by teachers for their preparations.

In order to motivate prisoners to attend educational courses, one school (working) day is counted as two days of the prison sentence served (GCC, Art. 46[2]). Although there is a general shortage of jobs, the prospect of “beneficial counting” (Decree 11.3.1926) still is not enough of an incentive to make prisoners, and juveniles in particular, eager to participate in school. The same applies for recreational activities, and if left alone, there is a general reluctance and passivity.

Work and education in prison are provided on a voluntary basis (Greek Constitution 1975/1986/2001/2008, Art. 22[4]; cf. ECHR 1950, Art. 4[3a]). The efforts of convincing prisoners fall to prison staff, specialised personnel and primarily to teachers who fight for this on a daily basis.

Since 2009 certain measures had been taken to improve the everyday life of female juveniles (e.g. access to school, dance classes and a painting workshop) and their living conditions (yard renovation, equipment installation for playing basketball and volleyball) (CPT/Inf (2012) 1, par. 62).

Staff specifically assigned to juveniles i.e. a multi-disciplinary team of professionals working under a child-centred approach, as recommended by the CPT (CPT/Inf (2012) 1, par. 62), does not exist and it is rather doubtful if it is going to be made one in the near future due to the economic situation.

A special area in women prisons is available to **mothers with their children** up to the age of three. Afterwards the children go mostly to the father and grandparents or to a close relative who is willing and regarded by the court and welfare service as a suitable guardian for the child. Otherwise, lacking a suitable family environment, the child is sent to a childcare institution (e.g. SOS Children’s Villages, children’s homes), which is under the supervision of the Ministry of Health and Welfare. The decision lies with the judge after the parents’ hearing (GCC, Art. 13[3]).

The wing where mothers and children stay has better detention conditions (lighting, ventilation, heating, cells with bright and pleasant colours) prevailing in relation to the main prison and have more comfort in terms of space, no less than 40 cubic metres. Each cell is planned for the accommodation of two mothers with their children, although due to prison overcrowding

this number is surpassed (see also Mitrossyli & Fronimou, 2006, p. 46) The prisoners could stay in public areas for longer periods of time, and often take their children to the courtyard of the building where a playground has been made for them.

In January 2014, 18 (2.9%) women with their children (20) were in the Prison at Thiva and one in the prison of Korydallos with one child. In November 2006, 16 mothers were housed in the (then) single prison, including convicts and detainees, with 17 children (op.cit.)

Institutionalization is a real threat to children who are together with their mothers in prison. Deficits or disabilities in social and life skills might develop in the future and this is the main reason that a child cannot stay longer in the institution with its mother, after the age of three. During their prison stay they may regularly spend a few days at a time outside the prison with grandparents, brothers and sisters of their mother, father, etc., by decision of the prison council and suggestion of social workers to counterbalance prison life.

Previously and for some years, the Social Service of the prison provided for the children each morning, in cooperation with Korydallos Municipality, a roundtrip to the local public nursery especially for them. This had a positive effect on the children, because they were associating with their peers and experienced a normal social environment outside prison for the needs of their age, even if only for a few hours each day.

Later a kindergarten was built within the prison walls, exclusively for the children of the prisoners, thus depriving the toddlers of contact with the outside world. In 2003, the nursery closed, due to absence of children above the age of nine months. Subsequent attempts of the Social Service to transfer daily the few children to a nursery, as in the past, were unsuccessful due to lack of transport means and high costs (Mitrossyli & Fronimou, 2006, p. 46).

In November 2006, two mentally ill women (0.35% of the 559 absolute total of female prisoners that represents 5.6% of the total prison population)⁶ were serving a sentence placed there by a criminal court for the offense of manslaughter because of reduced imputation. A psychiatrist visited the prison twice a week. In

a crisis, they are referred to a public psychiatric hospital (Mitrossyli & Fronimou, 2006, p. 2).

According to information from the Prison Director in March 2014 and the Director of the Prison Hospital of Korydallos, in the facility for convicted females in Thiva there were four **mentally ill** women kept separate from the rest of the women under medication, because the psychiatric hospital of the prison complex is full of men.⁷

The Greek Penal code follows a two-pronged system of sanctions: a) penalties and b) security measures. The second group is imposed to protect public order, irrespective of the imputation (“*imputability*”) of the defendant. The measures are either a substitute for the main penalties for those people not being criminally responsible or for the criminally responsible an adjunct to the main penalties. Even if the number of disturbed women is not high, it is a sad situation that they cannot be admitted in the mental hospital. Since 2011 tele-psychiatric medicine for all women who need such aid has been operated successfully by an NGO (*Klimax*) with the support of the Ministries of Justice and Health in the prison for convicted women at Thiva.

Concerning **drug addicts**, the treatment programmes that are offered in prisons for substance abuse are dry, i.e. without substitutes (methadone, buprenorphine). The internal logic of the programmes is that only in free society detoxification can be completed. Thus, female drug addicts participate in the “sensitization and mobilization” programmes provided in prison by the Therapy Centre for Dependent Individuals (KETHEA) and “Over 18”-Unit for many years now (since 1988), and lately in group-counselling. Their participation is exclusively on a voluntary basis.

Since 2006 KETHEA has also started to offer psychiatric and physical support (phase B) for detoxification in both females’ prisons, and reintegration support (phase C) for released persons in its Athens centre facility (KETHEA, 2006/2007, p. 27-30; see also PD 148/2007, Art. 56[3]). The communities in prisons operate

6. We couldn’t verify what is meant by “mentally ill”, people suffering from psychoses and other serious mental problems or psychological problems, more or less severe, and drug addicts.

7. Telephone call at the Prison Director of women’s prison in Thiva and a meeting with the Director of the Prison Hospital.

in specific spaces and have a daily programme which includes treatment, education, training and working groups. Any drug user who wants can avail him/herself of the Centre’s services. Individuals are encouraged to take part in the Centre’s activities corresponding their needs, preparation and motivation for treatment. After release, given the particular needs of individuals who have spent time in prison, special emphasis is placed on those educational, professional and social activities that can best help the former inmates to reintegrate into society. All services operate on a non-residential basis. The centre also extends its services to the immediate family of released prisoners. A Hostel is made available for members who are homeless, live far away or have no family to support them, as well as for addicted mothers with children who have joined the therapeutic programme (KETHEA *en drasi*/in action).

Despite the operating **drug policy** and **programmes** in female penitentiaries (1988), CPT underlined in 2011 the general absence of a coherent and comprehensive drug policy in the prisons. CPT recommended, in particular, immediate steps for introducing a harm-reduction policy in prison and providing assistance to prisoners with drug-related problems (CPT/Inf (2012) 1 par. 75), which are in any case running.

In conclusion, those that are mentally ill and addicted to drugs are two groups that need special treatment and separation from the rest of the prison population. A new wing or some more rooms in the psychiatric hospital for men must be made available for the treatment of these women that have mental or serious psychological problems. Near the women’s prison in Thiva is a detoxification centre which is only for convicted men; it seems practical and cost effective to establish a wing for female drug and alcohol abusers, too. Nonetheless, a new centre, again for males, has been recently opened in the north of the country.⁸

3.3.3. Health care in prison

According to Prison Law (Arts. 23, 24) and internal Prison Regulation (MD 58819/2003, Art. 10), within the first two days upon entering the prison, the person is medically screened, in particular for cardiological and psychological problems, and infectious diseases (HIV, Hepatitis

8. The detoxification centre opened on November 2nd, 2015 in the prison of Diavata.

etc.). In addition, screening aims at discovering whether there were any drugs or other medication issues. In the case that the inmate is suffering from an infectious disease s/he is accommodated in a special part of the prison or they are usually transferred to the hospital. Prisoners are obliged but they cannot be coerced to undergo a medical screening or examination upon entering or during their stay in prison. The CPT has verified cases where inmates refuse to undergo examination, expressing however its concern whether these prisoners were properly informed. In general, CPT regards medical screening inadequate (CPT/Inf (2012) 1, par. 74).

Significant problems arise from the very low staffing levels for several years now of medical personnel (CPT/Inf (2008) 4 par. I, IV; see also Cheliotis, 2012, p. 8-9). It has to be taken into account that medical doctors, nurses and pharmacists do not show any special interest in working in prison facilities with their number fluctuating, the ministry suffering this situation tries to cover the needs mostly with part-time personnel (CPT/Inf (2008) 3 par. 52; CPT/Inf (2009) 20, paras. 19, 23, 49, 54; see also Lambropoulou, 2008, p. 399-400). The fact that since 2010 with the start of the economic crisis the health system has been under constant money-saving "reforms" and that medical doctors remain unpaid for 6-10 months, make them even more unwilling to work in prisons (Y.E.F.K.K, 2013, p. 13).

Sick women, in particular **HIV positive**, convicted or on remand, are generally sent to the Prison Hospital of Korydallos, where a few rooms are reserved for them, which are never enough. In March 2014 five convicted women with HIV were kept in the prison for convicted women at Thiva in a separate ward because there are no places left for them in Prison Hospital.

The Federation of Correctional Officers noted in March 2013 that sick women are in a more disadvantaged position than men. In 2013, for 12,500 prisoners, there were 100 seats/beds in Prisoners' Hospital and approximately 230 in the Mental Hospital, all for men. For 700 women, not even one. Therefore, they suggest that merging the two facilities (General and Psychiatric Hospital), at least temporarily, will improve the situation, will save costs regarding personnel, space and there will be more beds available for use by women (Y.E.F.K.K, 2013).

According to media and correctional staff press releases, the contemporary situation of the Prisoner's hospital is doleful due to the health aggravation of inmates (336 hospitalised male inmates, of whom 60% are HIV positive patients), tremendous staff shortages and financial cuts (Prison Employees Union of Alikarnassos, 2014). It is rather hopeless expecting that the situation will be improved under the present economic conditions with the break-up of the public health system.

A variety of medical doctors (paediatrician included) visit both female prisons once or twice every week, while a dentist has regular hours daily. There are four nurses, one in Thiva for convicted and three in Korydallos for detainees (March 2014) and nursing duties are performed by a number of prison officers and a couple of inmates as in men's prisons. The prison in Thiva has two psychologists (2014) for approx. 400 prisoners (January 2014: 371; March 2014: 409), while Korydallos prison has three psychologists for 153-167 detainees.

CPT's delegation in its 2011 visit at both prisons, Korydallos Women's Remand Prison and Thiva Prison, noticed that the situation had hardly improved since their 2009 visit, and health care services are unable to meet the basic health care needs of prisoners (CPT/Inf (2012) 1 par. 68, 70, 71). This is true because of the constant inflow of foreigners with low standards of health, which the ministries are striving to control.

As for the medical staff, CPT highlighted the lack of coordination and consultation among them, particularly at the facility of female detainees (CPT/Inf (2012) 1, par. 71) and recommended in each prison a senior doctor or nurse manager to be appointed as the head of health care, with responsibility for managing the health care service and ensuring there is a regular consultation process among the staff.

Regarding **prison deaths**, data for only a few years are made available to us by the Ministry of Justice. These data (2008-2011, 2015, 1/01-15/04/2016) shows that there were a total of four deaths in prison establishments: one in the remand prison of Korydallos in 2008 and the other three in the Thiva Prison for convicted women in 2010, 2015 and 2016, whereby none of them was suicide and none occurred in the prison hospital.

3.3.4. *Safety and security in prison*

Prison Law, Constitution, international and European conventions provide specific protection of all prisoners concerning punishment for violations of discipline and prison order. Prisoners' fundamental human rights are directly enforceable through the domestic courts. Moreover, the prisoners as all citizens have a **right of complaint** to an international judicial body (see above 3.1).

The enforcement of prison sentences, the protection of prisoners' rights and the supervision of prison operation rests with the public prosecutor of the court in the area of which each institution is located (MD 58819/2003). The public prosecutor is also responsible for the complaints and the appeals against disciplinary sanctions imposed on prisoners, as well as other duties assigned to him/her by the Prison Law and other laws (GPPC, Art. 572). Two full-time prosecutors are assigned for each of the four largest prisons of the country [Athens/Piraeus – where the facility for female detainees is located–, Thessaloniki, Larissa and Patras], in which around one third of the total prison population serve their terms (GPPC, Art. 572[3]). Both are accountable to the Public Prosecutor of the Supreme Court and the Minister of Justice. As it has been several times stressed by the Association of Prosecutors (EEE 2013), the prisons' control is insufficient due to the large numbers of inmates and the small number of the prosecutors being extremely overloaded, because they have other duties apart from controlling prisons and contacting prisoners.

Apart from the public prosecutor who supervise the penal institution, prisons as public services run also under the responsibility of the Independent Agency, the national Ombudsman (Constitution, Art. 103[9]).

In 2002 the Inspectors Controllers Body of Prisons (or: Monitoring and Control Body, SEEKK–Law 3090) was created and is composed of a retired judge and public servants (Law 3090/2002, Art. 3[3]) having the special task of making regular and unannounced visits for controlling prisons' conditions, order and transparency in the operation of the institutions (Art. 3[2]). After twelve years, there is no published report of them, but just few information about their activities in General Inspector's of Public Administration report (GIPA 2012/2013).

Another form of social control in Greece is traditionally exercised by the Bar Associations, local charitable, communal, social organisations, human rights groups and some NGOs.

Violation of discipline (GCC, Art. 68) and the corresponding sanctions (GCC, Art. 69) are a sensitive issue of prison life. There are three types of violations of discipline and respective sanctions foreseen in Prison Law. Solitary confinement up to ten days may be imposed only to Type A violations, i.e. violent and/or organised absconding, physical assaults on fellow mate(s) or on personnel, bribery of prison personnel, drug trafficking, cultivation, possession or use of illegal drugs or alcohol, rape, destruction of prison property. A Disciplinary board operates in all correctional institutions and is concerned with the disciplinary proceedings in cases of disorder and riots and the following of prison rules (GPPC, Arts. 70[1], 71[2]).

Whenever a prisoner is to be placed in solitary confinement (isolation punishment), a physician is asked to check beforehand that s/he is fit to sustain such punishment. The Correctional Code (alias Prison Law) also foresees that in such situations a physician has to check the health of the person every day (GCC, Arts. 21[3], 69[1a]). Since physicians are not any time available, but once or twice a week depending on their specialty, such control is carried out by any available member of the health staff. The decision for solitary confinement rests with the Prison board (GCC, Art. 10[1]) which has to take into account the situation of the detainee or the prisoner.

There are no complaints about maltreatment in solitary confinement which, as far as we know, is rarely used and in particular to women. Furthermore, female prisoners that have ever applied to the European Court of Human Rights for violation of their rights, it was almost exclusively for excessive length of the criminal proceedings brought against them or inadequate remedy by the Greek state (ECHR, Arts 6[1], 13).⁹

A sensitive issue in prison is **frisking**, strip naked and **body cavity searches** which are carried out only by staff of the same sex (at least

9. For example, ECtHR 2 July 2009, *Chuwunonso v. Greece* (no. 43407/06), *Ekonomi v. Greece* (no. 39870/06), *Sarantidou v. Greece* (no. 2002/07).

two persons). In general, searches are carried out after prisoners return from furloughs, are transferred from another prison or upon incarceration. Strip searches may be necessary on occasions to ensure prison security or prevent disorder or crime, meaning that the prisoner will not necessarily be strip searched upon admission to prison; s/he can be searched upon reasonable suspicion of involvement in a crime, including of hiding contraband, such as drugs or mobiles – for example in her/his alimentary canal. Urine testing and analysis is also carried out upon admission. Prison law foresees that each search must be conducted in an appropriate manner keeping in mind the person's dignity. Similarly, manual internal inspection of body cavities, takes place only if there exists a plausible reason to suspect the presence of contraband and the order of the prosecutor (GCC, Art. 23 [6]).

Visual searches upon entering prison are defined as *regular* searches, belonging to the routine control, while irregular searches take place every day in different places (e.g. cells, yard, workshops) selected by the chief warden, inside the prison or outside the building(s).

All searches have proven ineffective in the prevention of smuggling objects mostly drugs and has become normal since the mid 2000s to isolate individuals in the reception unit (a monitored environment) until they pass excretia. The prisoner's stay in an isolation unit is two-three days (cf. CPT/Inf (2006) 41, par. 81). X-ray that is less invasive and psychologically damaging or diagnostic imaging that can reveal the concealed contraband is not available (HERCA, 2010; Watson, 2012). Yet, regular use of X-rays carries a health risk for prisoners and staff without the adequate protection installations. An ultrasound scanner is not available in female prisons. Prison directors and senior prison officers have identified reception as the most problematic area for managing drugs entering the prison.

The legality of naked search, visual and manual body cavity searches is frequently contested by inmates and human rights activists, because these searches are highly invasive and greatly compromise an individual's right of privacy. In Greece is also criticized by them the use of laxative means for drug control.

In its 2006 report, CPT characterised body cavity searches of female prisoners when they left prison (e.g. to court or to hospital) and on their return as "disproportionate" and noted that examinations of this nature "should be conducted exceptionally on the basis of a risk assessment, not systematically" (cf. CPT/Inf (2006) 41, par. 81).

In 2007, the Ministry of Justice during parliamentary control questions on the issue stated that drug detection of prisoners returning from maternity leave, from the courts and upon entering is extremely difficult, because the prisoners introduce substances mostly in bodily cavities, so that they cannot be detected by existing tracking devices (Division of Parliamentary Control, 2007).

In February 2009, the Greek Ombudsman submitted a memo on "isolation and control practices of incoming prisoners, detainees or convicts for violating drug legislation" to the parliamentary watchdog *Committee on the prison system and the living conditions of prisoners* (Ombudsman, 2009, p. 6). Since 2009, gynaecological examination has stopped. The delegation of CPT was similarly concerned with "the systematic practice of giving all new arrivals laxatives, placing them in the isolation unit for five days and monitoring their use of the toilets by video camera, and recommended the end of this practice" (CPT/Inf (2006) 41, par. 81). However, CPT itself underlined in 2011 that "drugs appeared to be accessible and many prisoners admitted openly to using them" (CPT/Inf (2012) 1 par. 75; see also CPT/Inf (2006) 41, par. 114, 115; CPT/Inf (2010) 33, par. 138, 139). Drugs – import, exchange and use, are an extremely severe problem faced by prisons' administration. Apart from drugs, there are a lot of items (e.g. duplicate handcuff keys, cigar tubes to hide money, intravenous syringes, and knives) that are concealed in body cavities as well. These goods are considered valuable inside a prison and can pose a security risk to staff and inmates. The control of contraband leaving human dignity absolutely inviolable makes authorities running on a cutting edge.

An emerging technology enhances body scans by identifying metallic and organic materials. In March 2011, full-body scanners like those in the airports began to be used in the US to prevent offenders from smuggling drugs

into the jail (Collier County, Florida, Sheriff's Office) (Pittman 2011). Moreover, Body Orifice Scanner chair which can detect metal in the body when the inmate sits on it have started to be used in the New York State Correctional Services and the UK (Barbour & Wright, 2013, p. 165). Both would be a good solution for male and female prisoners in Greece in order to avoid body searching that may offends their dignity and self respect; the price however for a small country is prohibitive, at least of the first device that costs over \$100,000, while of the second is more reasonable (over \$9,500). Even if the costs could be covered, and the government would be positive to such use of technology, it is certain that human rights' NGOs, some lawyers, academics, politicians and certain groups of prisoners in Greece would cause serious problems to prison administration in order to annul the measure. Thus, it is up to each government's will and decisiveness not coping out and take the step.

Intelligence gathering and analysis are used to record incidents and information arising from within the prison system. However, there is no official record system in whatever form for the storage of information obtained from prisoners regarding other prisoners and staff, obtained from staff about prisoners, visitors etc. Therefore much information becomes lost and inapplicable after some time.

The person entering the prison meets the social service and the chief of the security staff (correctional officer), and declares if there is any reason to be protected, if s/he has any problem with other prisoners, or whether s/he is associated with some of them (MD 58819/2003, Art. 10[6]). Both, social service and the chief of the security staff, and occasionally the director (GCC, Art. 24), inform the newcomers about the prison regulation. In cases that prisoners due to nationality, religion or similar reasons have certain accommodation preferences, these are taken into account as much as possible.

In general, especially vulnerable groups of prisoners are kept separated in small units of the prison facilities in order to be protected (e.g. trans- and homosexuals; those accused of sex offences, and of offences against children; former policemen or other former law enforcement officials etc., see PD 141/1991, Art. 144[13]).

Despite the very low number of cases, such protection is enabled for women too and regular separate accommodation is provided whenever the circumstances call for it. In March 2014 two such women on remand were detained in Thiva for protection.

"Suicidal" prisoners of both genders are usually placed in small units of the prison too, without having contact with the majority of other prisoners, but they are not left alone in the cell. Psychiatric treatment by the psychiatrists and surveillance by the prison staff and their fellow mates are the common prevention measures used for them. Prisoners in Greece are not chained, especially when a woman is in labour; only in extraordinary cases when a person is in danger of harming her(him)self or others and for a short period of time. Psychological support is also offered by the five specialists working in the two women prison facilities, who belong to the permanent prison personnel.

There are also certain groups such as terrorists and "dangerous" criminals who are held in special units of prisons and single cells. In July 2009 a new Law (3772, Art. 20[1]) introduced prison establishments of high security (*type C*), for prisoners serving life sentences or long sentences over ten years and are considered to be especially dangerous for the smooth life in prison. These were not to have any contact with the prisoners of other types (A and B) of facilities. In type A are housed pre-trial detainees, prisoners on remand, persons convicted for economic crimes and those serving a prison sentence up to five years; in type B convicted prisoners who do not fit in C type (cf. GCC, Art. 19[2]).

In the same month, July 2009, the first C unit started operating in a closed prison (MD 103920/2009; see also MD 98257/2009). A violation of furlough (absconding from prison) and disappearance of a convicted terrorist in January 2014, as well as a violation of release on bail of a suspected terrorist in February 2014, apart from the previous two in 2012 (one woman) referred to above (4.1), have accelerated the operation of a whole type C facility (Domokos prison) by the Ministry of Justice in August 2014, despite criticism from a few professionals, political groups and several prisoners (MD 65116/2014; MD 88741/2014). Eight months later, in April 2015, the new government abolished

the relevant laws and this type of prisons (Law 4322/27.04.2015, Art. 1[1]).

Three young women, all over 22 years of age, accused for terrorism were held in the female prisons between 2012 and 2015. One has been released in September 2015 due to the completion of the minimum of her pre-trial time; the second is still in detention facility and the third one has been convicted in December 2014. Both are held under security conditions.

3.3.5. Contact with the outside world

Inmates enjoy certain rights deriving from Prison Law in order to maintain their contacts with the free society and the bonds with their family (GCC, Art. 51[2]). They are permitted to have contacts with their family and relatives up to the fourth grade (GCC, Art. 52[1]). They have also the right to be visited at least twice per week. The maximum number of **visits** is regulated by the Prison board. Usually, those accused or convicted for misdemeanours can be visited up to three times weekly, while those for felonies once per week for at least thirty minutes and can have limitless visits from their defence attorneys (GCC, Art. 52[1]; MD 58819/2003, Art. 21[1,2]). Visits from other persons need the permission of the Prison board, which informs the Minister of Justice; within three days the Minister grants or rejects the application (GCC, Art. 52[2]). This procedure is usually followed for visits that, according to the board, are considered to exercise an undesirable influence on the prisoner/detainee, such as when the visitor is either involved in the detainee's/prisoner's criminal case, or is a former prisoner or endangers the security or the psychological health of the woman, in particular violent family members.

The visits take place in the Visitor room of the prison under only visual control, while for mothers the visits of spouses and especially children are regulated favourably and are to be made in a appropriately arranged space (cf. BkR, 2, 26-28, 43) (Mitrossyli & Fronimou, 2006, p. 15). Other forms of conjugal visits are not foreseen in law. In the women's prison, only children under the age of 16 can communicate with their mothers without the separating glass, but without close physical contact. Especially for school children, there are visiting hours on Sunday morning during the school year to see their mothers. In addition, social workers can arrange for the visit

to be in their office, if they consider that there are special reasons for mothers and children to come in closer physical contact, such as when children come for the first time to the prison.

For terrorists, "dangerous" criminals etc. who are subject to special conditions apply the general rules and rights of the Prison law, unless certain visits are considered by the Prison board to exercise an undesirable influence on the prisoner. If both members of the couple are in prison and, in particular, if they are characterised as dangerous, they may visit each other under the same procedure as the rest of the people but in such case after the approval of both prisons boards (Furlough Granting Board/Disciplinary Board); during the visit they sit behind a plexiglas window under visual control.

Foreign prisoners are allowed to contact with diplomatic and consulate representatives of their country of origin, as well as with other persons and organisations that could help the arrangement of problems relating to their prison accommodation (MD 58819/2003, Art. 21[13]).

All prisoners, irrespective of their legal status, can make unlimited **phone calls** paying themselves from the phone boxes of the institution, unless the Prison board set restrictions because of certain violations by them (GCC, Art. 53). Nevertheless, prison life and overpopulation sets by itself boundaries to which the prisoners adjust. The use of mobiles is forbidden, but some are skilful enough to possess one.

They can also **send and receive letters** without limit (Art. 53); censorship is forbidden by the Constitution (Art. 19; also GCC, Art. 53[4]), though permitted for reasons of investigating serious crimes or for reasons of national security (Law 2225/1994, Art. 3). The letters are electronically controlled and opened with the presence of the prisoner/detainee (MD 58819/2003, Art. 23[5]).

Furloughs (GCC, Art. 54) (**home leave scheme**) are an essential institution for mitigating the deprivation of liberty. There are three forms of furloughs: regular; special and educational (GCC, Arts. 55, 57, 58 correspondingly). Regular furloughs intend to alleviate the pains of imprisonment and prepare social re-integration. Furthermore, every prisoner has the right to be allowed by the public prosecutor or the

prison director to leave the institution because of family, professional or other extraordinary and unexpected reasons, even if s/he does not correspond to conditions required by the law for regular furloughs (special furlough, GCC, Art. 57). The special furlough can last a maximum of 24 hours. The decision regulates also the need for constant escort or not.

The granting of furloughs started not only carefully but also very tentatively in 1989 (Spinellis & Spinellis, 1999, p. 49). After the first experimental time, successive changes (1995-1998) followed and their conditions have been widened, while in cases of violation the possibilities have been restricted.

The eligibility criteria for regular furloughs are: a) The prisoner should have served 1/5 of the imposed sentence (real time and not beneficial counting because of work or education) and at least three months of it. However, in cases of life imprisonment the convicts should have served at least 8 years, while juveniles should have served 1/3 of the imposed minimum period of their custodial sentence (this sentence is quasi indeterminate and the court sets a minimum and maximum period); b) a penal prosecution for a felony should not be pending against the convicted person; c) the Furlough Granting Board estimates whether there is a risk or not of either escape or commitment of offences (GCC, Art. 55[1])(Cheliotis, 2006).

Prisoners who wish to follow an education course outside the prison or complete their primary or secondary education, as well as their vocational (technical, occupational) training may be granted an educational furlough. As a prerequisite the law sets only the assessment of the eventual positive influence which the education and training will have for the reintegration of the prisoner in society, as well as on his/her personality (GCC, Art. 58[1]). Some more details are also foreseen for the trainee by the Furlough board concerning the educational programme, e.g. the educational institution to be attended, days and hours of absence from prison, eventual escort etc. (GCC, Art. 58[2]). The prison administration grants to those on leave some financial support in order to meet their expenses.

Prisoners can always appeal for violation of their rights to communication, restrictions of

vocational and educational training, furloughs and disciplinary sanctions to the court responsible for their sentence enforcement, namely the court of the larger area where prison is located (Law 2225/1994, Arts. 3,4,5; GCC, Arts. 52[3], 53[7]). However, especially about the furloughs, the pre-trial detainees can be granted a furlough only in extraordinary cases and unforeseen events affecting them, such as death, funeral and serious health problems of a close family member (GCC, Art. 57[2]).

3.3.6. Rehabilitation of female prisoners and aftercare

As already mentioned, educational recreational activities or vocational training as well as participation in groups (counselling) for drug addicts, and **work** in prison are provided exclusively on a voluntary basis (Art. 22[4]; cf. ECHR 1950/53, Art. 4[3a]).

The expanded possibilities for conditional release make prisoners less inclined to choose the work option (of either offering services in the prison as janitors, cooks etc., or in the fields, for the men: agrarian/rural institutions) as a means of gaining a quicker release (GCC, Art. 46[2]). Although working programmes and vocational activities operate in all prisons, the places due to the overcrowding are not enough, while old and successful workshops were reduced. Additionally, the costs for recreational activities subsidised by the state have drastically decreased. Regarding these activities, the operation of a prison blog as an e-newspaper since 2010, administered and maintained by the prison personnel with the support of female prisoners is encouraging (K.K.G.E.TH.). In general, one third of prisoners work in one way or another in the facilities.

The most common occupations in prison with beneficial calculation are related to the daily operation of the prison and are mainly ancillary. The women work in the kitchen, the warehouses, the washing rooms, the garden, the library, the coffee shop, the pharmacy of the prison, etc. Work opportunities in ancillary services of the prison are also granted by the Prison Labour Board, which takes into account specific skills of the prisoner, confidentiality, type of offense (which, for example, may prevent the employment of a prisoner convicted for drug crimes to work in the pharmacy), etc. Apart from the jobs mentioned above, a different type of occupation in women's

prisons is manufacturing handicrafts. Many women are engaged in knitting, and embroidery. For some women these are occupations they had experience with before their incarceration, and for others, they acquired these skills during their incarceration. They have the option of selling their handicrafts and making a profit or maintaining the activity as a hobby (Thanopoulou et al., 1997, p. 146). However, these activities can be regarded as "discriminatory against women" according to CPT (CPT/Inf (2000) 13, par. 25).

The main productive occupation of the incarcerated women is the carpet workshop, the jewellery (faux bijoux) – and the paintings workshop (K.K.G.E.T.H.). All of the objects are sold outside the prison in annual exhibitions and the inmates are paid for the creations sold. Training for carpet making lasts at least three months and is designed for prisoners serving long sentences, while the jewellery workshop is designed only for drug addicts and is operated by KETHEA. A professional painter employed by the Ministry of Justice teaches prisoners in the painting workshop to paint pictures and other objects.¹⁰ The carpet workshop has been operating since 1969 and the other two since 1995.

Many courses have been periodically carried out in the women's prisons, most of them recreational activities, e.g. flower binding, theatre, gymnastics, and volleyball without providing beneficiary calculation of the sentence or any reimbursement as the previous productive workshops. After 1995, the cofinanced programmes of the EU and the Greek state started offering vocational training and support, or other short-term educational courses. PC learning/computer basics, secretarial course, and confectionery making are the usual programmes offered to female prisoners.

The main **educational programmes** running in prisons for many years are the "second chance" school (since 2005), the Greek language course, and the high school distant learning course. The first is a two-semester course for those who have finished primary school and wish to continue on with some classes; the second is a course for illiterate and foreign women, and the third is for

those inmates who have completed the nine years' compulsory education and want to finish high school and receive a certificate of studies.

These women can join the respective program of the Ministry of Education. Prison Law allows correspondence studies (distant learning) in universities and technical universities wherever available, as well; few prisoners attend a public university course or vocational (technical, occupational) training outside the prison under the framework of educational furloughs from time to time, and female prisoners even less. In 2010 a young female prisoner passed the general examinations for higher education and achieved the third highest place in the Athens Law School, while in 2013 four young males passed the examinations (Psaraki, 2011; *Naftemporiki*, 2013).

Several women after release face employment problems, such as reconnecting with their workplace or their previous customers and distrust of employers, while the rest lack job-related skills or experience to support themselves once they are released. They frequently depend on family members who themselves have limited resources. They often have problems reconnecting with their family, having to struggle for the custody of their children who have grown up away from them, especially after long sentences have been served. Those women who are addicted to narcotic substances have to spend the healing process of rehabilitation at home, which is often long and full of setbacks (Thanopoulou & Moschovou, 1998, p. 23). Some women have housing or health problems too.

Two studies from the late 1990s examined the opportunities for reintegration for (adult male and) female offenders on release from prison, and for juvenile offenders. Both enquiries attempted to evaluate the training programmes provided for these groups. The first study examined the difficulties encountered in integrating or reintegrating women into work, pending their release (Thanopoulou et al., 1997). It found that the problems of integration into the world of work had started long before imprisonment, and that deprivation of liberty intensified these problems and made them more acute. The authors then examined the 16 institutions charged with the education and training of released prisoners by interviewing representatives from each of the organizations. This study emphasized the

¹⁰ She retired in March 2014 and now a fellow prisoner teaches the other women.

importance of aftercare treatment and the need for further support programmes as well.

The second study related to the aftercare training programmes followed 56 adults and 11 juveniles, who had taken part in one of four occupational training programmes, after their release from prison (Thanopoulou & Moschovou, 1998). Only six of the adults and one of the juveniles were female. The majority of both groups were working after release in the same sector as before their confinement, usually in unskilled or temporary jobs. This implies that their training had played no role. Therefore, the authors emphasized the need for better programme planning and aftercare.

The two surveys confirmed that the expressed state interest in helping prisoners to reintegrate into society is not associated with effective measures for their support either in correctional facilities or after release. Particularly, assistance from state institutions offering social relief to vulnerable population groups, such as Societies for the aftercare of prisoners or for the protection of juveniles, has declined. These societies were envisaged for 63 regions of Greece, under the auspices of Courts of First Instance. They were originally responsible to the Ministry of Justice, but in 1997 (Law 2503) they were transferred to local government. Up to that time, only 33 of them had submitted annual budgets and presented reports (of varying degrees of usefulness) and 30 had been totally inactive.

The Prison Law 2776/1999 (GCC, Art. 81[2,3]) foresees a combination of the previous systems, involving back-up by local authorities and control by the Ministry of Justice. In parallel introduced an institution called EPANODOS (Re-Entry) for the support of released prisoners, which was set up in 2003 (PD 300/2003). EPANODOS started practically operating in 2007 and has been assigned a multitude of responsibilities and tasks in finding work, accommodation, addiction treatment, financial assistance, legal aid, psychological and social support etc. to released prisoners. It also assists released women on abuse, protection from trafficking, education and employment. The organization is understaffed and it wouldn't operate without the work of volunteers and professionals from various disciplines (law, psychology, sociology, criminology) working part time within a very low budget. Therefore, apart from counselling services, EPANODOS can hardly offer material resources.

In general, it informs and facilitates the access of released prisoners to other services, while the participation of prison authorities despite their efforts and engagement in implementing comprehensive pre- and post-release reintegration programmes with EPANODOS, not only for women but for both genders, it is inadequate (EPANODOS, 2013). From 2007-2011, EPANODOS has served 596 persons, which means an average of 119 persons per year. This corresponds approximately only to 1.5% of the total number of inmates released annually; the gender of those helped is unfortunately not mentioned (EPANODOS, 2011/2013, p. 4).

Other institutions involved in education programmes in prison as well as in after-care are: 1) The Greek Manpower Employment Organization (OAED), is the most important, since it supports financially unemployed ex-prisoners (financial allowance of 275 euro per month for three months); assists them to start their own small firm or business; organizes vocational training programmes and, above all, subsidizes employers to hire ex-prisoners for quite a long period etc. In 2010, the subsidized positions for released prisoners were only 170, from which the number of women is unknown (Kelidou, 2011); 2) the General Secretariat of Adult Education, the National Organization of Welfare, some local authorities, few professional associations (e.g. Athens Bar Association) etc.; and 3) the Greek Orthodox Church (Archdiocese). The local parishes of the Church participate in after care initiatives offering small financial allowance, short accommodation, clothing, food, addiction support, help for abused and battered women, family counselling. Some NGOs offer short term housing, food and counselling services too; and few Universities through the Social Fund of the EU have offered in the past vocational training and support (Spinellis & Spinellis 1999, pp. 51-52).

3.3.7. Prison staff

The largest number of prison personnel is custodial and administration staff (85%), while specialised personnel, i.e. psychologists, criminologists, sociologists, social workers and teachers do not exceed ten percent (CPT/Inf (2012) 1, par. 64; CPT/Inf (2010) 33, par. 119).

In spite of the regular employment of custodial staff until 2010, they are never enough because a considerable number is pensioned or leave the office, seconded to another service,

escort inmates to court, hospital etc., while there is a constant increase in the prison population. Yet the staffing of correctional officers is sufficient for both women's prisons. In March 2014, 81 correctional officers were working at the Thiva Prison for convicted women (March 2014, ratio- 1 guard: 5 prisoners) and 190 at Korydallos (March 2014, ratio- approx. 1:1!) for remand prisoners.

During the last decade, prison officers are elementarily trained to address the special needs of women, including health care needs, psychological support, maternal needs, as well as the protection of women due to the higher need being in service in order to confront overcrowding.

Although previous Prison Laws (140/1967, 1851/1989) foresaw a training period of four, and then subsequently six, months upon first joining the prison service, four months practice and refresher or educational courses every two years (GCC, Art 120[1]), the initial training has been reduced, since 1999, to two months of theoretical courses, and the rest practice in prison (Arfaras, 2015, pp. 53-55), rarely receiving refresher or educational courses to assist them with their tasks (Division of Parliamentary Control, 2013, pp. 3-4; see also CPT/Inf (2006) 41, par. 125). Despite some seminars offered, the initial training has been further reduced to a 40-day intensive course. The Federation of correctional officers noted in its 2013 Action Plan that "substituting training with seminars is not a solution" (in Y.E.F.K.K., 2013, p. 3). Therefore, they suggested the re-operation of six month courses in order to join the service. All the more often, prison officers are victims of violent attacks from prisoners and with increasing severity (OSYE, 2013; 2014). Untrained personnel and/or low staff numbers generate an unsafe environment for both the staff and vulnerable prisoners and makes the interaction between prisoners and staff to be minimal.

The staff shortages of specialised personnel that can support prison officers along with the constant danger of being liable for whatever problems arise in the prison produce pessimistic and negative feelings among the staff, which are aggravated to a further degree by the absence of their psychological support.

In March 2014 apart from the five psychologists who have been working in the two female prisons (3 in Korydallos/remand, 2 in Thiva/convicted), the rest of the specialised personnel consisted of 11 social workers (10 in Korydallos and 2 in Thiva) and only one sociologist (in Korydallos Remand prison). The research of Mitrossyli and Fronimou refer that in 2006, when there was only one prison for women (559), three social workers for the prisoners had been working, which meant a rate of 186 prisoners per social worker (!). Except for counselling and preparation of social and reintegration of prisoners, social workers also had to deal with administrative duties and paper work as well (Mitrossyli & Fronimou, 2006, p. 32; Thanopoulou et al., 1997, p. 54).

CPT's delegations in their reports have noticed the expanding defeatist feelings of the personnel (CPT/Inf (2006) 41, par. 75; CPT/Inf (2010) 33, par. 89) and the stress because of the overpopulation and the limited training that impede them to the development of adequate measures in order to address prison problems (violence, dearth of staff etc.) (CPT/Inf (2006) 41, paras. 83, 123, 125).

As several experts have often stressed in the past, as well as the CPT from its side, prison authorities have the responsibility to protect prisoners. In particular, prison staff must be alert to signs of trouble and be both resolved and properly trained to intervene. Although this depends on an adequate staff/prisoner ratio, it requires also training throughout the careers of the correctional officers (CPT/Inf (2006) 41, par. 83). But above all, it requires from the authorities invest adequate resources not only in recruitment but also in training. A skilled staff is able to deal with prisoners in a decent and humane way, paying in parallel attention to issues of security and good order. This will influence the development of constructive and positive relations between prison staff and prisoners reducing the risk of ill-treatment, as well as enhancing control and security. In turn, it will render the work of prison staff far more rewarding (CPT/Inf (2006) 41, par. 124-125).

CONCLUSIONS AND OPEN ISSUES

In Greece, as in most countries, the proportion of women in official crime rates and prison

population is generally low with an increasing trend since the 1990s. This can be associated with the more intensive female participation in economic, professional and social life which, however, had already begun in the 1970s. Furthermore, the higher level of consumerism and greed associated with inadequate means for covering the perceived needs cannot also be ignored. The impact of globalisation and the practically open borders also play a role.

Women seem to have slightly higher rates in crimes at younger ages (26-36) than before, but due to our categorisation, in order to homogenise age groupings in official statistics, it is not obvious. Generally speaking, the types of crimes they commit has changed, with violations of drug legislation remaining in the top three crimes for which women are imprisoned.

As for the prison regime and living conditions of female prisons, the main problems are the unequal division of personnel in the two prisons examined, the chronic understaffing of specialised and healthcare personnel and the inadequate operation of training and education programmes for the female inmates.

Special emphasis should be given to the HIV prevention treatment and care, as well as to the preventive health care education and information of prisoners (BkR, 14, 17) and in particular the information of prisoners by the admission staff relative to the dangers of denying health screens, including for sexually transmitted diseases or blood-borne diseases (BkR, 6[a]). In addition to the above, regular tests for infectious diseases (e.g. hepatitis) should be integrated into the routine of prison life.

Despite the long existing drug sensitisation, mobilisation and rehabilitation programmes for female prisoners, a unit for detoxification of substance abusers should be added to the existing unit for males (BkR, 15). Incarcerated women are at a higher disadvantage than incarcerated men in regards to health care and residential drug treatment. Moreover, the explicit demand of BkR for the determination of health care needs of the sexually abused or of those who have suffered other forms of violence prior to admission must be taken into account (BkR, 6[e]).

Although prison authorities use classification and individualisation methods for gender-sensitive risk assessment, appropriate treatment

and reintegration into society, this process is carried out rather empirically (BkR, 40, 41). Similarly, the prisons' cooperation with aftercare organisations is insufficient (BkR, 46, 47).

The Greek penal system foresees and provides several possibilities for those convicted and serving short sentences not to be imprisoned and it is especially generous to young females, and mothers with toddlers. As far as juveniles are concerned, the operation of a special department for females is not a solution, because it would be soon filled following the development of the young males' institutions. The use of alternatives to imprisonment for female offenders and a mechanism for their supervision, as well as a small team of professionals working with the young females in prison are necessary instead. It is quite disappointing that female prisoners are also not included in the pilot project for electronically monitoring 250 pre-trial detainees and convicted prisoners, which was initiated in May 2015.

The poor training of correctional officers, along with general and special security issues that arise is a serious problem for the smooth management of all prisons. Clear policies and regulations on the conduct of prison staff and capacity-building would enable them to manage safe and rehabilitative facilities and address the special social reintegration requirements of all prisoners, male and female (BkR, 29, 31).

Prison officers and administrators in today's correctional facilities face new and old challenges that increasingly make it difficult to keep peace inside prison walls. It seems that the greatest challenge is the prevalence of narcotics in the prison setting. An increasing amount of those imprisoned are there because of drug-related offenses, women included. Therefore, advanced security systems, as well as discreet surveillance and body scanning are absolutely necessary to prevent the contraband. Whether this can be carried out or is desired by the Greek governments is questionable. Traditionally, decision-makers in many countries have been strongly resistant to allocating funds for prison technology. Even today, the perception remains that concrete walls and steel bars should be enough. A failure to acknowledge technology's role in helping secure correctional facilities may be disastrous for the already overcrowded prison system in Greece (see also Hood, 2009; CPT (2010) 33, par. 123).

Loose and humanitarian prison management is a good model, which must be associated with training, professionalism, accountability and ensuring self-esteem of personnel in order to support prisoners. Prison authorities and the Ministry of Justice are aware of the gender specific issues and quite sensitive to these. What is missing is a radical reform of prison management in the whole correctional system of the country, the allocation of resources, the use of advanced technology, and adequate staff training in order to improve their self-confidence, as well as the

reinstatement of prison workshops that will offer continuous occupation (vocation) to prisoners.

Finally, crime prevention must be added to the subject matter of the already operating drug prevention programmes of the local governments along with the mobilisation of community experts visiting and counselling the students in schools. Greece still has the ability to organise and promote an “early warning system” in order to control an increase in women offenders and prisoners (BkR, 67) before the problem gets out of hand.

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