

Country Report: Romania

A lack of information on women in prison in Romania has meant that the following report draws heavily from two sources; a country report on Romania by Morag MacDonald at the University of Central England¹, and a questionnaire on women in prison returned to us from the Head of the Social Reintegration Department of the National Prison Administration in Romania.

1. Introduction

According to the International Centre for Prison Studies (ICPS), the prison population in Romania at the end of August 2006 was 35,959, 14.2 per cent of which consisted of prisoners on remand. The prison population rate was 167 per 100,000 based on an estimated national population of 21.57 million. The number of establishments was forty-five (thirty-six prisons, six prison hospitals and three institutions for minors) and the official capacity of the prison system was 37,947 resulting in an occupancy level of 94.8 per cent.² The Romanian General Directorate of Penitentiaries is part of the Ministry of Justice which deals with prisons.³

A key issue that faced the Romanian General Directorate of Penitentiaries in 2004 was the demilitarisation of prison staff; ninety-two percent of the 13,256 prison staff were military personnel and only eight per cent were civilians.⁴ Demilitarisation would ‘bring about a change from a military-type mentality to a less rigid attitude where interpersonal relations are based on respect, discipline and professional responsibility’⁵ and was due to happen in November 2004.

Overcrowding was identified by staff at the prison service department as a problem that impacts on living conditions for prisoners and the spread of TB and sexually transmitted infections. A large number of prisoners are often housed in each dormitory and this has a negative effect on hygiene standards. According to the regulations, prisoners can shower every day if they are working and once per week if not. However, in reality prisoners cannot shower this regularly due to both the overcrowding and problems with heating systems and low water pressure in prisons.⁶

In 1999 the European Committee for the Prevention of Torture strongly criticised many aspects in Romanian prisons.

¹ Prof. Morag MacDonald, *Country Report for Romania* (1-8 February, 2004), Research project for the Central and Eastern European Network of Drug Services in Prison in Co-operation with The European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI), (University of Central England, 2004).

² International Centre for Prison Studies, World Prison Brief, Prison Brief for Romania [on-line], accessed 16 March 2007, available at <http://www.prisonstudies.org/>

³ MacDonald, *Country Report for Romania* (1-8 February 2004), p. 4.

⁴ *ibid.*

⁵ Centre for Disease Control and Prevention (CDCP), European Committee of Crime Problems, 13th Conference of Directors of Prison Administration, Demilitarisation: *The beginning of a new organisational structure for Romania's prison system*, Strasbourg, 6-8 November 2002, as referenced in MacDonald (see *ibid.*), p. 4.

⁶ MacDonald, *Country Report for Romania* (1-8 February 2004), p. 24.

2. Women prisoners in Romania

Special legal provisions regarding women are included in the Criminal Code, the Criminal Procedure Code and the Decree no. 368/1966.⁷

Profile of women prisoners

According to Prison Reform International the total number of imprisoned women in July 2002 was 2,396 (of which 2,312 were adults and eighty-four were juveniles). In 2002 there were 1,579 women prisoners with children, twenty-two foreign national women prisoners and two women sentenced to life.⁸

As of the end of November 2005, female prisoners made up 4.7 per cent of the total prison population.⁹ The total prison population figures were unavailable for this time from the ICPS but if we use the figure for the total prison population for August 2006 (35,959), this gives a female prison population of 1,690. This figure differs significantly from that given by Prison Reform International for 2002 (by 706 prisoners), indicating that the female prison population may have fallen between 2002 and 2005/06.

Prisons

There is only one prison in Romania which is specifically for sentenced women and this is Târgsor women's prison. In February 2004, it held 600 women prisoners and thirty male prisoners, the majority of whom were sentenced.¹⁰ The population of the women's prison has not increased in recent years.¹¹ The majority of penitentiaries had special sections for women on remand, with wings for women in thirty of the prisons for men. In 2005, these prisons held a total of 1,265 women prisoners (between five and 200 in each prison).¹² Rahova is an example of one such prison, which has a capacity of 2,500 and holds juveniles and maximum security male sentenced prisoners with sentences longer than ten years, and which also has a section for pre-trial women prisoners.¹³

The types of regimes for women prisoners include: closed, semi-open and with no guards.¹⁴ In 2005 there were twenty female juvenile offenders held at the women's prison.¹⁵ Female juveniles sentenced to a re-education centre are detained in the re-education centre at Gaiestit.¹⁶

The general condition and facilities in Târgsor prison are good, however, a lack of space for activities means conditions in the mixed sex facilities are less so. Most of the prison buildings (including Târgsor) are fifty years old or more, with the exception of two prisons which were built in the 1990s. Târgsor prison is under reconstruction and one third of the others have had

⁷ *Prison Reform International*, Information Pack: Women in Prison, Romania, 2002.

⁸ *ibid.*

⁹ *International Centre for Prison Studies*, available at <http://www.prisonstudies.org/>

¹⁰ MacDonald, *Country Report for Romania (1-8 February 2004)*, p. 6.

¹¹ *QCEA questionnaire*

¹² *ibid.*

¹³ MacDonald, *Country Report for Romania (1-8 February 2004)*, p. 5.

¹⁴ *Prison Reform International*

¹⁵ *QCEA questionnaire*

¹⁶ *Prison Reform International*

recent additions or extensions. Because of this renovation work, Târgsor prison is not overcrowded, although some of the women's wings in the mixed-sex facilities are.¹⁷

One example is that of the women's section at Rahova. Many of the women held here come from Bucharest and do not want to be sent to Târgsor as they would be further away from their families. This means that they do not complain about the problem of overcrowding in their section (overcrowding is not a problem in any of the other sections of the prison).¹⁸

In order to improve the system of women's prisons in Romania, the Head of the Social Reintegration Department suggested that the number of places and the geographical location of more women's prisons should be assessed.¹⁹

Crimes

Figure 1, below, shows that the most common crime that women were convicted for in 2000 was theft, followed by robbery. Drug offences are unusually small as they are usually much higher in relation to other crimes for women offenders.

Figure 2, below, shows that 'theft and handling stolen goods' was the most common crime that women in Târgsor prison were convicted of, followed jointly by homicide and robbery. Again, drug offences are relatively low.

Together, although information on many women prisoners is not provided, the graphs give an overall picture of the crimes for which women in Romania are commonly convicted; high incidences of theft and robbery, with drug offences being low.

However, according to the prison director at Rahova, the majority of women are there due to drug-trafficking offences.²⁰ This may suggest that many women on remand for drug-related offences are not convicted at court (Rahova holds only pre-trial women), that women charged with drug offences are specifically sent to Rahova or that the location of Rahova may be near one of Romania's borders, so that anyone caught for drug trafficking at the border would be sent there. However, all of these reasons are speculative.

In 2005, almost fifty per cent of the women prisoners at Târgsor were convicted to between three and ten years of imprisonment.²¹

The Head of the Social Reintegration Department said that, in comparison with male prisoners, many female prisoners are illiterate, were unemployed before their imprisonment and have been victims of sexual abuse and assault.²²

¹⁷ QCEA questionnaire

¹⁸ MacDonald, *Country Report for Romania (1-8 February 2004)*, pp. 5 and 10.

¹⁹ QCEA questionnaire

²⁰ MacDonald, *Country Report for Romania (1-8 February 2004)*, p. 5.

²¹ QCEA questionnaire, question 9.

²² *ibid.*, question 18.

Some crimes that women prisoners were convicted for in 2000

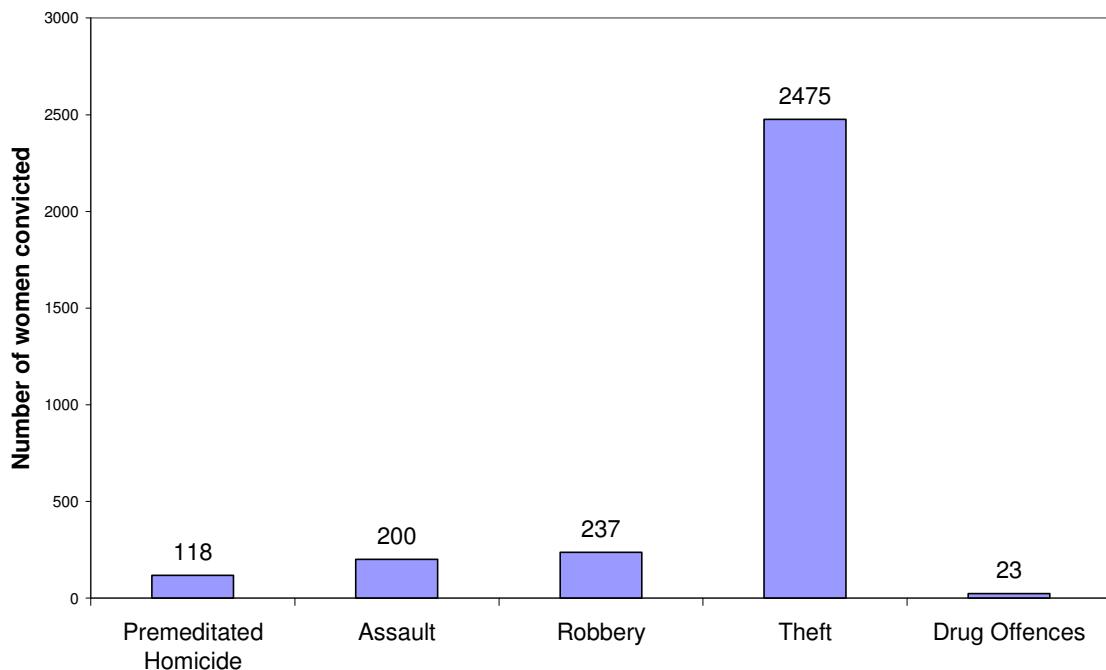


Figure 1: Number of women convicted for certain crimes in 2002. The total convicted for these crimes (3,050) is much less than the total number of women convicted in 2000 (10,361) indicating that many women (7,311) were either convicted for crimes other than those shown in the graph or information on their crimes was not available or collected.

Source: <http://www.heuni.fi/uploads/wahz665.pdf>

3. Women on remand

Women prisoners on remand are held on wings of thirty men's prisons around the country.²³

4. Convicted prisoners

Convicted women prisoners are held at Târgsor women's prison.²⁴

²³ QCEA questionnaire, question 4.

²⁴ MacDonald, *Country Report for Romania (1-8 February 2004)*, p. 3.

**Percentage of type of crimes committed by women at Târgsor prison,
(date?)**

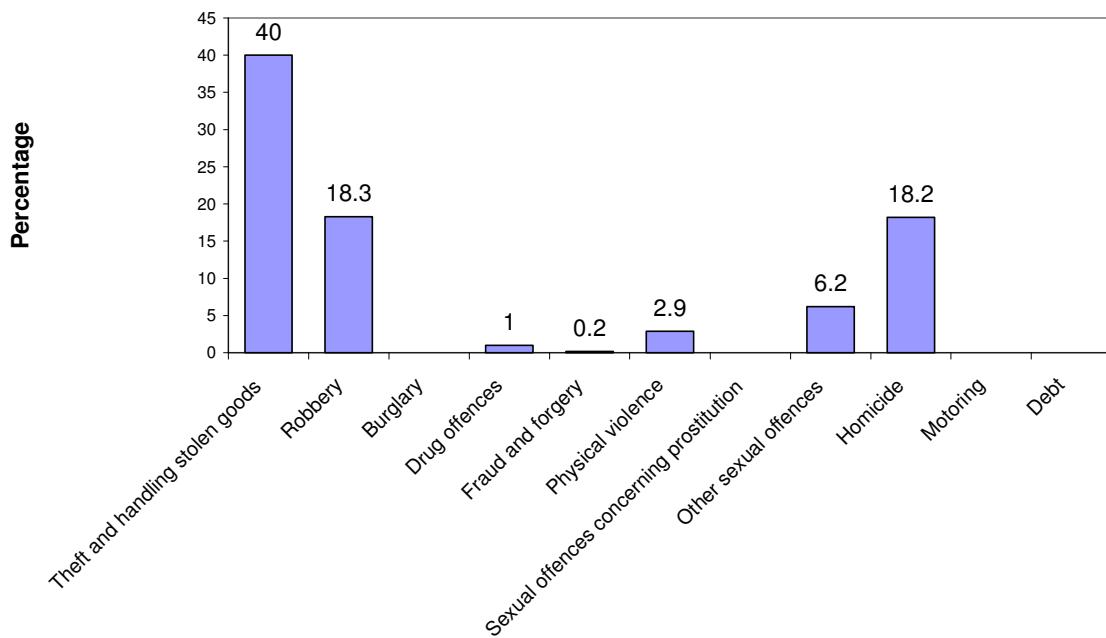


Figure 2: Crimes committed by women in Târgsor prison, 2005. The percentage of those committed for the crimes listed above only add up to 86.8 per cent, indicating that information on all the women was not available. Source: Questionnaire on women and prison filled out by the Head of the Social Reintegration Department, National Prison Administration (answer to question 12).

5. Contact with the outside world

Visits

Visitors' facilities vary with each prison; some of them need renovation while others are 'fit for the purpose'.²⁵

Women in Târgsor are from all over Romania and this can cause problems for the prisoners because of the long distances they are from their families.²⁶ At Târgsor all prisoners can receive visits. Husbands, parents, children, relatives and friends are allowed to visit prisoners with parents, husbands and children being the most common visitors. Visits can take place once a week. Overnight or family visits are not allowed.

The type of visit that a prisoner can have depends on the crime for which they have been sentenced. The law dictates that prisoners who are classified as former drug addicts or drug traffickers can have closed visits only. Prison directors can use their discretion in allowing those convicted for drug-trafficking to have open visits, although this does not always happen. In Romania, the possession of a small quantity of any drug can result in a charge of drug-trafficking, meaning that many prisoners who have been sentenced for this crime are, in reality, simply drug users.²⁷

²⁵ QCEA questionnaire, question 29.

²⁶ MacDonald, *Country Report for Romania (1-8 February 2004)*, p. 6.

²⁷ *ibid.*, pp. 20 and 24.

Leave

Home leave for special events (such as Easter, Christmas and special events in the prisoner's family) is possible for prisoners who are regarded as having behaved well.²⁸

6. Motherhood in prison

Pregnancy and birth

Special diets are provided for pregnant prisoners.²⁹

Babies in prison

Young children and babies can stay with their mothers in prison up until the age of one year.³⁰ At Rahova prison, mothers are permitted to keep their children with them for a year in the prison hospital if they give birth whilst in prison.³¹ There is a special wing for mother and children in a penitentiary hospital with 'very good conditions and adequate health care'.³²

Children on the outside

According to the Head of the Social Reintegration Department, separation from their children is the most difficult problem that many women prisoners encounter during their sentence. Sixty per cent of female prisoners have children under the age of eighteen.³³ Women can keep in touch with their children through social assistance programmes, mail and visits.³⁴ Children are allowed to visit their mother in prison once a week and there is a special visiting room in the women's prison with children's furniture, toys and books etc. This type of facility is not available in any other prisons holding women. Women are allowed physical contact with their child during visits.³⁵

7. Health

General

Within the prison system the prisoners have access to health care services provided by the medical units of the prisons. In these units there are general practitioners and specialist medical staff. When there is a need for special medical assistance, prisoners are sent for specialist checkups within the prison system or to outside hospitals managed by the Ministry of Health and Family.³⁶

²⁸ Roy Walmsley, *Further Developments in the Prison Systems of Central and Eastern Europe: Achievements, problems and objectives*, (Helsinki: HEUNI, 2003), p. 430. Available at <http://www.heuni.fi/24705.htm>

²⁹ *ibid.*, p. 428.

³⁰ QCEA questionnaire, question 31.

³¹ MacDonald, *Country Report for Romania (1-8 February 2004)*, p. 5.

³² QCEA questionnaire, question 32.

³³ QCEA questionnaire, questions 30 and 37.

³⁴ Prison Reform International

³⁵ QCEA questionnaire, questions 29, 34, 35 and 36.

³⁶ Prison Reform International

Târgsor prison provides twenty-four hour medical cover, and the prison has eight nurses and two doctors, who are also on call at the weekends. According to the Head of Health Care, prisoners have good access to the doctor who they can usually see on the same day as they make the request. Prisoners in a focus group said, however, that they have scheduled days on each section when they can see the doctor and make their appointments on those days.³⁷

The Head of the Social Reintegration Department said that, at Târgsor, the state of health of the prisoners is not very good, and if a prisoner is ill there are not sufficient resources to treat her within the prison.³⁸ Prisoners at the prison hospital had mixed views about the provision of health care in the prison with some considering the health care to be good, and others feeling less satisfied.³⁹

In cases of emergency, pregnancy and surgery the women are sent to hospitals outside the prison.⁴⁰ Rahova prison hospital is one of the hospitals that women from Târgsor may be sent to. However, some women refused to go there for tests due to: the way in which the women are transported to the hospital ('We are transported in very miserable conditions just like animals'), loss of working days (days spent working can mean days taken off the prisoners' sentence) and lack of notice given (sometimes just the night before, making it difficult to reschedule visits expected from family).⁴¹

Prisoners receive regular health checks for establishing their general state of health. Some women prisoners at Târgsor refuse to have check-ups. Participants at a focus group gave reasons such as the fact that they were not able to talk about the results with the doctor who did the test and their reluctance to travel to Rahova prison hospital (as mentioned above). Some women also felt that in the mass screenings they lost control over their own bodies.⁴²

Tuberculosis (TB) is a major problem in Romania and the number of cases is rising. At Târgsor the number of new cases of TB has levelled off. Prisoners are screened for TB and will be sent to the prison hospital if their results are positive. The prison provides information on TB and tries to engage prisoners with the related issues.⁴³

The types of illnesses that are most common among the prisons at Târgsor are respiratory and cardiovascular diseases.⁴⁴ The incidence of infectious diseases in the prison system is high.⁴⁵ The prison health care department arranged for prisoners to have cervical and breast cancer screening from 2005, and finance for this had been allocated in 2004.⁴⁶ At the present time, prisoners are not tested for HIV and Hepatitis C.⁴⁷

Women are able to see a doctor or other health care worker in privacy.⁴⁸

³⁷ MacDonald, *Country Report for Romania (1-8 February 2004)*, p. 14.

³⁸ QCEA questionnaire, questions 23 and 24.

³⁹ MacDonald, *Country Report for Romania (1-8 February 2004)*, p. 12.

⁴⁰ QCEA questionnaire, question 24.

⁴¹ MacDonald, *Country Report for Romania (1-8 February 2004)*, p. 12.

⁴² *ibid.*

⁴³ *ibid.*, p. 17.

⁴⁴ QCEA questionnaire, question 25.

⁴⁵ MacDonald, *Country Report for Romania (1-8 February 2004)*, p. 17.

⁴⁶ *ibid.*, p. 13.

⁴⁷ *ibid.*, p. 25.

⁴⁸ QCEA questionnaire, question 39.

Mental health (including self-harm and suicide)

There are women in prison with mental health difficulties and between eight and ten per cent of the prisoners at Târgsor suffer from mental illness (especially personality disorders). Counselling and rehabilitation programmes are available for prisoners with mental health difficulties.⁴⁹

Self-harm is usually seen as manipulative behaviour by prison staff and, in general, it is male prisoners who tend to self-harm more than women prisoners. At Târgsor they have two or three cases of self-harm each year. According to staff, these are never serious cases and usually occur due to arguments amongst prisoners, often involving cutting. This was described as manipulative by staff, who said ‘We point out to the prisoners that they will get nothing as a result of self-harming’.⁵⁰

There is a low rate of suicide in Romanian prisons, due in part to educators monitoring signs of suicidal behaviour amongst the prisoners.⁵¹

HIV and sexual health

In December 2002, 9,928 HIV and AIDS cases were recorded in Romania, with most of the cases being teenagers.⁵² In 2000, the number of HIV cases in Romanian prisons was three times higher than in 1999, but this is probably an underestimate since only prisoners with unidentifiable symptoms are tested for HIV.⁵³ Târgsor prison ‘is one of the regional centres which worked with the ARAS (Romanian Association against AIDS) programme. Staff trained by the project are now working with groups of prisoners on HIV and drug use, providing information and engaging in other related activities. Prisoners in the focus group at Târgsor felt ‘informed about HIV’.’⁵⁴

At Târgsor (unlike in some other prisons), only the medical staff know which prisoners are HIV positive; the prison director is only informed if ‘the person with HIV is perceived to involve a ‘security issue’’.⁵⁵

Syphilis is considered to be a problem at the women’s prison.⁵⁶

Substance addiction

In 2005, eighty-seven women were held in Târgsor prison for drug-related offences.⁵⁷ At Târgsor, the psychologist runs a programme for those convicted of drug possession and trafficking that lasts three to four months, although it is difficult to maintain the same group for the duration of the course due to high turnover of prisoners. In addition, in 2003 an NGO paid for a psychologist to run a programme for ten to twelve drug users in Târgsor.⁵⁸ There are programmes available to treat prisoners with drug or alcohol addictions, and a small group of ten to fifteen women are enrolled on these in Târgsor.⁵⁹

⁴⁹ QCEA questionnaire, questions 41 and 42.

⁵⁰ MacDonald, *Country Report for Romania (1-8 February 2004)*, p. 14.

⁵¹ *ibid.*

⁵² Romanian Ministry of Health and Family, as referenced in MacDonald (see *ibid.*), p. 17.

⁵³ MacDonald, *Country Report for Romania (1-8 February 2004)*, p. 17.

⁵⁴ *ibid.*, p. 16.

⁵⁵ *ibid.*, p. 13.

⁵⁶ *ibid.*, p. 19.

⁵⁷ QCEA questionnaire

⁵⁸ MacDonald, *Country Report for Romania (1-8 February 2004)*, p. 20.

⁵⁹ QCEA questionnaire

Although staff at Târgsor felt there were currently no drugs in the prison, they expected this to change as more women convicted of drug-related offences enter the prison. This may pose a problem in the future as in 2004 the deputy director of Târgsor thought there had not been enough staff training about drugs.⁶⁰ The Head of Department of Social Reintegration has not noticed any evidence of drug problems within the prison.

Cleanliness and hygiene

The prison regulations state that those prisoners who are working can shower every day, while those not working can shower once per week. In principle, women prisoners are able to shower more frequently than this, but in reality this is not usually possible due to problems with low water in some prisons and lack of hot water. In a focus group at Rahova prison (sex of the prisoners not known), it was said that those who were working could shower once per week and those not working could shower once every ten days.⁶¹

At Târgsor, there are twelve to fourteen beds per room in the modernised section and twenty to thirty beds per room in the older sections. This number of prisoners per room, alongside the restricted use of showers, has negative implications for cleanliness and hygiene. It is hoped conditions will improve when the older sections are modernised and that these rooms will contain ten beds each.⁶²

When the prisoners arrive at Târgsor they are informed about collective and individual hygiene and about an NGO run by a religious group, which provides toothpaste and soap for the prisoners.⁶³

8. Education, work and training

Women receive an equal share of the overall prison budget for educational and work programmes compared to male prisoners, but, according to the Head of the Social Reintegration Department, it is not enough.⁶⁴

A range of vocational training and education is provided by the General Directorate of Penitentiary in cooperation with the Ministry of Education. This is considered particularly important because the educational level of prisoners is poor. Many need basic literacy⁶⁵; for example, 12.6 per cent of the women prisoners are illiterate.⁶⁶ Prisoners who pass training or education courses in the prison receive a certificate that does not indicate that this was achieved in prison.⁶⁷

The Head of the Social Reintegration Department recommends that the programme and activities should be based on the special needs of women prisoners and that in particular, they need programmes for an independent life and addressing criminality: family violence, conflicts and conflict resolution, guilt, shame and atonement, living together and divorce.⁶⁸

⁶⁰ MacDonald, *Country Report for Romania (1-8 February 2004)*, pp. 19 and 23.

⁶¹ *ibid.*, p. 15.

⁶² *ibid.*

⁶³ *ibid.*

⁶⁴ QCEA questionnaire, question 48.

⁶⁵ MacDonald, *Country Report for Romania (1-8 February 2004)*, p. 11.

⁶⁶ QCEA questionnaire, question 43.

⁶⁷ MacDonald, *Country Report for Romania (1-8 February 2004)*, p. 11.

⁶⁸ QCEA questionnaire

Prisoners must choose whether to study or work in the prison.⁶⁹

Education

Educational and cultural programmes and activities in each prison are coordinated by the social education department and organised by the educators. The programmes offered in individual prisons are dependent on the skill mix of the educators, who come from different educational backgrounds and specialise in different areas.⁷⁰

The number of prisoners that an educator is responsible for varies, with one educator per 200 prisoners being around average. The ratio is lower with juvenile prisoners where there is an emphasis on rehabilitation, retraining and education. At Târgsor there were four educators for the prison of 600 prisoners in 2004. The educators felt that this did not give staff sufficient opportunity to get to know the prisoners, so they try to deal with those who do have problems.⁷¹

Thirty-five per cent of women are enrolled on educational and vocational programmes in the prison. Women who are not enrolled are unable to do so, due to courses being unavailable and/or courses being oversubscribed.⁷²

Work

Prisoners do not have to work while in prison but for every two to four days worked they get one day off their sentence. The economic situation in the local community affects the availability of work for prisoners. In Romania there are high levels of unemployment, making it difficult for prisoners to get work.⁷³

At the women's prison, fifty-five per cent of prisoners can work and this increases to between eighty and eighty-five per cent in summertime. About 100 prisoners are unable to work due to age or illness. Prisoners are able to work for outside companies or on the prison farm. The prison also possess a clothing workshop that employs 200 prisoners and provides vocational training for the clothing and agricultural industry. The prisoners from the focus group were mostly working in the clothing workshop and they felt that the certificate they will receive for the training will be useful when they are released.⁷⁴

Both paid and unpaid optional work schemes are available for women at Târgsor. The hours of work are 8.00 - 16.00.⁷⁵

9. Minority groups

Juveniles

In May 2006, juveniles accounted for 1.5 per cent of the total prison population (equivalent to 539 prisoners if a figure for the August 2006 total prison population is used).⁷⁶ In 2005, there

⁶⁹ QCEA questionnaire, question 51.

⁷⁰ MacDonald, *Country Report for Romania (1-8 February 2004)*, p. 11.

⁷¹ *ibid.*, pp. 9 and 11.

⁷² QCEA questionnaire, questions 45, 46 and 47.

⁷³ MacDonald, *Country Report for Romania (1-8 February 2004)*, p. 11.

⁷⁴ *ibid.*

⁷⁵ QCEA questionnaire, questions 49 and 50.

⁷⁶ International Centre for Prison Studies, available at www.prisonstudies.org

were twenty female juvenile offenders held at the women's prison.⁷⁷ Female juveniles sentenced to a re-education centre are detained in the re-education centre at Gaiestit.⁷⁸

Foreign nationals and ethnic minorities

In November 2005, foreign prisoners made up 0.7 per cent of the total prison population (equivalent to 251 prisoners if a figure for the August 2006 total prison population is used).⁷⁹

Less than one per cent of the prisoners at Târgsor are foreign nationals with the majority coming from Moldavia and Turkey.⁸⁰

10. Staff and management

Prisons find it difficult both to recruit and to retain staff. Working within prisons is not considered to be a prestigious job due to the difficulties of working with prisoners and to attitudes within society. Existing staff are not able to take time off in lieu and also have heavy workloads.⁸¹

In Romanian prisons, psychologists, social workers, educators and section heads are the key staff involved in the care of prisoners. At Târgsor, effective multi-disciplinary working is considered to be dependent on the senior management of the prison; if co-operation between the top managers is seen to be done effectively then other staff will do the same.⁸²

The director at Târgsor, who is female, was described by the Head of the Social Reintegration Department as 'a very good director'. The Head stated that 'all the activities take into consideration the specific characteristics and needs of women', however, she also highlighted the need for special training for staff who work with the women.⁸³

No male members of staff are employed in contact positions in women's prisons (or women's wings in men's prisons).⁸⁴

11. Additional information

Release

There is no formal pre-release programme and prisoners are not helped to find housing. The prison does not liaise with the social workers at the relevant town hall. Prisoners can go to the reintegration department, situated within the prison, where they can get information about work in the area they will be going to following their release. The prison also sends details of the prisoners' progress to the probation service and so far this cooperation has been good.⁸⁵

⁷⁷ QCEA questionnaire

⁷⁸ Prison Reform International

⁷⁹ International Centre for Prison Studies, available at www.prisonstudies.org

⁸⁰ QCEA questionnaire

⁸¹ MacDonald, *Country Report for Romania (1-8 February 2004)*, p. 9.

⁸² *ibid.*, pp. 3 and 23.

⁸³ QCEA questionnaire

⁸⁴ QCEA questionnaire

⁸⁵ MacDonald, *Country Report for Romania (1-8 February 2004)*, pp. 20-21.

Bullying

There is not an official policy on bullying at Târgsor and it is not considered to be a problem. According to specialist staff at the prison, there are good relations between prisoners and staff and prisoners are told clearly during the assessment that bullying will not be tolerated.⁸⁶ The Head of the Social Reintegration Department, National Prison Administration, reported no evidence of violence or bullying within the prison.⁸⁷

⁸⁶ MacDonald, *Country Report for Romania (1-8 February 2004)*, p. 9.

⁸⁷ QCEA questionnaire