



## Restoration, Strengthening and Development of Socially Useful Ties between Female Convicts and Their Families as a Direction of Penitentiary Probation

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### Abstract

*Introduction:* female crime is one of the negative phenomena of reality, with recidivism being of particular concern. Thousands of convicts are released from correctional institutions annually; many of them once again embark on a criminal path. This state of affairs indicates the insufficiently effective work carried out both during the period of serving a sentence in a correctional institution and after release from it. One of the first steps in solving the urgent problem is the adoption of a federal law regulating the implementation of probation in our country. Probation is divided into executive, penitentiary and post-penitentiary. Social rehabilitation is one of the main directions of penitentiary probation. This article focuses on strengthening, developing and restoring socially useful ties between female convicts and their families as an important aspect of social rehabilitation of women sentenced to imprisonment. *Purpose:* to study the process of restoring, strengthening and developing socially useful ties of female convicts and their families as an integral component of social rehabilitation in the context of penitentiary probation, as well as to prepare proposals for improving current penal legislation in this area. *Methods:* formal legal, comparative legal, statistical methods, methods of legal modeling, survey. *The results* of the study confirm the need to strengthen socially useful contacts of female convicts and their families, especially children, as an important component of social rehabilitation, which is one of the priorities of penitentiary probation. The conclusions and suggestions formulated based on the results of the study can be used in scientific activities in the field of further improving the institution of probation in relation to women sentenced to imprisonment, as well as in law enforcement practice to boost effectiveness of resocialization of this category of persons. *Conclusions:* the author has developed proposals for strengthening social ties between female convicts and their families. Along with visits, possible leave of a correctional facility should be fixed in penal legislation. The suggestions and conclusions in the article are confirmed by data from the empirical study conducted at the correctional facility No. 5 of the Federal Penitentiary Service of Russia in the Tver Oblast.

**Key words:** penitentiary probation; social rehabilitation; female convict; socially useful connections of convicts; leave of a correctional institution.

#### 5.1.4. Criminal law sciences.

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##### *Introduction*

The works of many researchers, including Yu.M. Antonyan, E.V. Kunts, M.V. Minster, I.S. Onishchenko, T.N. Radochina, A.L. Repetskaya, are devoted to the phenomenon of female criminality. Scientific discussions regarding the prevention and prevention of this crime are unabated due to both the negative impact of the type of crime in question on society and the consistently unchanged proportion of female crime in the overall structure. For example, for the past hundred years, the share of female crime has remained stable (it ranges from 12.3 to 16%) [1, p. 70]. Along with this, in some Russian regions, this indicator is approaching 20% [2, p. 87]. However, these figures do not always reflect the real state of affairs; female crime also has a high degree of latency.

At the same time, there is a slight increase in some indicators of female crime. For example, K.A. Fink points out a recent rise in the number of crimes committed by women while intoxicated [3, p. 120].

Though the state criminal policy in relation to women is focused on applying punishments that do not involve isolation from society, imprisonment is still often imposed on women.

In this context, the recidivism rates are of concern, since they increased to almost 6% in 2017–2023 [4, p. 204].

According to M.F. Gaisin, ineffective rehabilitation measures are factors contributing to the re-commission of crimes [5, p. 49].

The first step towards solving this problem is the adoption of the federal law No. 10-FZ of February 6, 2023 “On probation in the Russian Federation”, which establishes types of probation.

Penitentiary probation is of interest in the context of our research. In this regard, the article attempts to identify an important aspect that will form the basis for the implementation of such a direction of penitentiary probation as social rehabilitation in relation to women sentenced to imprisonment.

The penal system should respond to critical problems that women face while serving their sentences. The Concept for the Development of the Penal System of the Russian Federation for the period up to 2030 approved by the decree of the Government of the Russian Federation No. 1138-r of April 4, 2021 states that persons released from prison are not adapted to life in a civil society. Section XVI of the concept is devoted to the creation and development of a probation system. It confirms the thesis that serving a criminal sentence in isolation from society entails weakening or complete rupture of social ties and loss of life skills in society. It leads to the formation of maladaptive behavior and, as a result, the commission of repeated crimes. In this regard, it is crucial to create a system for re-socialization and social adaptation involving the introduction of common principles and mechanisms for providing comprehensive assistance to suspected, accused, convicted persons and those released from serving their sentences, as well as to ensure continuous social, educational and psychological work in penitentiary institutions.

##### *Research*

According to the federal law “On probation in the Russian Federation”, the social rehabilitation concept presupposes a set of measures to restore lost social ties and functions by persons in respect of whom probation is applied [7]. In this regard, it is advisable to identify the most priority measures to restore the lost socially useful ties and contacts of the convict with the outside world.

In our opinion, restoration, strengthening and development of socially useful ties of female convicts should be an important guideline for the correctional institution’s activities to ensure social rehabilitation as one of the areas of penitentiary probation.

So, female criminality is caused by various circumstances: weakening of social values and individual institutions of society, devaluation of the institution of the family. K.V. Shapkin and

I.Yu. Nikodimo consider insufficient moral support for convicted women after release to be common causes of recidivism [6, p. 59]. M.S. Shamanyuk notes that a former female convict faces employment problems and completely destroyed social relations [7].

The influence of other factors, such as domestic, work, and social insecurity, cannot be excluded. Unfortunately, today there is gender inequality in various areas of human life, which sometimes makes it impossible for a woman to solve problems based only on legitimate methods.

It is often difficult for a woman to get used to detention conditions while serving her sentence and in the post-penitentiary period. First of all, this concerns the overall impact of isolation conditions on a woman. In previous studies, we emphasize that a woman finds it much more difficult to tolerate isolation conditions than a man [8]. The psychological state of a convict suffers; socially useful ties with relatives, especially with children, are jeopardized. We back the opinion of G.B. Magomedov, A.G. Tailova, and Z.G. Abdulova that a woman in conditions of imprisonment cannot fully exercise her rights and experiences a lack of social support [9, p. 267].

The situation is also aggravated by penal characteristics of women sentenced to imprisonment. For example, the results of the study conducted in correctional facility No. 5 of the Federal Penitentiary Service of Russia in the Tver Oblast show that as of October 2024, 397 convicts were held in the institution, 115 of them were on the preventive register (almost 29%). However, it should be noted that some convicts are on two or more registers at the same time.

To identify individual causes of relapse among women, we surveyed employees of the correctional facility No. 5 of the Federal Penitentiary Service of Russia in the Tver Oblast. So, 73% of the surveyed consider a lack of support from their loved ones and society as one of these reasons.

Unfortunately, today we have to admit the fact that many women are serving long sentences. The average age of convicts has not actually changed in recent decades. Thus, the average age of women sentenced to imprisonment in 1989 was 36.3 years, in 2009 – 32.4 years, and in 2022 – 38.7 years [10, p. 167]. Ac-

ording to the study conducted in the correctional facility No. 5 of the Federal Penitentiary Service of Russia in the Tver Oblast, the average age of women sentenced to imprisonment is 38 years. Thus, a woman spends the most socially important years of her life in a correctional institution and she largely loses socially significant skills, in particular professional, labor, communication, and child-care skills. As a result, after being released from a penitentiary institution, she cannot always return to society as a law-abiding citizen.

The situation is aggravated by negative trends in the marital status of convicts. According to a study by E.V. Kunts, the number of unmarried, divorced and women who have not kept a family while serving their sentences is increasing, while the number of convicts who has married, on the contrary, is insignificant [11, p. 315]. As rightly noted in the work of E. Sysoeva and N.B. Kirsanova, the crisis in the family is one of the criminogenic factors of female crime [12, p. 63]. According to our research, only 26% of the convicts are officially married, 33% of the women are divorced, almost two thirds of the convicts have a child, and more than a third of the women (35%) do not have children. The results of a random sample of convicts demonstrate negative trends in the marital status of women. We have surveyed 40 women sentenced to imprisonment, of whom 38% are divorced, 36% are single, 8% are widows, 5% are cohabiting with men, and only 13% are married.

Among the answers to the question “Who do convicts try to maintain socially useful relationships with?”, the following prevail: “with their mother”, “with parents”, “with parents, children”, “with close relatives”, “with sisters”, etc.

The Penal Code of the Russian Federation establishes various forms of maintaining socially useful relations between persons sentenced to imprisonment and the outside world, such as visits (Article 89), receiving parcels (Article 90), correspondence of convicts (Article 91), telephone conversations (Article 92), and leave of a correctional institution (Article 97). It should be noted that convicts are provided with short and long-term visits, including accommodation outside the correctional institution. Women with children under the age of 14 may be provided with additional long-term visits, as well as ad-

ditional visits for the placement of a child, visits with children left at large.

The analysis of the materials of the Ninth special census of convicts and persons in custody conducted in 2022 indicates a number of negative aspects in the implementation of these forms. In particular, the loss of socially useful connections is a significant problem for convicted women. It is evidenced by the following figures: one third of women do not receive parcels or transfers, 68.4% have never used the right to a short-term visit, 78.4% - a long-term visit, and only 0.2% of women have used the right to a short-term leave of a correctional institution. Though 19.7% of women have exceptional personal circumstances, they seldom visit their children, including disabled ones [13, pp. 144–145]

Taking into account these data, we believe that the main vector of work with this category of persons, which should be the basis for penitentiary probation in relation to women sentenced to imprisonment, should be the restoration, strengthening and development of socially useful ties.

At the same time, according to our research, the majority of convicted women strive to preserve family relations. So, answering the question “What are your plans after release?”, 60% of the convicts note creation of a family or restoration of relations with family and relatives.

Thus, family for a woman is an important anti-criminal and deterrent factor. The work should be carried out in three main directions:

1. Restoring, strengthening and maintaining ties between a female convict and children held with her in a penitentiary institution. In this context, in accordance with Article 100 of the Penal Code of the Russian Federation, correctional institutions have orphanages to keep convicts' children under the age of four. The first part of this article stipulates the possibility of joint detention of a convicted mother with a child. The need for a female convict to live with and breastfeed her children in a correctional facility as an important factor in strengthening socially beneficial relationships was considered in the author's previous research [14, pp. 69–73].

2. Restoring, strengthening and maintaining ties between a female convict and minor children left at large.

3. Restoration, strengthening and maintenance of ties between a female convict and her family (parents, spouse, close relatives).

Within the framework of the first and second directions, it is advisable to promote respect for motherhood among female convicts, improve their psychological and pedagogical competences and culture, develop communication skills with children and foster a sense of responsibility for the child, develop skills and abilities to care for children, and maintain stable social contacts with them.

In terms of the third direction, it is also reasonable to expand interaction between convicted women and their families by providing additional visits or giving an opportunity to leave a penitentiary institution.

According to Rule 58 of the Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), prisoners should be given the opportunity to communicate at regular intervals and under proper supervision with their families or friends by corresponding in writing, using, where available, telecommunication, electronic, digital and other means, as well as by receiving visits. Rule 106 states that special attention shall be paid to the maintenance and improvement of such relations between a prisoner and his or her family as are desirable in the best interests of both. At the same time, Rule 107 stipulates that convicts shall be encouraged and provided assistance to maintain or establish such relations with persons or agencies outside the prison as may promote the prisoner's rehabilitation and the best interests of his or her family.

Based on international legal experience and existing problems in the field of family relations, difficulties in maintaining, restoring, strengthening and developing socially useful ties between convicted women and their families, especially with children, it is recommended that the Penal Code of the Russian Federation provide for the possibility of exits along with trips.

#### *Conclusion*

It is proposed to supplement Article 97 of the Penal Code of the Russian Federation with Paragraph 13 in the following wording: “Convicted women, at their request, may be allowed to leave the correctional institution for up to eight hours within the municipality in which the correctional institution is located, to visit close

relatives, solve social and family problems, as well as for the purpose of social adaptation”.

The decision to grant release is made by the head of a correctional institution, taking into account characteristics of the convict’s personality, the crime she has committed, behavior during the period of serving her sentence, and the presence of reasoned grounds.

The proposal is also justified by the fact that women are more responsible for the fate of their children, and women sentenced to imprisonment are more likely to break up socially useful relationships.

To help grandchildren, to visit various cultural and developmental events with children who are at large, and to meet with a child in an orphanage is not a complete list of measures for a

woman to carry out while leaving a correctional institution.

At the same time, the implementation of provisions of the presented norm will have a positive effect not only for the convict, but for her relatives as well.

The results of our survey conducted in the form of a questionnaire among women sentenced to imprisonment in the correctional facility No. 5 of the Federal Penitentiary Service of Russia in the Tver Oblast show that 95% of the convicts support the need for a short-term leave of a correctional institution. Answering the question “Why are such leaves necessary?”, 76% of the respondents indicate communication with relatives, 55% – adaptation to society, and 32% – solving social problems.

## REFERENCES

1. Okutina N.N., Mishina S.S., Prokhorova E.A. Female crime in Russia: the state and prevention measures. *Sibirskii nauchnyi vestnik = Siberian Scientific Bulletin*, 2023, no. 2 (48), pp. 69–75. (In Russ.).
2. Kichigina O.Yu. Criminological features of female crime. *Teoriya i praktika sotsiologicheskikh nauk = Theory and Practice of Socio-Humanitarian Sciences*, 2021, no. 3 (15), pp. 86–95. (In Russ.).
3. Fink K.A. The essence and trends of female criminality. In: *Aktual’nye voprosy obshchestva, nauki i obrazovaniya: sb. st. V Mezhdunar. nauch.-prakt. konf.* [Actual issues of society, science and education: proceedings of V International research and practical conference]. Penza, 2023. Pp. 119–121. (In Russ.).
4. Gudimova Ya.N. The concept and statistical indicators of female crime. In: *Vestnik molodogo uchenogo Kuzbasskogo instituta: sb. nauch. st.* [Bulletin of the young scientist of the Kuzbass Institute: collection of scientific articles]. Novokuznetsk, 2023. Pp. 202–205. (In Russ.).
5. Gaisin M.F. Causes and conditions of relapse. *Nauchnye vyskazyvaniya = Scientific Statements*, 2023, no. 4 (28), pp. 47–50. (In Russ.).
6. Shapkina K.V., Nikodimov I.Yu. Causes of female recidivism. *Studencheskii forum = Student Forum*, 2020, no. 31-2 (124), pp. 58–60. (In Russ.).
7. Shamanyuk M.S. Factors influencing female criminal recidivism. *Mezhdunarodnyi nauchno-issledovatel’skii zhurnal = International Research Journal*, 2023, no. 2 (128). Available at: <https://research-journal.org/media/articles/4134.pdf> (In Russ.). (Accessed February 1, 2026).
8. Kunts E.V., Latysheva L.A. Humanizing imposition and enforcement of sentences on women. *Penitentsiarnaya nauka = Penitentiary Science*, 2024, vol. 18, no. 4 (68), pp. 385–390. (In Russ.).
9. Magomedov G.B., Tailova A.G., Abdulova Z.G. The main directions for combating female recidivism. *Evrasiiskii yuridicheskii zhurnal = The Eurasian Law Journal*, 2023, no. 10 (185), pp. 266–269. (In Russ.).
10. Kazakova V.A. Socio-demographic characteristics of women serving sentences of imprisonment. In: *Ugolovno-ispolnitel’naya sistema: zakonodatel’stvo, politika, protsess: mater. vseros. nauch.-prakt. konf. s mezhdunar. uchastiem, priurochennoi k 30-letiyu so dnya obrazovaniya Samarskogo yuridicheskogo instituta FSIN Rossii, posvyashchennoi pamyati rossiiskogo uchenogo-penitentsiara zasluzhennogo yurista Rossiiskoi Federatsii doktora yuridicheskikh nauk, profesora O. V. Filimonova* [Penal system: legislation, policy, process: proceedings of the All-Russian scientific and practical conference with international dedicated to the 30th anniversary of the Samara Law Institute of the Federal Penitentiary Service of Russia, dedicated to the memory of the Russian scientist and penitentiary officer, Honored Lawyer of the Russian Federation, Doctor of Sciences (Law), Professor O.V. Filimonov]. Samara, 2024. Pp. 166–170. (In Russ.).

11. Kunts E.V. Features of women who have committed a crime: criminological and penal aspects. *Ugolovno-ispolnitel'noe pravo = Penal Law*, 2022, no. 3, pp. 313–319. (In Russ.).
12. Sysoeva E., Kirsanova N.B. Criminological features of female crime. *Aktual'nye problemy nauki i praktiki = Actual Problems of Science and Practice*, 2024, no. 4 (37), pp. 61–66. (In Russ.).
13. *Osuzhdennye i soderzhashchiesya pod strazhei v Rossii (po materialam devyatoi spetsial'noi perepisi osuzhdennykh i lits, soderzhashchikhsya pod strazhei, dekabr' 2022 goda): monografiya: v 2 t. T. 2* [Convicts and detainees in Russia (based on the materials of the Ninth special census of convicts and persons in custody, December 2022): monograph: in 2 volumes. Volume 2]. Ed. by Seliverstov V.I. Moscow, 2025. 752 p.
14. Latysheva L.A. Problems of realization by women sentenced to imprisonment the rights to cohabitation with children and breastfeeding. *Ius Publicum et Privatum: setevoi nauchno-prakticheskii zhurnal chastnogo i publichnogo prava = Ius publicum et privatum: online scientific and practical journal of private and public law*, 2021, no. 4 (14), pp. 69–73. (In Russ.).

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