

Young women with protective and judicial measures and their transition towards prison

Mujeres jóvenes con medidas de protección y judiciales y sus tránsitos hacia la prisión

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Abstract:

The aim of this work is to analyse the influence of protective and/or judicial measures on the transit to prison of young women who have been through these situations as minors, starting by identifying risk factors associated with the process. Consequently, it provides new verified benchmarks for intervention with the population of young women in prison.

To this end, qualitative and quantitative methods are used with a sample of 599 female inmates from 42 Spanish prisons, to whom 538 surveys and 61 interviews were applied. Three subsamples were selected: protection centres

($n = 60$); foster care ($n = 36$), and judicial measures ($n = 72$). A descriptive and interpretative study was carried out using frequency analysis, contingency tables, independence tests, and measures of association.

The results show that 20.3% of young women in prison have a prior history of institutionalisation in protective measures and 13.4% with judicial measures. The main risk factors identified are: low educational levels (69.4% below secondary education), environments with family members or partners in prison (between 48% and 63.2%), addictions (drugs and alcohol), either personal or affect-

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ing family members (over 60%), and a significant relationship between young people who experienced judicial measures as minors having made reports of abuse.

In the *discussion and conclusions*, growth in criminal behaviour by young people, especially women, is evident. Regarding the group studied, the low valuation of their time in protection centres and judicial measures by the imprisoned women, the difficulty of their family and affective background, and their worryingly low levels of education are striking. These data support the bases for evaluating the early impact on processes of transit towards prison and the options for socio-educational intervention aimed at reintegration and inclusion.

Keywords: youth, women, gender, child protection, juvenile delinquency, risk factor, prison, education.

Resumen:

El objetivo de este trabajo es analizar la influencia de las medidas de protección y/o judiciales en el tránsito a prisión de las mujeres jóvenes que pasaron por esas situaciones cuando eran menores de edad, a partir de la identificación de los factores de riesgo asociados al proceso. Aportando así nuevos y contrastados elementos de referencia para la intervención con el colectivo de mujeres jóvenes en prisión.

Para ello se combinan métodos cualitativos y cuantitativos, en una muestra de 599 mujeres reclusas, a quienes se realizaron 538 encuestas y 61 entrevistas, de 42 centros penitenciarios

españoles. Se seleccionaron tres submuestras: centros de protección (n=60); acogimiento familiar (n=36) y medidas judiciales (n=72). Se realizó un estudio descriptivo e interpretativo mediante análisis de frecuencias, tablas de contingencia, contrastes de independencia y medidas de asociación.

Los resultados muestran que un 20.3% de las jóvenes en prisión han tenido historias previas de institucionalización a partir de medidas de protección y un 13.4% medidas judiciales. Los principales factores de riesgo identificados son: baja formación educativa (69.4% inferior a educación secundaria), contextos familiares y de pareja con miembros en prisión (entre 48% y 63.2%), adicciones (drogas y alcoholismo) tanto familiar como personales (más del 60%) y, relación significativa de denuncias de malos tratos por las jóvenes que tuvieron medidas judiciales cuando eran menores.

En la discusión y las conclusiones se resalta la evidencia del crecimiento delictivo de los jóvenes, especialmente mujeres. Respecto al grupo estudiado se destaca la baja valoración de las reclusas de su estancia en centros de protección y en medidas judiciales, la gravedad de los antecedentes familiares y afectivos y, la preocupación por sus bajos niveles formativos. Datos que refuerzan las bases de evaluación de la incidencia temprana en los procesos de tránsito a la prisión y las posibilidades de intervención socioeducativa orientada a la reinserción e inclusión.

Descriptores: joven, mujer, género, protección a la infancia, delincuencia juvenil, factor de riesgo, prisión, educación.

1. Introduction

The aim of this work is to analyse the impact of protection measures and/or judicial measures in the transit to prison of young women who experienced these situations as minors, by identifying the risk factors associated with this process. Identifying these risk factors provides highly relevant information for evaluating their early impact on young women's process of transit to prison and, at the same time, enables advances in options for socioeducational intervention with them, such as an educational space directed at their reinsertion and inclusion.

Imprisonment in itself has significant negative impacts for women, as in their case the burden and associated moral, family, and social sanctions owing to traditional gender roles add to the stigma of being a criminal (Durán 2009; Juliano, 2010a; Añaños-Bedriñana, 2013; Smart, 2013; Aristizábal, 2017; Almeda, 2017). As for offending by the women, conventional theories focus on individual characteristics attributed to elements such as sexuality and traditional stereotypes (Smart, 1995; Burman, Batchelor, & Brown, 2001; Belnap, 2006; Chesney-Lind & Pasko, 2013; Almeda, 2017). Significant contributions on the subject based on a gender perspective, highlight women's position in the structure of society and their structural vulnerability, emphasising, among other elements, ones relating to the psychological masculinisation of women, increased participation by women in public affairs, the feminisation of poverty, and less bias in official responses to female

offending (Simon & Ahn-Redding, 2005; Tortosa, 2009; Juliano, 2010b; Abramowitz, 2017).

With regards to the situation of young women in prison, if they commit offences after turning 18, the valid penal code applies to them (Organic Law 10/1995, of 23 November and others¹) and they can be sentenced to alternative measures to prison or enter the normal prison system run by the justice and security agencies of the state; in these prisons they are placed in special modules exclusively for them.

Analysing prison from a gender perspective reveals the inequalities in the social context linked to each social situation and the prevailing female role in each era. In contemporary Western societies, social exclusion is one of the most common explanations for the female criminal profile (Cruells & Igareda, 2005; Juliano, 2010a; Añaños-Bedriñana, 2013; Almeda, 2003, 2017), the features and characteristics of which are analysed in this work from the perspective of risk factors.

The data presented below show the current prison population in figures. In August 2018, Spain's total prison population was 59,242. Of this population, 92.5% were men and 7.5% women (SGIP; 2018). Furthermore, 16,622 inmates were foreign (28.1% of the total), of which 92.4% were men and 7.6% women. These data are very revealing regarding the significant gender disparity in the prison population; women are a minority

of the people held in the prison system, and this is also the case for place of origin (foreigners).

In turn, if, from the same source, we identify the prison population classified as young —aged between 18 and 25— including those convicted and those on remand (see Table 2), this represents 8.4% of the total prison population, 7% of them being women and 93% men. Distinguishing by procedural position, prisoners on remand —people in prison awaiting trial— comprise 15.3% of the total prison population. Of them, 15.7% are classed as young, and 91.8% of these young prisoners are male men and 8.2% female. In the case of inmates who have been convicted, 7.1% are young, and of them, 93.5% are male and 6.5% are female. According to these data (Table 2), in the case of young people, the disparity in the ratio of men to women is broadly similar to the general prison population, with the presence of young female inmates being one percentage point higher. Overall, the proportion of young people on remand in prison is 15.7%, slightly over double the proportion of young people have been convicted (7.1%), among which women are also 1.25 percentage points above the national overall average. This reflects the fact that there are ever more young people involved in judicial-penal cases awaiting trial, as well as a slight increase in female offending and, consequently, a greater probability of growth in the prison population of young people.

According to SGIP (2018), Table 3 shows the distribution of inmates by type

of offence in accordance with the laws in force (Organic Law 10/1995, of 23 November, regarding the Penal Code and Organic Law 1/2015, of 30 March, regarding the Penal Code) with 45,208 inmates, and, in accordance with the repealed Penal Code, there are 184 additional cases (of which only eight are women). Unfortunately, these statistics do not distinguish by age range; overall, it should be noted that the most frequent offences are: firstly, “against property and the social and economic order” —including theft, fraud, etc.— representing 40.1% of convictions, with almost the same frequencies for women (40.5%) and men (40.1%); secondly, “against public health” with 18.7% of cases —which are mainly offences relating to the different circles of production, distribution, and sale of illegal substances— of which 31% correspond to women and 17.8% to men, this being the second most frequent type of offence among women; and, thirdly, at a considerable distance there are “gender violence offences” (8.9%), “homicide and its variants” (7.5%), and “offences against sexual freedom” (6.7%), mainly committed by men with women as victims.

Regarding protection measures for minors, in this work information is collected about young people in prison who have passed through institutional care or fostering processes. In Spain, protection for children is fundamentally governed by the Constitution of 1978 (sec. 39 and sec. 48) and Organic Law 1/1996, of 15 January, regarding Legal Protection for Children and Adolescents, amended by Law 26/2015, of 28 July, Modifying the System

TABLE 1. General and foreign-origin prison population in Spain.

	Total prison population		Origin: Foreigners	
	N	%	N	%
Men	54 810	92.5	15 355	92.4
Women	4432	7.5	1267	7.6
Total	59 242	100	16 622	100

Source: SGIP, 2018.

TABLE 2. Prison population on remand and convicted by age group and gender.

Age groups	Convicted			Remand		
Ages	Men	Women	Total	Men	Women	Total
18 a 20	189	11	200	311	23	334
21 a 25	3065	215	3280	968	92	1060
26 a 30	5978	427	6405	1171	113	1284
31 a 40	14 803	1194	15 997	2617	280	2897
41 a 60	19 186	1604	20 790	2755	232	2987
Over 60	2220	163	2383	278	13	291
Total	45 441	3614	49 055	8100	753	8853

Source: SGIP, August 2018.

TABLE 3. Types of offence of the general prison population in accordance with Spanish Organic Law 10/1995, of 23 November, regarding the Penal Code.

Organic Law	Men		Women		Total	
	N	%	N	%	N	%
1. Homicide and its variants	3376	7.5	295	8.2	3671	7.5
2. Injuries	2239	5	156	4.3	2395	4.9
3. Against freedom	563	1.2	44	1.2	607	1.2
4. Against sexual freedom	3231	7.1	43	1.2	3274	6.7
5. Against honour	3	0.01	0	0	3	0.01
6. Gender violence	4333	9.6	9	0.3	4342	8.9
7. Against family relations	173	0.4	10	0.3	183	0.4
8. Against property and the social and economic order	18119	40.1	1456	40.5	19575	40.1
9. Against public health	8023	17.8	1113	31	9136	18.7
10. Against the safety of traffic	1270	2.8	40	1.1	1310	2.7
11. Falsehoods	627	1.4	97	2.7	724	1.5
12. Against the public authorities and tax authorities	251	0.6	22	0.6	273	0.6
13. Against the justice system	745	1.6	109	3	854	1.7
14. Against public order	1591	3.5	121	3.4	1712	3.5
15. Other offences	599	1.3	69	1.9	668	1.4
16. For minor offences	32	0.1	7	0.2	39	0.08
17. No offence listed	33	0.1	4	0.1	37	0.08
Total	45208		3595		48803	

Source: SGIP, 2018.

of Protection for Children and Adolescents and Organic Law 8/2015, of 22 July, Modifying the System of Protection for Children and Adolescents. All protection measures² are decided on and implemented by the competent public institutions in each Autonomous Region, always with the “best interest of the minor” as the guiding principle, but always under the vigilance and, where appropriate, authorisation of the State Counsel’s Office (Ministerio de Sanidad, Servicios Sociales e Igualdad, 2018b).

According to Spain’s Ministry of Health, Social Services, and Equality (Ministerio de Sanidad, Servicios Sociales e Igualdad, 2018b), the data managed by the Observatory on Children in 2016 show that the percentage of minors dealt with increased by almost 3% (from 42,628 in 2015 to 43,902 in 2016). In absolute terms, fostering is the main protection measure adopted by the protection services of Spain’s Autonomous Regions and Cities. The most noticeable gender differences are found in residential care, with a clear prevalence of boys in the 11-14 and 15-17 age groups. Conversely, the 11-14 age group is predominant in the case of fostering, without significant differences between the number of boys and girls.

As for judicial measures with minors, in the event of perpetration of illegal actions covered by the Penal Code and the specific laws, they are expressly covered by Organic Law 5/2000, of 12 January, Regulating the Criminal Liability of Minors (LORPM); the Organic Law 8/2006 of 4 December

and Organic Law 8/2012 of 27 December, which amended paragraph 4 of section 2 of the LORPM regarding territorial jurisdiction. Both Spain’s Constitutional Court, in various judgments (judgments 36/1991, of 14 February and 60/1995, of 17 March), and the laws regarding minors, have produced legal principles and reasonings focussing on the adoption of measures which, fundamentally, should not be repressive, but instead preventive-specific, directed at the effective reinsertion of children and their best interests, evaluated with criteria which must fundamentally be sought in the field of non-legal sciences. Sentences are referred to as “judicial measures” and differ from those laid down in the Penal Code and Criminal Procedure Law applying to adults; they are applied to minors distinguishing between two age groups: 14-15 and 16-17 (Sec. 7, LORPM, 2000).

According to the Observatory of Childhood (Ministerio de Sanidad, Servicios Sociales e Igualdad, 2018a), the legal measures imposed and notified for young offenders aged between 14 and 21 in 2016, on the basis of Sec. 7 of the LORPM (Table 4), were: probation (45%), community service (14%), imprisonment (14%), carrying out socio-educational tasks (12%), and other measures (15%). The breakdown by gender shows 17% of measures imposed on female offenders and 83% on male offenders. In other words, for each measure imposed on a female offender, 5.03 measures are imposed on male offenders. In the case of the measures carried out, the figures are very similar, both for measures and by gender (4.86 men per woman).

TABLE 4. Measures laid down in Sec. 7 (LORPM) notified and imposed in 2016.

	Notified	%	Imposed	%
Total imprisonment	3450	14 %	4196	13 %
Probation	11166	45 %	14753	45 %
Community service	3552	14 %	4238	13 %
Carrying out socio-educational tasks	2911	12 %	3841	12 %
Other measures	3755	15 %	5523	17 %
Total	24834	100	32551	100

Source: Own elaboration, based on Ministerio de Sanidad, Servicios Sociales e Igualdad, 2018a.

These data show an important detail as they illustrate that criminal activity by young women has nearly doubled compared with the general female adult prison population. According to various studies, female adolescents have a similar pattern to the behaviour of male adolescents, with antisocial and delinquent behaviour being more frequent when people have friends who have already adopted it or when living in urban environments. However, being a young migrant or the child of migrants does not increase the risk of adopting this behaviour. On another note, evidence has been presented which suggests that drug addicts have higher offending rates than people who are not addicted to drugs (Arnosó, 2005; CGPJ, 2008; Martínez, Carabaza, & Hernández, 2008; Schulman, 2014).

2. Method

The data and analyses presented are part of the framework of the “Drug-addicted female prisoners and their social reinsertion” research project, Ref.

EDU2009-13408, developed in all of Spain, including Catalonia, the only Autonomous Region with competences in penal matters. Eleven Spanish Autonomous Regions were studied, from the total of 17, with the most representative prison populations and geographical representativeness, based on contact with 42 correctional establishments. The population of interest is women who are in prison classified as being in the second or third degree of serving their sentence. The third degree —non-residential— and women on parole are excluded, as they were not serving their sentence in prison at the time of the research.

The data were collected using two instruments (a questionnaire and semi-structured interviews) with women held in Spanish prisons between 2011 and 2012. A total of 538 valid questionnaires were returned by the women and 61 interviews were held, with a sample of 599 women, representing 17.2% of Spain’s female prison population (3,484 inmates) (SGIP, 2011).

The analysis carried out in this work focussed on the 538 questionnaires. In them, the criminal activity of the young women in prison was reviewed, and the women who had passed through different protective measures or judicial measures as minors were taken into consideration. Based on this, the following subgroups were established: women who have been in residential care in a youth protection centre, $n = 60$ (11.2%), women who were fostered by another family, $n = 36$ (6.7%), and women who had judicial measures as minors, $n = 72$ (13.4%).

This research's methodology combines qualitative and quantitative methods and analysis, including frequency tables, contingency table analysis, independence tests, and measures of association. The data were extracted using SPSS 24.0. It should be noted that in this case the sample analysed comprises a number of small groups, with the largest sample containing 72 women. This made it difficult to carry out hypothesis tests and verify the conditions for being able to apply them.

3. Results and discussion

In total, 20.3% of the women who participated in the study had some sort of protection measure as minors (in some cases, they experienced both measures: fostering and residential care). This contrasts with the high presence of risk situations, many of them serious. Specifically, 11.2% of inmates passed through residential care in youth protection centres, while a lower percentage (6.7%) were fostered. As for a record of judicial measures, 13.4%

of the inmates had this type of measure as minors. Finally, 14.9% of the inmates in the study had passed through one or more of the three measures (residential care, fostering, and/or judicial measures) as a minor.

It is especially noticeable that 55.6% (40 women) of those who had judicial measures as minors were residents in a youth protection centre. In this case, there is a significant relationship identified by the chi-squared test of independence and the necessary conditions are verified, with a p -value of $p < 0.001$. An odds ratio of $\theta = 27.81$ is obtained for the sample, which means that the probability of being in residential care compared with not being in it is 27.81 times higher for those who have had judicial measures as minors than for those who have not had them. There is a statistically significant positive association between the two variables.

Regarding the young prison inmates' perceptions of the measures they had as minors, the following was found:

11.2% (60) of the young inmates had been resident in a youth protection centre; of these, 33.3% (20) believed that the experience in the centre helped them in their life; however, around two thirds of the women surveyed stated that their experience in youth protection centres was of little or no help in their life (66.7%, 40).

Of the inmates, 6.7% (36) had been in foster care. Of these, 61.1% (22) considered that the experience helped in their life.

TABLE 5. Relationship between judicial measures and protection centres.

		Did you have judicial measures on any occasion as a minor?		Total
		Yes	No	
Have you been resident in a youth protection centre?	Yes	40 (55.6 %)	20 (4.3 %)	60
	No	32 (44.4 %)	445 (95.7 %)	477
Total		72	465	537

Source: Own elaboration.

The percentage of inmates who were fostered by families is very low and their view of this type of measure is quite positive, from which it can be concluded that fostering redirects these women and is of support for them.

Of the female inmates, 13.4% (72) had judicial measures on some occasion as a minor; only 11.3% (8) of them consider that the judicial measures were useful, and 88.8% (64) consider that this measure did not help them at all or was of little help in their life.

These data and the risk factors analysed for the whole sample (overall) and on the three situations considered are shown in Table 6.

In general, higher percentages can be seen in all of the variables analysed in the cases of women with offending problems in adolescence than with those who did not have these problems (overall data). The figures for women who have or have had family members or a partner in prison stand out (between 48.3% and 62.5%). The percentage of inmates with a level of education lower than secondary education

is somewhat greater in the three cases — residential care, foster care, and judicial measures— than the overall percentage. This is also the case for unemployment, recidivism, offences against public health and for theft or reporting abuse.

In the latter case, the chi-squared test of independence is significant ($p = 0.0085$), and the necessary conditions for applying it are confirmed. In other words, there is a significant positive association between women who have had judicial problems as minors and those who have reported cases of domestic abuse (in general, towards them). This odds ratio is $\theta = 1.83$, which indicates that the probability of having made a report of abuse is 1.83 times higher if they have had judicial measures than if they have not had them. (See Table 7).

The detailed analysis of the educational situation of the young women in different protection situations is as shown in Table 8.

The educational data are worrying in this regard, as in all cases they are below the national mean (global

TABLE 6. Risk situations in female inmates as minors.

	Overall (535)		Youth protection centre (60)		Foster care (36)		Judicial measures (72)	
	N	%	N	%	N	%	N	%
Percentage of young people (up to age of 25)	65	12.1	9	15	3	8.3	12	16.7
Studies below secondary level	292	54.6	33	55	25	69.4	42	58.3
Did not have work before entering prison	212	39.6	21	35	15	41.7	31	43.1
Main offence: theft	132	24.7	14	23.3	11	30.6	20	27.8
Main offence: against public health	253	47.3	36	60	17	47.2	32	44.4
Family in prison	271	50.6	37	61.7	21	58.3	45	62.5
Partner in prison	291	54.2	29	48.3	22	61.1	40	55.6
Repeat offender (not first offence)	155	29	14	23.3	12	33.3	24	33.3
Has reported domestic abuse	169	31.6	27	45	21	58.3	25	34.7

Source: Own elaboration.

TABLE 7. Relationship between judicial measures and domestic violence reports.

		Have you ever reported domestic violence?		Total
		Yes	No	
Did you have legal problems as a minor?	Yes	46	62	108
	No	121	299	420
Total		167	361	528

Source: Own elaboration.

TABLE 8. Educational level and protection and/or judicial measures.

Educational level	Whole sample		Foster care		Protection centre		Judicial measures	
	N	%	N	%	N	%	N	%
No studies	39	7.2	5	13.9	10	16.7	12	16.7
Primary incomplete	83	15.4	11	30.6	10	16.7	12	16.7
Primary complete	96	17.8	7	19.4	8	13.3	9	12.5
Secondary incomplete	72	13.4	2	5.6	5	8.3	9	12.5
Secondary complete	88	16.4	2	5.6	12	20	10	13.9
Professional Training	69	12.8	5	13.9	7	11.7	8	11.1
Baccalaureate, University Orientation Course (COU)	44	8.2	3	8.3	5	8.3	8	11.1
Higher education	37	6.9	1	2.8	2	3.3	4	5.6
Others/system	10	1.8	0	0	1	1.7	0	0
Total	538		36		60		72	

Source: Own elaboration.

data); for example, 7.2 % of women in the overall sample from the same research have no education, compared with 13.9 % of the ones who have been in foster care, and 16.7 % in residential care and judicial measures, respectively, the majority only having primary education. At the other extreme, 6.9 % of the women in the overall datum have higher education compared with 2.8 % of those who were in foster care, 3.3 % of those who were in residential care, and 5.6 % in judicial measures; these figures stand out as considerably lower —except those for women with judicial measures— than those of the overall sample. Finally, the probability of having studies lower than secondary is 69.4 % for young women who had judicial or protection measures, while the percentage of women with education lower than secondary level for women without these measures is 56.6 %. In other words, the probability of having a low level of education is 1.22 times greater for women who had protection or judicial measures than for those who did not have these measures.

Regarding substance addiction or problems (see Table 9), in the overall data for the sample —in which the mean age for the women who have been in residential or foster care is similar to that of those who have not— it is very apparent that the women who have been in residential or foster care have a very significant presence (60.7 %) as well as a family background where problems with alcohol and/or other substances has been a constant (52.7 %). If the analysis focuses on the different measures, the percentages are even higher, above 60 %, especially for women who have been fostered in other families; in all cases, the consumption of alcohol and tobacco are high, over 80 % with those who had judicial measures standing out most. This could, in general, result from a social situation which tolerates these substances; nonetheless, in all cases, consumption in the last thirty days of the study is low, with a change of addictive profile having occurred in their time in prison.

As for the young female inmates who have been in residential care in a youth protection centre, 86.7 % have consumed

TABLE 9. Relation with substances.

	Overall		Protection centre		Fostering		Judicial measures	
Tobacco/alcohol use at some point in life	471	88 %	52	86.7 %	31	86.1 %	65	90.3 %
Tobacco/alcohol use at present	354	66.1 %	39	65 %	21	58.3 %	47	65.3 %
Drug use at some point in life	325	60.7 %	38	63.3 %	26	72.2 %	44	61.1 %
Drug use at present	59	11 %	8	13.3 %	5	13.9 %	10	13.9 %
Family member with drug/alcohol problems	282	52.7 %	35	58.3 %	20	55.6 %	39	54.2 %

Source: Own elaboration.

alcohol and/or tobacco at some stage in their life and 65% continue to do so at present. Furthermore, 63.3% have consumed other drugs at some stage in their life while at present only 13.3% continue to do so.

Among the young female inmates who were in foster care as minors, 86.1% have consumed alcohol and/or tobacco at some stage in their life and 58.3% continue to do so at present. Furthermore, 72.2% have consumed other drugs at some stage in their life while at present only 13.9% continue to do so.

Finally, with regards to the young female inmates who had some sort of judicial measure as minors, 90.3% of them have consumed alcohol and/or tobacco at some stage in their life and 65.3% continue to do so. In the case of drugs, 61.1% have used them and 13.9% continue to use them.

4. Discussion and Conclusions

While the young female prison population, aged 18-25, is considerably lower than the young male prison population (7% compared with 93%), the analysis of the impact of the protection measures and/or judicial measures in the transit to prison of the young women who passed through these situations as minors, along with the identification of the risk factors associated with the process, reveal a complex, difficult, and worrying situation.

Of these young women, 14.9% passed through one of the three scenarios considered—residential care, foster care, and/or judicial measures—and only those who passed through foster care positively value the measure. The young women who were in residential care and those who had judicial measures reject these situations, questioning their usefulness in their life and believe that they were of little or no help to them.

In any case, the low percentage of female inmates in this study with antecedents of protection measures (20.3%) and/or judicial measures (13.4%) suggests that no direct relationship can be established between experience of these measures as minors and being imprisoned as adults in the overall female prison population, or, in other words, minors with protection and/or judicial measures are only imprisoned as adults in certain circumstances.

This does not prevent us from taking into account that over half of young female inmates (55.6%) had already started on this path towards prison after being a resident in a protection centre and passing through judicial measures as minors. In this way, according to various pieces of research (Graña, Garrido, & González Cieza, 2007; Melendro, 2010), this datum differs largely from the estimated percentages of minors who have had protection measures and who have also passed through judicial measures, which is between 12% and 16%.

As for the different risk factors, the severity of most of them is confirmed, in contrast with the situation of other young inmates who did not have protection measures or, especially, judicial measures. For this latter group, the family and social setting for the most part represents a risk factor for offending, with family members in prison in over 58% of cases or the woman's partner in over 48% of cases. A statistically significant positive relationship is also found between women who had judicial problems as minors and those who have reported cases of domestic abuse, especially towards them. Family environments are perceived as negative and violent. These family and personal problems are described in the works of Novo-Corti, Barreiro-Gen, and Espada (2014) as creating the disconnect between female inmates and education, something corroborated in our work. Mapelli, Herrera, and Sordi (2013) state in their research that 51% of inmates reported being victims of abuse before entering prison; 37% said the aggressor was their spouse/partner and only 39% reported the attacker.

Regarding addictive behaviour or problems with substances, a very significant presence was observed, as well as a family environment where problems with alcohol and/or other substances has been a constant among its members. Nearly two thirds of the women who passed through protection measures and/or judicial measures have had or have connections with drugs, especially those who have been fostered in other families (72.2%). In all cases, consumption of alcohol and tobacco

is more than 80% of cases, being more frequent with women who have had judicial measures (90.3%). This situation is similar to, or even better than that of the other inmates in Spain, who have extremely high levels of reporting having consumed legal drugs (95.4%) and illegal ones (70.8%) at some stage in their life and who maintain high levels of consumption —75.3% for legal drugs and 20.6% for illegal drugs— during their time in prison (ESDIP, 2016).

On another note, the data on inmates' studies before entering prison are worrying. In general the results of young women who had protection and/or judicial measures are lower at all educational levels —most have no studies or only primary level studies, between 46% and 62% depending on the type of measure— than the results from the sample of young female inmates investigated who had not passed through this type of measures. They are significantly lower in the case of women without studies and in all levels below secondary education.

This is the case for all three measures, and especially with young people who have passed through foster care. Nonetheless, within these low levels of education, the women who had judicial measures reached higher levels, followed by those who have been in protection centres. These data contrast with those obtained in research by Añños-Bedriñana, Llorente, and Chávez (2016) with 60 subjects aged between 18 and 27. In it they observed that a very large majority had graduated from high school or that their last year of

studies was at the secondary level. A much lower percentage of young people only had primary studies or had unfinished courses, and only one person had no education or training. A small percentage was also studying the baccalaureate, medium level vocational training (FP1) or higher level vocational training (FP2). As Gil-Cantero (2013) notes, we can hardly speak of processes of re-education and reinsertion of people who have been deprived of their liberty if they are not offered the necessary help to improve their cultural level and a level of educational with certification of their skills.

The information gathered in this work contributes new and more detailed data on risk factors, adding to research which, until now, suggested that the causes or aetiological factors for criminal activity are not clearly defined and respond to more generic situations, such as the confluence of multiple personal, family, and socio-environmental factors, the initial disadvantages of young people, their limited resources, and the absence of a welcoming social environment which offers the support needed in the case of crisis or conflict.

As several authors have noted (Mapelli, Herrera, & Sordi, 2013; Del Pozo & Añaños-Bedriñana, 2013; García-Vita & Melendro, 2013), these young prison inmates receive special treatment in their re-education and reinsertion processes, but it is still necessary to improve the intervention processes, the attention packages that meet their basic needs in a fragmented and non-comprehensive way, as well as

the functioning of the prison system itself. On these grounds, the challenge of redirecting or changing this situation is raised. Pedagogy and social education offer some answers which can be used as the foundation for going into greater depth, given the difficult situation described, based on evidence and immersion in the environments themselves, prioritising the process of intervening not only on the effect of the risk factors detected and described in this study, but also on the basis of boosting protection factors and an approach founded on good treatment and resilience which mean that the young female inmates see an increase in their possibilities of success and social inclusion.

Notes

¹ Organic Law 2/2010, of March 3, regarding Sexual and Reproductive Health and Voluntary Termination of Pregnancy; Organic Law 5/2010, of 22 June, amending Organic Law 10/1995, of November 23; Organic Law 3/2011, of January 28, amending Organic Law 5/1985, of June 19, regarding the General Electoral System; Organic Law 1/2015, of March 30, Amending Organic Law 10/1995, of November 23, regarding the Penal Code; Law 4/2015, of April 27, regarding the Status of Victims of Crime.

² Guardianship, custody, loss of parental authority are the legal measures; adoption, fostering or residential care are essentially the type of resource that can be provided.

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