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A case study: Family-Protected Homes for mothers and children in Italian prisons

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Abstract
Children with their imprisoned mothers in the Italian prison system is a phenomenon that raises many questions starting with the rule of law and the psycho-social well-being of the mother-child couple. Law No. 62 of 2011 has created alternative forms to prison such as Family-Protected Homes. In this article we investigate the case study of the CFP in Milan created by the association 'C.I.A.O. Carcere, Famiglia, Territorio'. We have studied this different penal experience starting from the experience of the women who live there and interweaving this perspective with the experiences and knowledge of those who direct and work within this structure. We used a qualitative methodological framework and analysed semi-structured interviews using NVivo software. Through the observations obtained from the results of the field research we tried to acquire indications regarding the effectiveness, in terms of social reintegration and reduction of the risk of reoffending, of these non-custodial alternative forms.

Keywords: *alternative measures; prison; mother-child; social reintegration; opportunities; qualitative method.*

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1.Introduction

This article is part of a PRIN[1] research project on the penal execution of mothers with children under 10, both inside and outside of prison, which started in early 2024.

The issue of imprisoned mothers, or rather children behind bars without guilt (Siani 2023), is a debated topic but remains under-explored from sociological and legal perspectives (Vianello 2023). Since 2014, Italy is the only country to have a National Charter (Children without bars 2021) addressing this issue. It has also introduced institutions such as Nursery Sections (SN) and Attenuated Custody Institutions for Mothers (ICAM), which allow children to stay with their mothers.

Law No. 62/2011 authorized the creation of Family-Protected Homes (CFP) as alternatives to prison. These facilities allow mothers to serve at least one-third of their sentences in a more family-like environment, where they can provide care and support for their children, who are often already living with them in SN or ICAM.

Between 2018 and 2019, the Children of Prisoners Europe network and the UNHRC provided an overview of living conditions for children in prison with their mothers. However, most European countries lack appropriate structures and regulations to support the socio-pedagogical and judicial needs of the mother-child relationship (Tirrito 2023).

In Italy, two agreements have been made to establish CFPs, providing space for six mothers and eight children. One of these facilities, located in Milan, is the result of collaboration between the Lombardy Regional Superintendency and the "CIAO" association. The second, "Casa di Leda" in Rome, was established through a partnership between the Prison Administration, the Municipality of Rome, and the Poste Insieme Foundation, later replaced by the Lazio Region.

Despite the progress, the limited availability of CFPs and the injustice of even one child living in prison has driven calls for expanding this network. These programs aim to improve mother-child relationships while exposing them to new opportunities. CFPs provide a more appropriate environment for socialization than SNs or ICAMs and also protect the parental rights of incarcerated women (Grieco 2022; Mantovani 2018). They help ensure that children do not suffer the emotional and developmental deprivation that can result from incarceration.

This article focuses on CFPs in Italy, particularly in Milan. Certain challenges during fieldwork limited the availability of sufficient data for a more detailed analysis of the situation in Rome.

2.Theoretical framework

In February 2024, Antigone's 20th Report stated that Italy's female prison population was 4.3%. In other European countries, this under-representation varies from 2.8% in Albania to 8.3% in Iceland, while globally, women make up 6.9% of the prison population (Antigone 2024). Women remain a minority, which unfortunately places them on the margins of the prison system, resulting in fewer interventions and projects due to limited financial and human resources (Gonnella 2015). Research on female prisoners, especially mothers with children, is scarce.

As of August 31, 2024, this group consists of 18 imprisoned mothers (7 Italian, 11 foreign) with 21 children across SNs and ICAMs nationwide (Ministry of Justice 2024). These women experienced marginalization and poverty before imprisonment (Bucerius et

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al. 2021). Victimization, emotional distress, limited independence, and lack of access to welfare characterize their lives (Sterchele et al. 2023). As emerged in a research on 272 female prisoners in Missouri, other societal factors, such as forced parenting and abusive relationships, exacerbate their exclusion (Wright et al. 2007).

Studies suggest caregiving is central to motherhood and often enables these women to continue their sentences through alternative measures (Re 2022; Ciuffoletti 2020). Numerous Anglo-Saxon studies show that non-custodial measures reduce recidivism and provide essential support (Corston Report 2017). While Southern European research is less extensive, the findings are similar. Mothers under alternative measures work with professionals to create individualized educational plans based on their own and their children's needs. The relationship between mothers and professionals is crucial (Dominey, Gelsthorpe 2020). These professionals supervise and support various needs, including work, childcare and health (Vasilescu 2020; Blay 2019). During their stay in CFPs, mothers acquire the tools needed to become autonomous, experience parental responsibility (Long 2018), build trusting relationships with other mothers—especially those who have been abused (Women's Breakout 2016)—and receive non-authoritarian supervision (Covington, Bloom 2003). An essential part of these projects is understanding that their needs have changed since imprisonment, requiring a reconstruction of self-awareness to help them stay within the law (Tollis 2018).

Another benefit of extra-custodial detention is improved well-being for the mother-child relationship. Studies show that when children live in prison, particularly in early childhood, they can develop emotional and behavioural issues such as unexplained crying and sleep disturbances due to the prison environment and their close relationship with their mother (Libianchi 2001; Fadda 2010). Workshops and moments of reflection—either with professionals or among the women themselves—help them process their experiences, enabling personal and relational growth and well-being. In these spaces, where prisoners feel recognized as individuals, they can also appreciate the value of the freedom they experience through alternative measures. They can confront the fear of autonomy, rebuild their identity, deal with external pressures (e.g., from a partner/husband or family), and overcome the prejudice and stereotypes associated with imprisonment (Goffman 1983).

3. Research methodology

The research presented here aims to understand whether extra-prison penal enforcement, characterized by projects focused on social inclusion and personal growth, can be: 1) an adequate substitute model for prison; and 2) a detention pathway characterized by good practices that can increase forms of inclusion by transforming the time of the sentence into an opportunity for the mother-child relationship.

To observe and reflect on the phenomenon, a qualitative methodological framework was chosen, allowing for flexibility and appropriateness in addressing the variables associated with the topic. A semi-structured interview was conducted with *7 key informants* representing the two subgroups of the case study: three individuals who work within the CFP in Milan (the president, director, and criminologist) and four mothers. Three of these mothers are still serving their sentences, while one has left the detention system and lives in accommodation provided by the same association.

Questions were formulated to reflect on circumstances considered critical (Balasanyan, Gevorgyan 2024) for a woman and mother serving a criminal sentence. These questions were also addressed to those managing and working within the CFP to interweave the perspectives, experiences, and knowledge of different actors. Three

dimensions were identified. The first dimension is related to the status of an incarcerated mother. The aim is to understand the socio-cultural factors that lead a woman and mother to criminal behaviour (Serban, 2023); her relationship with her family, particularly with the father of her child, who is often also incarcerated; and the difficulties that may arise from a state of autonomy and semi-freedom. The second dimension relates to awareness. The questions pertain to possible pathways of self-reflection and life choices; a sense of responsibility; the advantages and disadvantages of forced cohabitation with other incarcerated mothers; and future plans once the sentence has been completed. The third dimension focuses on context. In this case, attention is directed toward the mother-child relationship with the outside world; reintegration pathways; and the potential prejudice from residents in their neighbourhood (Calderaro et al., 2025).

The interviews underwent a preliminary analysis using *NVivo 13 software* (Lippolis 2020). A vocabulary was created using the *Word Frequency Query*, which identifies the most frequent terms across all the interviews. Two *word clouds* were produced, representing the words that best characterized the experiences of the two groups of respondents.

Table no. 1. Query Word Frequency

Who works in CFP Association C.I.A.O.
Mother 60; prison 56; sense 55; children 48; family 46; reality 46; respect 45; children 44; people 44; home 42; moment 38; women 36; way 32; example 31; path 31; crime 30; possibility 29; mother 28; life 28; together 27; person 27; years 26; structure 25; cases 22; sentence 22.

Source: data processing with NVivo software.

Table no. 2. Query Word Frequency

Mothers detained in CFP (C.I.A.O. Association)
Mother 93; years 75; children 68; home 64; life 41; children 39; well 37; mothers 31; person 30; I can 29; work 27; prison 26; stay 24; family 23; path 22; people 22; father 21; want 20; I want 19; understand 18; educators 18; gone 17; year 17; example 17; difficulty 16.

Source: data processing with NVivo software.

Through the *Query Text Search*[2], a number of areas were analysed without distinguishing between respondents, using one of the Boolean (logical) operators, which allows for word searches to be explored according to the AND inclusion criterion. An initial text search was conducted on specific areas of interest, such as pathways in CFP, affective and family relationships, cohabitation, post-sentence, and prejudice. Each result of the Query Text Search represents the multiple viewpoints of the social reality analysed.

4. A first analysis on Family-Protected Homes

The mothers interviewed, like almost all those who passed through the CFP in Milan, come from ICAM (Tollis 2018). In the latter, educational work is initiated and continued throughout their time in CFP. However, as part of this partnership (Boccacin 2009) and continuity, there are some differences, explains the criminologist from the association, such as the fact that "there is no prison restriction, so there is no sense of

[2] The reason for conducting a single *Query Text Search* lies in the structuring of the interviews. Both groups were asked similar questions, which were designed to investigate the same areas but from different perspectives.

coercion, no guards, no bars on the windows, and, especially for children, this is important."

Many elements emerge in this re-education process. Through a relational systemic approach, the CFP combines the pedagogical aspect with the daily life of imprisoned mothers, which consists of choices, compromises, self-awareness, and so on. It is a constant process of accompaniment (Longo, Muschitiello 2015)—but not replacement—through an individualized project based on the mother's needs. The mother is supported both psychologically and socially in experimenting with her space of responsibility, care, and autonomy (Tollis 2018). As the CFP president emphasizes, self-awareness is key.

There are elements of support both psychologically and practically, such as learning not to leave the lights on all the time because, one day, you will have to pay your own bills [...] because you will be on your own and I won't be there to pay them. It includes things like getting a driver's license or learning how to use a computer [...]. I want to develop a project focused on autonomy for the acquisition of emotional, psychological, and practical skills. This is fundamental, otherwise, you can't manage, and then you return to crime. [...] They try to help you as much as possible, to support you and provide you with tools. Even the freedom and responsibility of being here depend on you because, if you decide to return late, it is your responsibility, and I have to notify the police. But I am here for you!

This is also confirmed by some imprisoned mothers interviewed, who recognize the importance of having a structure that helps them understand the steps they need to take to exit a life of illegality. However, it is not always easy, confirms one mother (a former Romani woman) who has completed her sentence, because "they are giving you an opportunity, they help, but it's still up to you to decide what kind of person you want to be." Convicted mothers arriving at the CFP, says another interviewee (from southern Italy), must "have the strength to be aware but also to walk back through that door and not run away. There are those who give it their all. Because here we have everything, we have educators who are at our disposal. They help us with everything, and we can trust them. Here, we are not ashamed to share our stories."

Another recurring element in the interviews is emotional relationships. These are central in the decisions of imprisoned women, whether in relation to sentimental ties with the fathers of their children or their families of origin. These external factors are often the driving force behind their poor choices, explains the criminologist: "mistreatment, alcohol problems already present in the family that the woman repeats, addiction, or general dysfunction. The family may seem normal on the surface, but behind it, there is a whole history of abuse, mistreatment, or erratic behaviour. [...] Nearly all of them also have husbands/partners in prison." A testimony that validates this perspective emerges from the account of one mother (a former Romani woman and ex-convict):

I changed my life. I used to live a Romani life, but not anymore. Romani life means being in a camp, going out to steal, dressing as they dictate, cleaning from morning to night, being a slave. Being forced to steal—that's not life. Now I feel at peace. I'm discovering new things: working, eating pizza out, going for a walk, talking to people... before, I couldn't do any of that. For me, the real prison was there [...]. I am grateful I went through prison because it made me grow, mature, and, above all, evaluate what I want, because in the end, you cannot be submissive. You must be aware and be who you want to be. And I am teaching this to my children, too.

The path in CFP allows women prisoners to begin to develop a critical reflection in order to try to get out of a state of total dependence and passivity. They have experienced a condition of isolation and loneliness that makes it complex, but not impossible, to build a new life path together with their children. Women who have been in CFP, the director states, abandon an attitude of passive acceptance and discover "a strong resistance not to go back to their previous ways. There is an attempt to move towards a more structural change that involves putting oneself on the line and not accepting even some blackmailing positions from the family" and the father of the child.

Another aspect is cohabitation. Cohabitation, with the relational dynamics that involve all mothers and their children, is not easy. This is clear from the words of one detained mother (originally from northern Italy), who acknowledges how her own personality, the presence of children, and differences in culture and habits can trigger misunderstandings. However, she feels she has grown because, in these moments of difficulty in relationships with others, "the educator helps you to understand where you, too, may have been wrong. She gives me advice and maybe I accept it and try to put it into practice." Through this support and accompaniment, differences are transformed into a resource, creating positive dynamics of coexistence and mutual support (Giuffrida, Roscioli 2011). The president also states:

In sharing, anything can happen [...]. So, they may not stand each other or may even hate each other, but when something happens that involves one, they come together. When faced with a child's problem, they help each other. After that, they might go back to ignoring each other. [...] It depends a lot on the relationships that are created. Right now, there are important relationships [...], but subservient relationships must not be activated, or else we intervene!

Therefore, the fact of coexisting and cohabiting, of confronting and accepting one another, means that the mothers necessarily had to reflect, reason, adapt, and listen—albeit partially—to each other's needs.

In this path of growth and autonomy, imprisoned mothers also consider the needs of their children, which manifest not only in the present but also in future prospects. "I'll tell you what my son always tells me", says one (foreign) detained mother, "Mom, one day we will go to our house with my other brothers, you will go to work, and we will go to school. Then we will cook, eat, play, and spend all our time together." Another detained mother (from northern Italy) also testifies that, once her sentence is over, she would like to reunite with her son, who remained outside the prison system. However, "I can't force him because I've left the C.I.A.O. and have a house; I can't make him come with me after he has lived with his aunt for so long. He will decide." From this emotional perspective, the CFP tries to build reintegration pathways well before the sentence ends. A course was promoted "by the Lombardy Region for family assistants, like OSS. It will last for a year, and they will need to study and take an exam, and if everything goes well, they will have the chance to get a job," the criminologist stresses. "We try to put all the resources we have into play." We are within multiple pathways, adds the director, because

we are talking about reintegration into a social network, and these women necessarily have to do many things. [...] The point is to create a shared activity; otherwise, we would create another ghetto. [...] It would be a disaster if this reality were too closed, too isolated, and not very connected with other realities [...] because the objective is for

them to reclaim, practice, and experiment with the diversity of possibilities and real opportunities that exist in the area, to get used to the plurality of stimuli, otherwise, they could fall again.

A final element we examine here is prejudice. One of the interviewed mothers (from southern Italy) feels the weight of her status as a prisoner when she encounters her daughter's school environment. The teachers' difficulty in dealing with the presence of a detained mother, behaving differently toward her than with other mothers, became evident. The interviewee says she knows "what my steps are, and I know that to keep my freedom, I must not make mistakes [...]. They don't know the context, they don't realize that I am still a mother like any other, with limits to respect, but I am still a mother." This difficulty with teachers can recur in many external contexts because, as the criminologist explains, "many times there is the eye of the convicted: you have been in prison, so we need to be careful because I don't know what you do." The stigma of being a prisoner is clear in this statement. According to the director, the meeting of imprisoned mothers with citizens could become a problem when the superficial phase of an acquaintance ends and a real opportunity for a relationship arises. She reports some concerns such as, "If the acquaintance goes further and they ask me who I am, what I do, I don't know what to say. This is one of the most complicated issues. There is a limitation in socializing that comes in the introduction, in telling a bit about yourself. In their case, it is more difficult because they can only associate with people who have no criminal record. On the other hand, if you meet people who have lived the same life as you, you feel understood." Therefore, rebuilding one's life, the constant effort to start anew with a life project outside illegality, also depends on the sense of acceptance by the citizens and community in which the imprisoned women in CFP are placed.

5.Conclusion

Thirteen years after Law No. 62/2011, CFP remains the most suitable place for mothers with children to serve their sentences. It provides a response to the needs of the mother-child relationship through an educational pathway that starts with the woman herself. This journey enables identity reconstruction and greater self-awareness, improving both personal and maternal well-being. To keep children out of prison, we must start with the mother, equipping her with the tools for a life free from illegality, allowing her child to follow a similar path. Legislative support for CFPs is needed to ensure they become more than just an alternative to prison but a service for people in need of guidance toward autonomy and building a better future.

Authors contributions
Maurizio Esposito is responsible for chapt. 1 and chapt. 2. Benedetta Turco is responsible for chapt. 3 and chapt. 4. Conclusion have been written together.

Declaration of conflicting interests
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