

Crime and Punishment in Yugoslavia

J. K. LOTINGA and G. R. TWISELTON

WHEN WE HEARD we had been invited, together with two other members of the Prison Department, Messrs. S. G. Clarke, Assistant Director and L. J. Simpson, governor of Leeds, to join the I.S.T.D. study tour of Yugoslavia it felt a little like winning a football pool. One gathers that the pools winner is the inevitable recipient of countless letters which beg him to share his winnings with others less fortunate; and this article has been written in response to just such a request from the Editor.

Our difficulty is that, whilst in a quantitative sense we won a great deal during the tour in the form of information derived from pamphlets and sometimes hastily-taken notes, we have certain doubts as to the quality of our understanding. These doubts arise from the obvious difficulty that exists when questions of a technical nature have to be asked and answered through the medium of an interpreter. It is an exercise that is made no easier when there is not one individual but a group, many with questions of their own; so that

there may be little or no time for amplification before the first questioner must give way to others. We feel, therefore, that we should apologise at the outset, both to our readers and to our Yugoslav hosts, if errors or omissions have crept into our record.

THE OUTWARD JOURNEY

After vaccination, and in spite of the seamen's strike, the heterogeneous collection of 25 individuals who were to become "the group" arrived at Victoria on the 17th May. Led by Eve Saville, General Secretary of the Institute for the Study and Treatment of Delinquency, we crocodiled our way to a train and thence on to a Belgian boat to Ostend. There we found the 40-foot Alfa Romeo coach which was to become our travelling home for the next three weeks and, with it, its inestimable Flemish driver Josef Cammaerts, of whom more later.

On the journey to Aachen, our first overnight stop, and during the next few days we got to know one another better—though not, it must be said, as well as an

imperious little German waiter at our hotel seemed to wish when, in allocating rooms, he came close to insisting that one of us (J.K.L.) should share a room with a lady research worker.

Apart from Miss Saville, the lady researcher and the four of us from the Prison Department, there were seven probation officers, four child care workers, two approved school workers, a consultant psychiatrist, a child psychotherapist, a borstal matron, the warden of a hostel for adolescent girls, an ex-D.P.A.S. branch secretary and a retired teacher. Fourteen of the party were female and 11 male, the ages ranging from 24 to 74. We can only hazard a guess at the reaction of the natives to such a motley crew.

Our journey necessitated early starts, a minimum of stops and usually late arrivals. The second day was an example of this. We drove from Aachen in the north-west to Munich in the south-east of Germany, with an all too brief stop for lunch in the fascinating town of Heidelberg. The third day was spent travelling via Garmisch Partenkirchen and Innsbruck through the Austrian Alps which, on that particular day, were shrouded in rain. However, when we crossed the Brenner Pass into Italy the sun came out and the rest of the journey, through the Dolomites via Cortina and Pieve to Udine, was indescribably beautiful. Next morning it was an hour's run from Udine to the

Yugoslav frontier. At Gorizia, on the Italian side, the group was thoroughly entertained by an Italian frontier officer who came aboard to examine our passports. It is necessary to mention that one of us (G.R.T.) was the possessor of the only beard in the party, and that we had not noticed any examples of hirsuteness among the local populace. It was certainly a matter which seemed worthy of comment to our passport examiner. He looked at the face, looked at the passport and back at the face. Then, with masterly timing and gesture, he indicated how suitably impressed he was, "Ah!" he said, "la bella barba!" The audience rocked—and the name stuck. But he had not finished. He passed next to Mary, our 74-year-old. "A grandmother!" he said. "You have grandchildren?" "Yes", said she, and started to tell him how many. He nodded, swept his arm around the coach and said: "All your grandchildren!" But Mary, a shrewd and vigorous old lady, had the last word. She prevailed upon him to wait while she finished writing a postcard so that he might post it for her. He did so with the greatest good humour, and we all passed into Yugoslavia with warm feelings towards Italian officialdom. (We did not know it then, but our next encounter with Italian customs was to be less pleasant.)

YUGOSLAVIA

We were met at the frontier by

Dr. Alenka Selim, who is not only a charming young lady, but also a member of the Institute of Criminology in the Faculty of Law at Ljubljana University.

We were to visit the famous Postojna caves on our way to Ljubljana, and as the coach rolled along we got our first glimpse of Yugoslav peasant life; women in black shawls, men with luxuriant curly moustaches, all with tanned and wrinkled faces, women washing clothes in a stream, sparsely situated houses and farmsteads of drab appearance, often in need of repair. By contrast, the hotel at which we stayed for lunch was modern and well-appointed. Here, those of us who had phrasebooks made our first attempts to violate the native tongue. We failed to make ourselves understood and, in our keenness to try Yugoslav food, ended up in the most curious assortment of dishes. One member found herself faced with soup in which floated a raw egg, others devoured strips of smoked bacon, while one group spoke highly of something called Serbian salad. Some two days later, as we were on the point of leaving this northernmost republic of Slovenia, we tumbled to the fact that, the local language being, not unnaturally, Slovenian, our Serbo-Croat phrasebooks had been more of a hindrance than a help.

Our guide book described the Postojna caves as making the

Cheddar caves "look like a rabbit warren". We can but agree, and suggest, that, if you are ever in that part of the world, it is an experience not to be missed. It is difficult to find words to describe the extent, the scale, or the variety of these subterranean wonders. Among the incredible stalagmites and stalactites are curious creatures about the size of a lizard, half fish half mammal, of bleached white appearance, without eyes, living out their existence passively submerged in an underground pool.

Thence to Ljubljana, the capital of Slovenia, where we stayed the night in a very Austro-Hungarian hotel and, next day, began the round of institutions.

THE WORK PROGRAMME

We were in Yugoslavia for a total of 11 days. Eight of these days were spent in visiting 15 institutions. Not only was the pace hectic and the time too short to gather more than superficial impressions, but the size and heterogeneity of our party made it difficult to pursue any consistent line of enquiry. We propose, therefore, to concentrate upon those elements of the Yugoslav penal system and practice which appear to differ significantly from our own. We shall at best attempt only the most cursory, impressionistic description of those non-penal establishments we visited.

We were taken by our hosts to

four or five major groups of institutions. These were:

- (1) Children's homes, and what amounted to diagnostic and remedial centres for deprived and maladjusted children.
- (2) The administrative department, known as the social agency, which is responsible for the organisation and co-ordination of all welfare services. This body works largely through social work centres established in each community to undertake preventive and remedial action for most types of social pathology.
- (3) University Departments and Institutes of Law, Criminology and—allied to these—Research. There was, additionally, the Institute of Defectology in Zagreb where teachers are specially trained to recognise and deal with most types of physically and mentally handicapped children.
- (4) Penal establishments comprising remand and observation centres for minors (up to 18 years); two closed and one open prison for male adults; one closed prison for male minors and young adults (18 to 23 years); and a closed prison for women with a nearby open institution for minors.

It was in the University Institutes that we obtained the majority of our information about Yugoslav crime and penology, and it may be useful to provide some of this background detail before turning to our impressions of actual institutions.

LAW AND COURTS

Yugoslavia was described to us by a talented and enthusiastic young student who showed us round Ljubljana as "a country with seven frontiers, six republics, five nationalities, four religions, three languages, two alphabets and"—as he said with some emphasis—"one purpose". It is, in fact, a federation of republics, the administration of whose federal laws lies largely or wholly within the jurisdiction of each one of these. There are, of course, aspects of the law which are a reflection of the Yugoslav socio-economic system. The chief of these, in common with other communist countries, is the category of "economic" crimes which serves to distinguish crimes against social as opposed to private property. Among such crimes, one supposes, would be attempts to set up as a capitalist *entrepreneur*. Two offences against property which we discovered were the offence of "devastating forests" and that of "forest theft". We believe these to be economic crimes—as well as instances of peculiarly ambitious delinquency.

The Higher Court judges are

elected by the National Assembly. Thereafter, we were told, no political interference is tolerated by the judiciary. The decision as to whether a *prima facie* case exists lies within the competence of the Public Prosecutor. There are preliminary proceedings before an investigating judge, but no committal proceedings as we know them. There is a Community Court, a District Court and above these an Appeal Court. There is no jury system, but every type of court is comprised of at least one judge and two lay assessors or, for more serious matters, of two judges and three laymen. The courts for minors have a special panel of educationalists and penologists as assessors.

INCIDENCE OF CRIME AND PUNISHMENT

The total population of Yugoslavia is approximately 19 millions. Recent statistics show that about 120,000 persons over 18 years of age are annually convicted, and approximately 3,200 minors, aged 14 to 18. (The age of criminal responsibility is 14 years.) It seems probable that, as elsewhere, a higher incidence of crime accompanies the increase in urbanisation and industrialisation.

Of the 120,000 over 18's who were convicted the disposals were:

- 52,000 suspended sentence
- 37,000 fines
- 25,000 imprisonment
- 6,000 "remanded" (presumably sentence deferred).

Of the 3,200 convicted minors, disposals were:

- 800 probation
- 760 admonition
- 90 assigned to a social worker
- 540 sent to an educational and corrective institution
- 220 sent to an educational institution
- 130 sent to an attendance centre (run by the social agency)
- 60 (16 to 18 years) sent to a youth prison (sentences ranging from one to 10 years)
- 10 sent to an institution for defective minors.

There are also in the Yugoslav penal code certain special restrictions which may apply to persons over 18. Thus, an additional 2,500 annually receive compulsory treatment (as in- or out-patients) for alcoholism or drug addiction, have driving licences withdrawn and have the tools or proceeds of crime confiscated. We were told that, of the crimes committed by the over 18's, approximately one-quarter are against property, one-quarter against the person, one-quarter against honour and reputation (libel) and one-quarter comprising all other offences. Seventy per cent of crimes by minors are against property.

Murder and treason remain capital offences. Imposition of the death sentence is optional to the court, the alternative being a sentence of up to 20 years' imprisonment. If the capital sentence

is passed (death by shooting), a reprieve may be granted. We were told that, on average, two to four persons are sentenced to death annually. In 1965, two were shot.

Remands in custody are obligatory in capital cases, and in all instances where it is considered that witnesses may be intimidated or otherwise interfered with. We were told that approximately 10 per cent of all cases are so remanded. Although no figures were available it was thought that in two or three per cent, at most, of all cases is the accused remanded for psychiatric reports.

Young adults (18 to 23 years) may be judged by a court, after expert testimony, to be at the educational and development level of minors. Should this be so, the legal provisions for minors (e.g. probation, educational institution) may apply to them. However, due to the restricted number of experts, professionally trained social workers and others, and because of the inherent difficulty of making such assessments, this provision is little used. Persons of either sex and over 18 years of age will, if sentenced to less than one year in prison, serve their sentence in a local prison. We did not visit such an institution.

PROVISIONS OF YUGOSLAV PENAL CODE

Every member of the I.S.T.D. study tour was provided in advance with a copy of volume V of *Collection of Yugoslav Laws*

published by the Institute of Comparative Law in Belgrade, 1962. This consists of three main sections: a foreword by the Under-Secretary of State for Internal Affairs, the laws relating to the enforcement of punishment and the regulations relating to custodial sentences. We think there are items of sufficient interest contained in this booklet to deserve extensive quotation. Again, we have concentrated on those elements which differ from English provisions, while noting that the majority of the provisions are extremely similar to our own. The chapter dealing with the commencement of sentences involving deprivation of liberty allows for postponement of sentence in cases where the convicted person is acutely ill or where there is death or grave illness in the immediate family; where he is under obligation to carry out or complete urgent work that cannot be executed by other members of his family, or that might result in considerable loss to others were it deferred; where he is about to complete his schooling or take examinations; is convicted with other members of the family, (or they are already serving sentences) and, as a result, the support of minors or of old or ill members of the household would be endangered; or, finally, is a pregnant woman within three months of giving birth or nursing a child younger than one year.

Status of convicted prisoners

includes entitlement to eight hours of uninterrupted rest every 24 hours as well as one day of rest per week. Convicted prisoners who have spent 11 months without interruption on a normal job, including the time spent under medical treatment owing to injuries sustained at work or to occupational disease, are entitled to a continuous rest period of 14 days a year, during which they receive the average pay of the previous six months.

Recompense for work performed amounts to from one-fifth to one-quarter, and exceptionally up to one-third, of the remuneration payable for work of the same type and for the same yield outside. For overtime work, convicted persons are entitled to recompense in the full amount.

INTERRUPTED SENTENCES

For justified reasons, in exceptional cases, the competent State Secretariat of Internal Affairs may grant a convicted person, on his petition, an interruption in serving his sentence, which may not exceed three months. An interruption granted for purpose of medical treatment may extend until the conclusion of the treatment. . . . If an interruption is granted, the time spent at liberty shall be counted with the punishment.

There is, however, no "automatic" remission. "Decisions concerning conditional release shall be made on the basis of a petition by a convicted person or

on the proposal of the director (governor) of a Penal Corrective Institution." Such petitions and proposals are adjudicated upon by "The Commission on Conditional Release".

Disciplinary punishments include a reprimand, no correspondence or parcels for up to three months, the prohibition or limitation of the right to dispose of money for personal needs for up to three months, or solitary confinement for up to 30 days. Several punishments may be awarded simultaneously. Dietary punishment does not exist in the Yugoslav Penal System.

Legal obligation for after-care is placed upon each local community: "The special committees existing on every council of the people's committee competent for social security affairs shall be required to extend assistance to discharged convicted persons. . . . The means of a committee for assistance to discharged convicted persons shall be provided by the budget of the Communal People's Committee".

Solitary confinement for minors (under 18 years) is restricted to a maximum of 10 days.

In a disciplinary centre, minors spend their time predominantly working and learning, under the constant supervision of educators. The term "educator", given the problem of translation might have any of a number of possible meanings; for instance, it might indicate a trained teacher, or it might simply

be equivalent to a leader or supervisor.

A penal corrective house will have an adequate number of educators whose sphere of action includes becoming familiar with the personalities of the convicted individuals, raising their general education, assisting them in solving their personal and family problems, organising cultural-educational work, physical culture and sports, and other measures for the re-education of convicted individuals. An educator may propose to the administrator of a penal corrective house that the programme for the treatment of convicted persons be modified. Persons appointed as educators must have at least secondary professional qualifications and have finished a special course for educators.

By early 1962 penal corrective houses and large prisons should have had at least one educator to every 100 convicted persons. While we cannot say whether this proportion of educators to inmates has been generally achieved, it was our impression that among those institutions we visited the importance of the role of the educator was marked, and that in the institutions containing minors and young adults the proportion was more favourable than the law required. Additionally convicted persons with the necessary qualifications may be used, under the supervision of educators, to give

instruction in general and vocational education.

The director (governor) is assisted by a council as an advisory organ in the conduct of the penal corrective house. The council comprises the director, his assistants, the head of the group of educators, the physician, the psychiatrist, the psychologist, the commander of the guard and other officials among the specialised staff, as designated by the director.

As a rule, the council meets once a month, and deals with all major questions involving administration of the house and advancement of services and work of the house. In particular, the council considers proposals for the conditional release and pardon of convicted persons, and the production plans of the economic units, as well as co-ordination of these plans with re-education measures.

Disposal of prisoners' earnings means one-third is compulsorily saved, and one-third is for personal expenditure. The remaining third, plus whatever he does not spend of the third used for personal needs, may be sent by him to his immediate family or to any individual he is legally required to support. Should the prisoner have no one to send money to, this is compulsorily added to his savings.

Privileges of granting leave of absence or a partial or total utilisation of the period of continuous

rest outside an institution are awarded by the director of a penal-corrective institution on the basis of the opinion of the council. Convicted persons remaining in the penal-corrective institution for the period of uninterrupted rest are accommodated in a special place and allowed to organise for themselves, within the limits of the house rules, the utilisation of their free time. They may also be granted special privileges in the matter of receiving visits.

Convicted persons serving their sentences in open penal-corrective institutions or under a security free system, and who merit it with their behaviour, may be permitted to take jobs outside the institution, in nearby enterprises and establishments, with the proviso that they continue to spend a certain period of time in the penal-corrective institution or that they continue to report there.

The foreword by Andrija Pejovic, Under Secretary of State for Internal Affairs, contains a number of statements on aims and principles. Thus:

"The whole Yugoslav penal-corrective system is founded on principles whose prime objective is educational-corrective considerations . . . by accenting the re-education of the convicted persons and by according them the most humane treatment possible, the law attempts to give them a perception of its principles, in the end that they should adjust their acts

to the requirements of social ethics and discipline once they are at liberty again.

"The principle of individualisation of the enforcement of punishments demands that convicted persons be treated in accordance with their individual physical and mental qualities and possibilities. However, since the achievement of a particular influence on the personality of a convicted individual represents a process of gradual transformation, individualisation must not be conceived of merely as different treatment for different convicted persons, but as a form of varied treatment of the same convicted person, which is conditioned by the degree of success registered in the matter of his reformation and re-education at a particular stage of enforcing punishment and other measures of criminal law.

"Paramount importance is attached to work as a means of re-educating and reforming convicted persons. The reason for this lies in the fact that the right to work is considered as a fundamental human right . . . (The right to work is among those rights guaranteed by Article 5 of the Constitutional Law of 1953) . . . the right to work represents the basis for the realisation of all other rights enjoyed by the citizens of Yugoslavia. . . . It follows, then, that the purpose of making a convicted person work is not to aggravate his position while serving his sentence,

but to enable him to maintain or to acquire working habits and to sustain his capability for work so that he can lead a useful life at liberty, which is inconceivable without work.

"The Law relating to the Enforcement of Criminal Sanctions puts this obligation . . . 'Convicted persons capable of work shall have work ensured to them'.

"The more the activity and working conditions in a penal-corrective institution approximate the working conditions in liberty, the greater are the possible influences of work. It is therefore sought to have productive activities organised on principles of modern techniques, with up-to-date organisation and the application of hygienic-technical, protective and other measures. Of course, when work is used as a means of reforming convicted persons, considerations of economic utility must not be allowed to outweigh the purpose of re-education which is to be attained through the work. Hence, in assigning convicted persons to jobs, prime consideration is given to their state of health, their physical and mental capabilities and their propensity for particular jobs.

OVERTIME

"The working time of convicted persons is regulated by the common provisions and totals eight hours a day. In addition to basic remuneration convicted persons are entitled to full remuneration

for overtime work, for accomplishments involving innovations or rationalisation of production, for exceeding the production standards, and for other similar attainments. Overtime work is prohibited for convicted persons as a matter of principle, and may be authorised only exceptionally. Its introduction is governed by the common regulations, whereby overtime work may not exceed eight hours per week.

"Persons enjoying the privilege of having an annual vacation to spend as they saw fit were found to have appreciated it so much that they strived (*sic*) to make sure of it for the next year by their behaviour and work. The vacation had a positive effect particularly on the psychology and working capacity of convicted persons. This has been aided by the establishment of special sections for convicted persons to spend their vacations in, organised so as to approach to the maximum the living conditions at liberty, within the possibilities attainable under the conditions of a penal-corrective institution, of course . . . (This) 'together with the possibility provided for convicted persons, subject to certain conditions, to spend all or part of their annual vacation at home, (has) invested this institution with first-class value and made it into a means stimulating the re-education of convicted persons.'

It is a commonplace of experience that statements of principle and intention are frequently at

variance with their actual fulfilment. One wonders, indeed, whether it may be the case that hyperbole and euphemy tend to increase as resource provisions become less and less adequate to the discharge of readily-proclaimed tasks. It certainly behoves any enquirer in a penal setting to bear such possibilities in mind. He should also expect that he will, quite naturally, be shown the best rather than the worst, and should recognise that it will be a bold man who pretends that he has thereby perceived what is typical, for truthfully he cannot tell. Thus, the question which now arises is to what extent did the institutions which we were shown approach the realisation of the aims we have quoted? How were they organised to do this?

First call was the Observation Centre at Jarse, on the outskirts of Ljubljana. There, from the republic of Slovenia, were some 70 maladjusted children ranging from seven to 15 years of age supervised by a staff of 48 men and women. (Exceptionally, children above or below these age limits might be accepted.) They were referred by courts, schools or social welfare agencies and stayed there under observation for a period of approximately three months.

The children are assessed by a psychologist and social workers, and the advice of a psychiatrist is available if and when required. At the end of this period a joint

decision is reached following consultations as to the most suitable disposal of the child.

At Dob, also in Slovenia, and situated in remote countryside between Ljubljana and Zagreb, is a maximum security prison and allocation centre for adults, built seven years ago. There, in an institution with a farm of 750 acres attached to it, some 600 to 700 men serve sentences ranging from one to 15 years—exceptionally, up to 20 years. Despite enquiry, the figure for the staff-prisoner ratio was not forthcoming.

Following short preliminary observation of two to three days there is a second, screening phase, carried out by psychologists, social workers, educationists and others which lasts up to 30 days. The prisoners are then allocated to this or other institutions, including the open prison at Maribor. As a result of the conclusions reached at the end of the screening process they are classified into five main groups: recidivists, young adults, old prisoners, a general group and the medically unfit. There is a semi-open section of the prison which caters mainly for first offenders.

The inmates are kept occupied chiefly with agricultural work, forestry, metal and woodwork (cots, playpens), and there are no civilian factories to compete with them in the sale at market prices of their products, some of which are exported to nearby countries. Reveillé is at 5.40 a.m. and there

is an 8-hour day with two breaks of half-an-hour each, work commencing at 6 a.m. Afternoons are mainly given over to recreation and leisure. The men receive a wage equal to one-third of the normal civilian wage. Of this, a third is retained, a third sent to dependents, a third compulsorily saved. We gathered that, in certain circumstances, a sum amounting to anything up to one-half of that saved may be used as compensation to an aggrieved party. Rarely, some may earn the equivalent of a full civilian wage.

A period of 14 days' holiday in each year is granted to all good-conduct prisoners. Those approved by the governor and his staff are allowed to return to their homes during this period; others, depending on the type of offence, their personality, the length of sentence received and time already served, spend it in the institution. Most prisoners return from their holiday period without persuasion; only a small minority require further encouragement from the police.

Two letters and visits a month are permitted to ordinary prisoners, but only one of each to those undergoing "strict imprisonment". Food parcels not containing perishable foodstuffs are permitted at a similar rate. The staff includes one full-time medical officer and a part-time dentist and psychiatrist. In contrast to the neighbouring republic of Croatia there are no special hospitals for prisoners in

Slovenia, and the more severe types of mental illness are dealt with in civilian psychiatric hospitals.

There is no remission provided for in the Yugoslav penal system, but conditional release following the serving of three-quarters of the sentence may be granted in certain circumstances. One gathered, however, that this was very much the exception rather than the rule, the prisoner commonly serving the whole of his sentence. Sanctions do not include dietary punishment, and cellular confinement is limited to a maximum period of 30 days. Prisoner councils are permitted in the workshops, and prisoner committees may make suggestions to the governor who will explain his reasons for rejecting or accepting them. So far as security measures were concerned we noted observation towers with floodlights and an electrified fence. Guard dogs are made use of, and officers are armed with batons inside the perimeter and revolvers outside it.

Prior to his release, arrangements are made by the social welfare worker for the prisoner's future employment. Sadly, it was admitted that, in Yugoslavia too, public prejudice against the ex-prisoner is by no means the least of the handicaps he must face on his return to civilian life.

Zagreb, a city of half-a-million inhabitants, is the capital of Croatia, a republic with a population of four-and-a-half million

people; and here we were introduced to the very genial Professor Markevic, Director of the Institute of Criminology in the Faculty of Law, and to the Director of Penal Administration for Croatia, Mr. Sobotincic, and shown the hospital catering for the penal-corrective institutions. It is a most impressive building containing 80 beds, (maximum 100), built approximately 10 years ago and incorporating a more recent extension. There are patients of both sexes here who require both surgical and medical (including psychiatric) investigation and treatment. Of these, a third are psychiatric cases, two-thirds medical and surgical. One in 10 patients are women, and the average length of stay is two to three months although the T.B. and psychiatric cases may, of course, remain for considerably longer periods. They are treated in small wards of three to five beds, and a brief inspection of these and of the laboratories, X-ray room and operating theatre gave us a picture of an extremely well-equipped and impressively clean and modern hospital such as our own prison service would be delighted to own. We saw no padded rooms, but three beds surmounted by a rope netting superstructure are used to contain violent patients.

We were impressed by the electronic door control operated from

a small, centrally-situated security room. We were even more impressed by the sense of purpose compounded of an attractive mixture of enthusiasm and light-heartedness, shown by so many of the staff, and by their easy and friendly relations both with us and with one another.

In Zagreb, too, is the Institute of Defectology, an integral part of the University. This might be better termed a high school for special education, catering for 600 students of whom 200 were extra-mural. These are individuals over the age of 19 who have a secondary school education behind them and whose aim is to gain a diploma in "defectology". The subjects under this heading comprise the study of the following groups of handicapped individuals: 1, the blind; 2, the deaf; 3, the sub-normal; 4, the physically handicapped; and 5, the socially underdeveloped and maladjusted (i.e. the delinquent).

The aims of the Institute were outlined to us by Professor Spoliatomislav, Dean of the Institute.

We visited a social welfare agency dealing with a wide range of problems normally catered for in this country by the probation service, marriage guidance clinics, children's department and, perhaps, citizen's advice bureaux and housing department also. Frank admission was made that

the problems encountered were very similar to, if not identical with, those of the West. The shortage of housing, due to the appalling depredations of the war years, constituted a formidable obstacle to social advancement and the raising of living standards. The illegitimacy rate was increasing, and prostitution was another problem that was met, particularly in the large cities and ports. As in the rest of Europe, earlier maturation of adolescents was taking place, and large numbers of children had been brought up in fatherless families, again due to the war. We were intrigued to hear that, following the arrival of television in the homes of people living in the innumerable small and remote islands off the Dalmatian coast, crimes had appeared of a type that apparently had not previously been experienced in those parts.

To the south-west of Zagreb lies the small provincial town of Karlovac, and thither we proceeded for the purpose of inspecting a children's observation and discipline centre, having been royally entertained beforehand—as indeed we were wherever we travelled—by the mayor and other local notables. These included a television camera-man who, in his anxiety to obtain good pictures of the English travellers—and especially of the possessor of the *bella barba*—for

the local network, displayed impressive agility as he climbed over the furniture in the crowded room, all but succeeding in distracting our attention from the flow of compliments and good wishes that emanated from the mayor during the course of his official welcome.

The centre, one of eight that are in existence in this republic, is a comparatively small one, providing for a total of 36 boys and girls. It might be described as a remand centre with a hint of the detention centre thrown in. The length of time the children spend there before a decision as to the type of disposal is reached is a month. Ljubljana is a considerably larger and, one supposes, much wealthier town than Karlovac, and this seemed to be reflected in the size and modernity of its centre at Jarse as compared with its Croatian counterpart.

Last visit in Croatia was to a women's prison at Slavenska Pozega which receives those sentenced not only within the boundaries of that republic but of Bosnia and Herzegovina also. There is accommodation for 400 inmates over the age of 18 whose sentences ranged up to a maximum of 15 years (as opposed to 20 years for men). Those serving less than a year are completely separated from the rest. There is a hospital of 26 beds and a comfortable self-contained unit

of 12 beds for pregnant women, the children remaining there for a period of a year before being transferred to the care of the mother's family or to a children's home. In addition; a small corrective institution for minors (63 inmates), is situated in the same locality. This might be described as a girls' open borstal for the 14 to 18 years age group. As yet, there are no open prisons for women.

As in the men's prisons, considerable stress is laid on the value of work, both theoretical and practical, as one of the most important instruments in the rehabilitation of prisoners. Here there were facilities for horticulture and, in the workshops, for lace-making and the manufacture of clothing such as shirts and underwear. Again, as in the men's prisons, a holiday period of 14 days in every year is granted to all inmates who work uninterruptedly for 11 months of that year. Those without families to return to spend this period in a rest house, and, socially dangerous individuals also take their holiday within the walls of the institution itself.

We were informed that 27 per cent of the inmates were recidivists, and that out of a total of 32 per cent who had been convicted of crimes of violence the remarkably high figure, by our standards, of a quarter were serving their

sentences for murder. The figure for illiteracy stood at 19 per cent. Some sections of this prison were most impressive. We were shown a beautifully constructed and artistically decorated theatre of spacious proportions, and noted chairs and tables whose designers would have had high hopes of winning a Duke of Edinburgh award in this country. In somewhat stark contrast the dormitories (24 beds in each) looked overcrowded, and the ablution troughs and showers somewhat inadequate and a little primitive.

Conjugal visits for the well behaved amongst the legally married have been introduced, but we received the impression that this was a very recent innovation, and that those who had benefited from the concession were, up to the time of our visit, very few.

As in all the prisons we were shown, each group of prisoners is advised or guided by a "pedagogue"—individuals with some experience of social welfare work who appear to fill the role of group counsellor and tutor organiser combined, and who compile final reports on release and attempt to place the prisoner in employment.

Next we travelled south-east to Belgrade, chief city of Serbia, and, of course, capital of the

federation of republics that constitute Yugoslavia. There we were taken to a social welfare agency, one of nine that attends to the needs of the nine administrative areas of a city of 700,000 inhabitants. In this far from spacious building 10 social workers and a psychologist, supported by a small clerical staff, appear to act as Citizen's Advice Bureau, D.P.A. Society and N.A.B. combined, tackling such widely differing problems as the care of the handicapped and educationally neglected children, abandoned babies, abortion (it is not a crime in Yugoslavia), and divorce, submitting reports to the courts when required. With the limited resources available the task appeared to us to be a herculean one, despite the level of enthusiasm of the staff which, in some cases, probably amounted to almost complete dedication.

We visited Mosa Pijade Children's Home. During the war some 300,000 children became parentless, and homes such as these have done and continue to do what they can to remedy the appalling handicap facing these future citizens. This particular home, named after one of the founders of the modern Yugoslav State, cares for 150 such children with a staff of 16 who depend heavily, of necessity, on the help of the

older children in getting through their daily tasks. Included amongst those accepted into the home are "minor mental defectives" (dullards presumably), and the maladjusted. The children live in charming self-contained flatlets of four or five rooms, each with three to four beds in them. Once again, one observed the surprisingly high quality of the furniture and the taste shown in the furnishing designs. The atmosphere was undeniably homely, and the young inhabitants had an air of cheerfulness that was very heartening to the visitor.

The third of our Serbian visits took us to a large men's prison at Sremska Mitrovica which contains between 1,000 and 1,200 inmates, (maximum 1,500). This institution comprised an extensive and miscellaneous collection of buildings, some dating back to the 19th century, with pre-first war, inter-war and post-second war additions. Here was housed every category of prisoner over the age of 23 whose sentences ranged between one and 20 years. Some miles away, in the heart of the countryside, was a small satellite which had been in existence for five years and which took approximately 100 prisoners living in open conditions and engaged in agricultural work and the maintenance of agricultural machinery. Ten per cent of all receptions into

the parent establishment, we understood, were selected for the open prison after screening, and there were perhaps 20 per cent in all who, sooner or later, were ultimately transferred there.

The administrative block in the main prison was a dignified and quite imposing building with a most impressive interior, the grounds of the prison itself pleasant and spacious. The workshops, provided with radio, were large and seemingly well-equipped; and we watched the men in the wood-work shop making beds, chairs, bookcases, wardrobes, furniture units and window frames; those in the metal shop automobile fans, hub caps and wheels for cars and lorries. There are two eight-hour work shifts in this prison, the first between 6 a.m. and 2 p.m., the second from 2 p.m. to 10 p.m.

The dining-hall was as attractive as the best we have seen in our own prisons; the kitchen, on the whole, cramped and a little out-of-date. The hospital, built between the wars, appeared to be reasonably modern design, clean, pleasant and comfortable within, with small wards of three beds and pharmacy, X-ray and dental rooms. There was no time, however, to examine the place or the equipment provided in any detail. The rest house set aside for those taking their 14 days' holiday inside the walls seemed

unusually well-equipped. Built after the second war, it was bright and cheerfully furnished, with attractive curtains at the windows. Television and table-tennis were amongst the facilities provided for the men's entertainment. In the main block we noted an excellent library (one of several, it seemed), television and facilities for showing good films in the large theatre which was equipped with a Tannoy system. Prisoners edit their own magazine, and provision is made for the teaching of basic educational subjects and for both occupational therapy and group psychotherapy, as the case may be, for the senile, the alcoholics and the psychopaths.

We were shown no individual cells whatever, and the surprisingly large dormitories which were furnished with double-tiered bunks each provided accommodation for 94 men—nearly five times as many as at Dob. Prisoners were lounging or sitting at tables during our inspection. The recess contained two w.c.'s, a small urinal and the usual, rather primitive, washing troughs. We had to remind ourselves of our own "slopping out" procedure and to recall that the two-shift system halved the number of men in the dormitory at any one time up to 10 p.m. The arrangements appeared wholly inadequate, nevertheless.

There followed a visit to an educational institution for minors at Novi Sad which we should describe as an approved school. These children, whose ages ranged between nine and 16, were sent to the institution by social welfare agencies or by the courts. We found the atmosphere to be homely, modelled as it appeared to be on the ways of family life. The children attended the local schools and returned to their own homes during the holidays unless there was some special reason why they could or should not do so. Those who showed themselves unable to respond to such measures might be transferred to one of the stricter educational and corrective institutions.

Our final visit in this republic took place during the course of a memorable journey south-west from Belgrade to Sarajevo. On the way to our destination we spent some time at a closed prison for minors and young adults at Valjevo. This institution, one of two in Yugoslavia, was built to take a maximum of 250 inmates whose ages lay between 16 and 18 at the time of their conviction. At the time of our visit, however, there were only 170 in residence, with a staff of 68, supported by 20 guards or disciplinary officers, to supervise them. Sentences of up to 10 years were to be encountered, and those reaching the age

of 23 without having completed their sentences were transferred to an adults' prison.

It was stressed that the prison was only eight months old and that it was far from complete structurally. The day was a wet one—indeed, typical English weather had greeted us throughout most of our stay in Belgrade—and the unfinished appearance of the place doubtless gave a somewhat exaggerated impression of forlornness that would be largely dissipated by sunshine and the arrival of equipment still to be delivered.

The boys slept in small dormitories of four, eight and 10 beds, with large unbarred windows. The dining and assembly hall was quite spacious, clean but unheated, the kitchen tiled and equipped with extractor fans, but nevertheless unfinished. A sports ground and swimming pool were planned for the future.

Education is compulsory and organised by a headmaster and 16 teachers, of whom approximately one-third were on the permanent staff, the remainder on a part-time basis from the nearby town. The curriculum allows three or four hours a day in the, at present, unfinished workshops, the same amount of time in the classrooms (including the promising looking science laboratories), the boys having been duly assessed by the ubiquitous pedagogues and the

psychologist. Disciplinary measures included the loss of letters, home passes, visits and pocket money; rarely, withdrawal of the privilege to smoke. The maximum period for solitary confinement was 10 days and, in accordance with the general policy, there were no dietary punishments. The benefits in the shape of good discipline that accrued from a considerable measure of self-government were repeatedly stressed by the authorities in the subsequent discussion. We had the uneasy feeling, however, that for once "communication" was not at its best; and our questions as to how the violent or aggressive behaviour of the psychopathic element was met received answers that left us wondering dubiously whether Yugoslav delinquent youth could be so very different from our own.

Apart from the visits described above three others took place which can be referred to only in passing. These were to the Institute of Criminology at the Faculty of Law in Ljubljana; the Institute for Criminological and Criminalistic Research in Belgrade; and the Faculty of Law at the University of Novi Sad. The first and third of these provided us with excellent and illuminating discussions. At the Institute in Belgrade we were in some danger, perhaps, of becoming a little submerged by the difficulty of having rendered into English the highly technical

terms used by the various speakers.

THE ROAD HOME

We came in due course to the mountainous region of Bosnia. Josef, our phlegmatic driver, and his indomitable Alfa-Romeo, soon discovered that the narrow, poorly-surfaced roads and hairpin bends, not to mention the frail-looking bridges spanning deep and ominous ravines, had not been constructed for the purpose of taking such loads as ours. The pace slowed, the inclines grew steeper, and it became obvious that darkness would blot out the magnificent scenery long before we had ascended the final mountain range and dropped down into the last valley in which lay Sarajevo.

By midnight we had reached the crest of one such range when a gigantic sigh from the now weary monster signified to us that the road had taken its toll of one tyre of the rear pairs—the inner one of a pair, it goes without saying. The wheel having been changed, we trundled on, stopping to reverse at every U-turn to allow the Alfa's lock to take the bend. In the surrounding darkness precipitous cliffs appeared to be falling away within two or three feet of the slowly revolving wheels, and it was entirely due to Josef's imperturbable skill and unceasing care that our fate was not recorded in the English Press under some such

doleful headlines as "another Belgian coach tragedy". At 3.30 a.m. the sight of a few scattered twinkles of light told us that we might be near the end of our day's journey. Quite suddenly the dawn began to break, and ahead of us, and perhaps another 1,000 feet below, lay Sarajevo. A little after four o'clock in the morning, following a 20-hour day, we tumbled into bed, far too tired to be disturbed even by the assassination of another archduke.

The following day after an all-too-hasty exploration of Sarajevo, we set out for Dubrovnik, staying overnight at Mostar. The very different type of scenery we now encountered was as impressive in its way as the more austere magnificence of the jagged Dolomites, and the road along the coast to Dubrovnik gave us delightful views across innumerable bays and our first sight of the blue Adriatic. From this fascinating port, a mixture of ancient fortress town and comparatively sophisticated holiday resort, we embarked on the S.S. *Partizanka* and, for the next two days, steamed peacefully up the Dalmation coast to Venice. In Venice, unfortunately, we had time for little else than an incipient argument with the Italian customs—whose officials at first looked prepared for a general emptying of suitcases until reassured by a few bland words from the sole Italian-speaking member of the

group—and an evening under a full moon in St. Mark's. (It might perhaps be maintained that this alone sufficed to make our journey worthwhile.)

Now, indeed, we were approaching the final leg of our European circuit. The faithful Josef, whom we had left behind on the quayside at Dubrovnik, was encountered 48 hours later, waiting for us in Venice. He drove us through Bergamo, past Como and Lugano and, next day, over the St. Gotthard and across Switzerland and eastern France into Luxembourg. The following afternoon we were saying goodbye at Ostend and boarding the cross-Channel steamer for home.

CONCLUSIONS

Travel, one can say, broadens some minds, though by no means all. When it is combined with the pursuit of factual knowledge in such an out-of-the-way State as Yugoslavia, one hopes it is not mere presumption to assume that, in our case, the process of broadening has at least begun. Solely from the point of view of the real purpose of the trip—a study tour—we found the period spent in being shown something of the workings of the Yugoslav penal and judicial systems eminently worthwhile.

In this communist country the beliefs lying behind the stated aims of those who seek to promote

a just execution of criminal sanctions lead to repeated stress being laid on the importance of reintegrating the individual within the community. And it is the good of the community—rather than, as in this country, the freedom of the individual—that appears to bulk large in the mind of the promoters of these aims. Despite this, we were told that the imposition of a deterrent sentence is held to be unjustified in that it penalises the individual offender *pour encourager les autres*. One presumes that this concept may not hold good for the political offender. For obvious reasons this situation was neither discussed nor defined for, as yet, there is no Hyde Park Corner in Yugoslavia.

What of the institutions themselves? In those prisons shown to us we were impressed by a number of things—the amount of new, post-war construction, in the majority; the extent of the workshops in one or two; the care that appeared to have been exercised in the choice of certain amenities; a dining-hall here, a theatre or hall of assembly there, and the high quality achieved; the conception of the rest house where those inmates disqualified from returning to their homes during the course of their sentence may, for a couple of weeks shake off the somewhat dreary routine that exists in all institutional life; and

the wholly admirable standards set by the Grendon of Zagreb. On the other hand, the sleeping accommodation and sanitary arrangements in some of these institutions failed to reach such levels as we ourselves were wont to deplore in our own local prisons 10 or 15 years ago.

Outside this field we noted that the absence of a probation service for the over 18 offenders constituted a considerable gap in the provisions of the welfare services; and that the workers in the social welfare centres appeared to be overburdened by problems which would tax the abilities of a much more numerous and highly-trained staff, despite the obvious devotion to their work of those we met.

Twenty years ago Yugoslavia was a war-shattered land. Moreover, the great majority of her inhabitants had never enjoyed a high standard of living, and her peasantry, particularly in the south, has continued to live at a comparatively primitive level of existence. It is in this socio-economic context that the progress that has been achieved in the field of penology can be seen to be an extremely impressive one. It would appear certain that the combination of enthusiasm and self-criticism which so many of these workers showed will rapidly carry them further along the road they are now travelling.