



# BALKAN CRIMINOLOGY

# IMPRISONMENT IN CROATIA

Assist. Prof. Dr. Anna-Maria Getoš Kalac, LL.M.

Head of the Max Planck Partner Group for Balkan Criminology  
at the University of Zagreb's Faculty of Law



# PRESENTATION OVERVIEW

- Legal Background
- Croatian Imprisonment in European Context
- Conviction Statistics
- Prison Statistics
- Preliminary Conclusions





# LEGAL BACKGROUND

- Upon conviction an imprisonment, a fine, an educational measure or a juvenile imprisonment is pronounced or the person is convicted but no sentence is imposed.
- Imprisonment sentence may be pronounced only as a major penalty. Imprisonment may not be shorter than 3 months or longer than 20 years. For the most serious criminal offences, the imprisonment sentence of 21 to 40 years may be prescribed and, exceptionally, in case of the merger of criminal offences, even up to 50 years (a long-term imprisonment).
- Besides the major penalty, the court may pronounce one or more security measures



# LEGAL BACKGROUND

- **security measures:**
  - Compulsory psychiatric treatment,
  - Compulsory treatment of addiction,
  - Compulsory psychosocial treatment,
  - Prohibition to perform certain duties or business activities,
  - Prohibition to drive a motor vehicle,
  - Prohibition to approach to someone,
  - Separation from common household,
  - Prohibition to access to internet,
  - Protective supervision following the full execution of a prison penalty.



# IMPRISONMENT IN CROATIA IN EU CONTEXT

- Croatian conviction rates for the total of criminal offenses are well below the European average. The European mean in 2011 was 909, the median 669, whereas the conviction rate for Croatia was 549 (Aebi et al, 2014, p. 156). This is a rather consistent finding throughout time (except for the 1990s wartime drop). But when looking at the rate of unconditional prison sentences and the prison population rates in Croatia (Aebi and Delgrande, 2013; Aebi and Delgrande, 2015), then it is clear that the relatively low conviction rates are not well reflected.
- On the contrary. Despite rather low conviction rates Croatia has a high rate of unconditional prison sentences and prison population rate.





# IMPRISONMENT IN CROATIA IN EU CONTEXT

- Regardless of the fact that the prison population rate of 115.2 in 2011 is beneath the European average with a mean of 154.0 and a median of 122.2 (Aebi and Delgrande, 2013, p. 41), this is out of proportion in the context of Croatian conviction rates.
- Thus Croatia has revealed a major upward trend in its prison population rates with a linear increase of 74.9% over the last 11 years (Aebi and Delgrande, 2015a, p. 2).
- This trend contradicts the clear declining trend in the rate of reported and convicted adult persons for all criminal offenses.
- This points towards a high frequency in usage of unconditional prison sentences, rather than harsher sentencing practices in Croatia, since the majority of the unconditional prison sentences are short-term prison sentences.





# CONVICTION STATISTICS

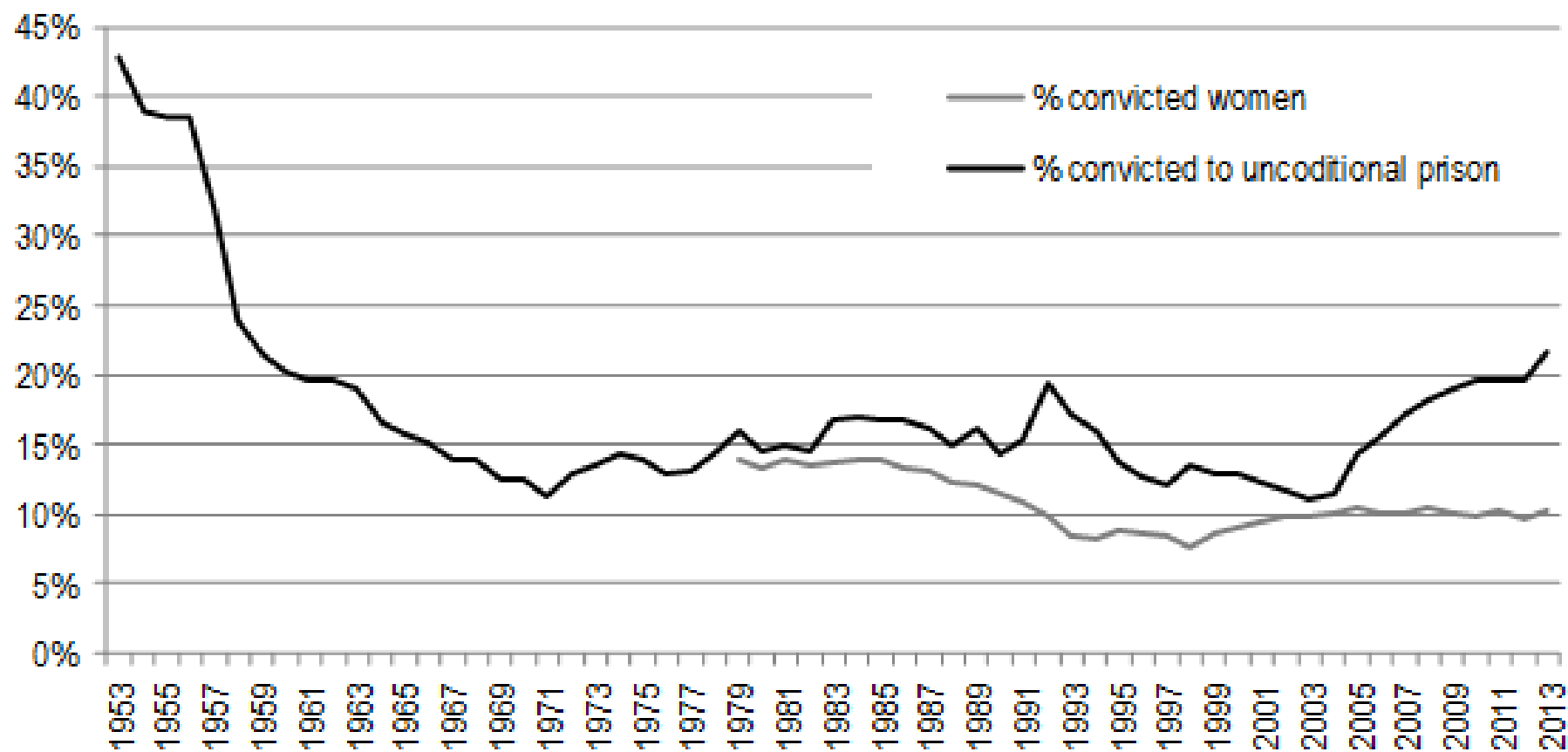


# Non-suspended imprisonment, 2004-2013

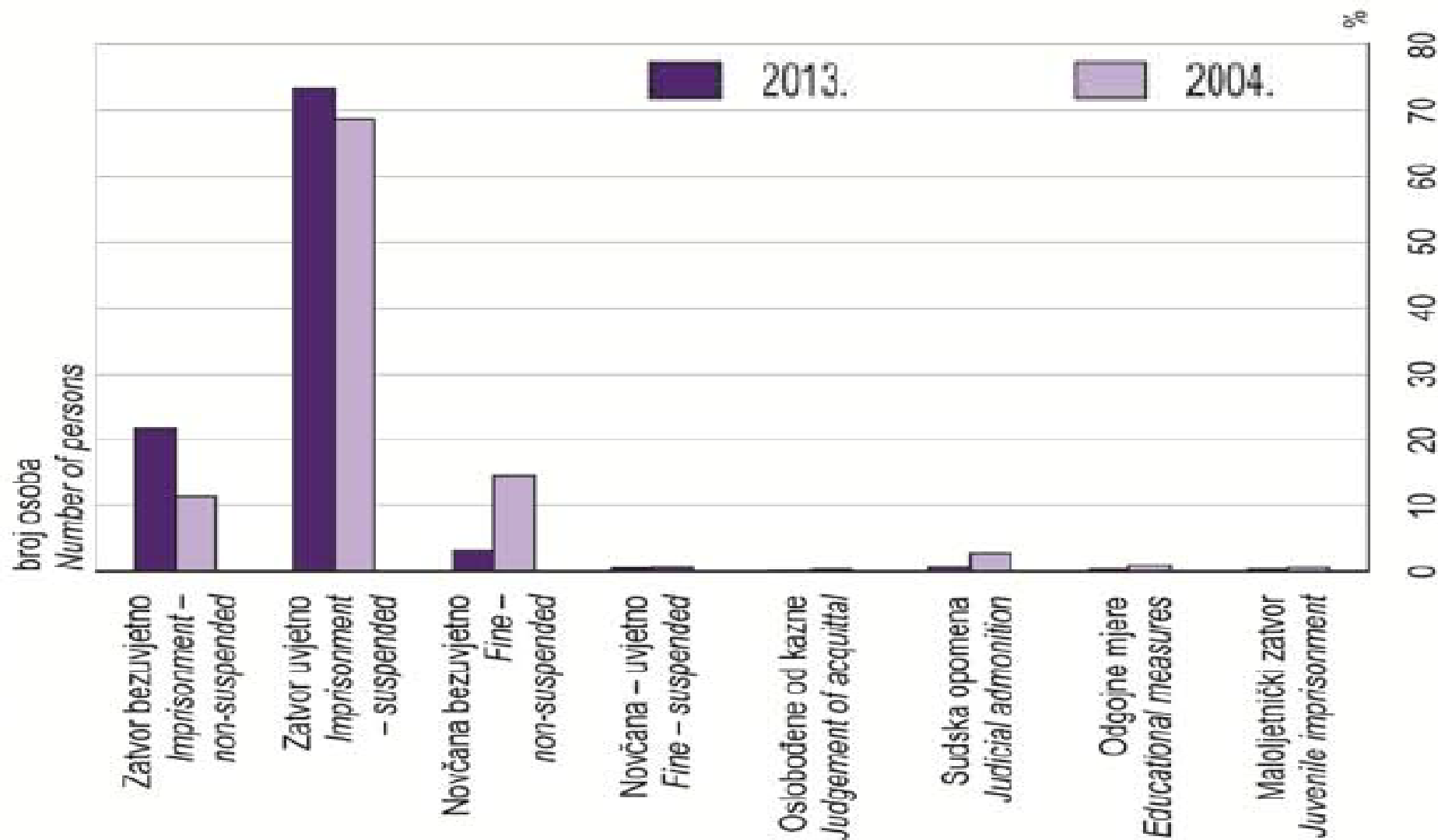




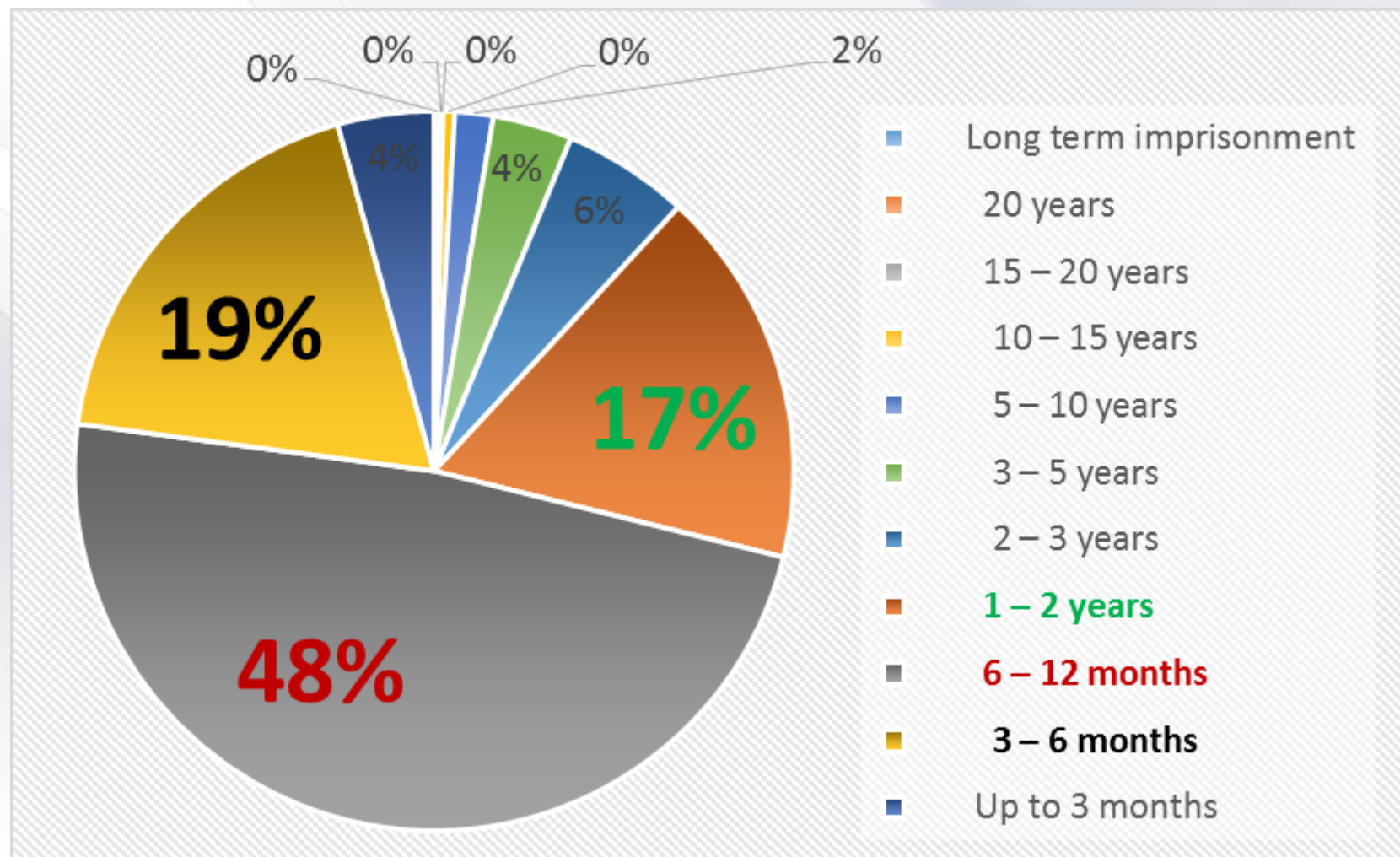
# Share of convicted adult women and adult persons sentenced to unconditional prison sentences within all convicted persons, 1953-2013



# Structure of convicted persons by penalties 2004 and 2013



# Imprisonment - unsuspended, by length of sentence, 2014



# COURTS DECISIONS AND CRIMINAL PENALTIES BY TYPE OF CRIMINAL OFFENCES, 2014

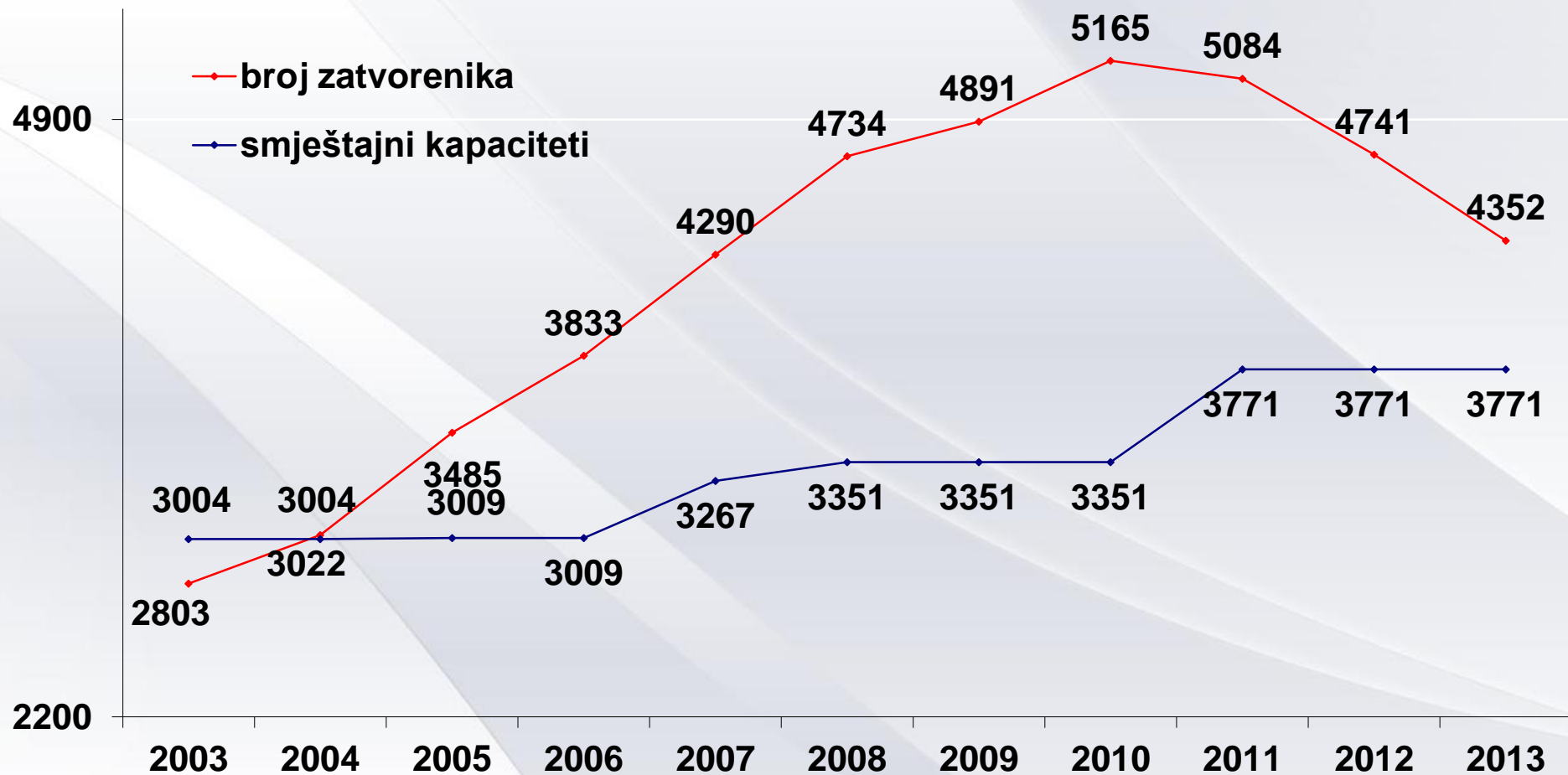
| Total | Life & limb | Personal freedom | Sexual freedom | Sex. maltr. of children | Marriage, family, children | People's health | Public safety | Safety in traffic | Property | Economy | Counterfeiting | Official duty | Judiciary | Public order | Other offences |   |
|-------|-------------|------------------|----------------|-------------------------|----------------------------|-----------------|---------------|-------------------|----------|---------|----------------|---------------|-----------|--------------|----------------|---|
| 14888 | 925         | 1 345            | 153            | 97                      | 786                        | 885             | 188           | 1059              | 6200     | 1128    | 1116           | 627           | 295       | 1183         | 1 017          | Convicted persons                             |
| 1817  | 66          | 102              | 16             | 3                       | 120                        | 62              | 9             | 166               | 773      | 171     | 147            | 259           | 63        | 66           | 218            | Women   |
| 50    | 20          | 11               | -              | 1                       | 1                          | -               | 2             | -                 | 9        | -       | -              | -             | -         | 6            | -              | Mentally incompetent - coercive accommodation |
| 3719  | 222         | 194              | 70             | 62                      | 59                         | 520             | 43            | 131               | 1613     | 203     | 100            | 265           | 24        | 156          | 57             | Imprisonment – unsuspended                    |
| 25%   | 24%         | 14%              | 46%            | 64%                     | 8%                         | 59%             | 23%           | 12%               | 26%      | 18%     | 9%             | 42%           | 8%        | 13%          | 6%             |   |
| 9     | 9           | -                | -              | -                       | -                          | -               | -             | -                 | -        | -       | -              | -             | -         | -            | -              | Long term imprisonment                        |
| 3     | 3           | -                | -              | -                       | -                          | -               | -             | -                 | -        | -       | -              | -             | -         | -            | -              | 20 years                                      |
| 3     | 3           | -                | -              | -                       | -                          | -               | -             | -                 | -        | -       | -              | -             | -         | -            | -              | 15–20 years                                   |
| 19    | 9           | -                | 1              | 1                       | -                          | 2               | -             | -                 | 3        | -       | -              | -             | -         | -            | 3              | 10–15 years                                   |
| 64    | 21          | -                | 3              | 5                       | -                          | 6               | -             | -                 | 21       | 1       | -              | 1             | -         | -            | 6              | 5–10 years                                    |
| 133   | 19          | -                | 9              | 12                      | 2                          | 32              | 2             | 5                 | 42       | 5       | 1              | 2             | -         | 1            | 1              | 3–5 years                                     |
| 211   | 16          | -                | 6              | 5                       | 2                          | 59              | -             | 9                 | 90       | 12      | 2              | 2             | -         | 3            | 5              | 2–3 years                                     |
| 631   | 29          | 25               | 19             | 7                       | 15                         | 111             | 5             | 15                | 295      | 54      | 14             | 9             | -         | 18           | 15             | 1–2 years                                     |
| 1794  | 72          | 109              | 20             | 26                      | 31                         | 252             | 29            | 78                | 827      | 112     | 52             | 74            | 10        | 84           | 18             | 6–12 months                                   |
| 691   | 40          | 51               | 12             | 5                       | 9                          | 55              | 7             | 22                | 304      | 18      | 31             | 77            | 10        | 44           | 6              | 3–6 months                                    |
| 161   | 1           | 9                | -              | 1                       | -                          | 3               | -             | 2                 | 31       | 1       | -              | 100           | 4         | 6            | 3              | Up to 3 months                                |



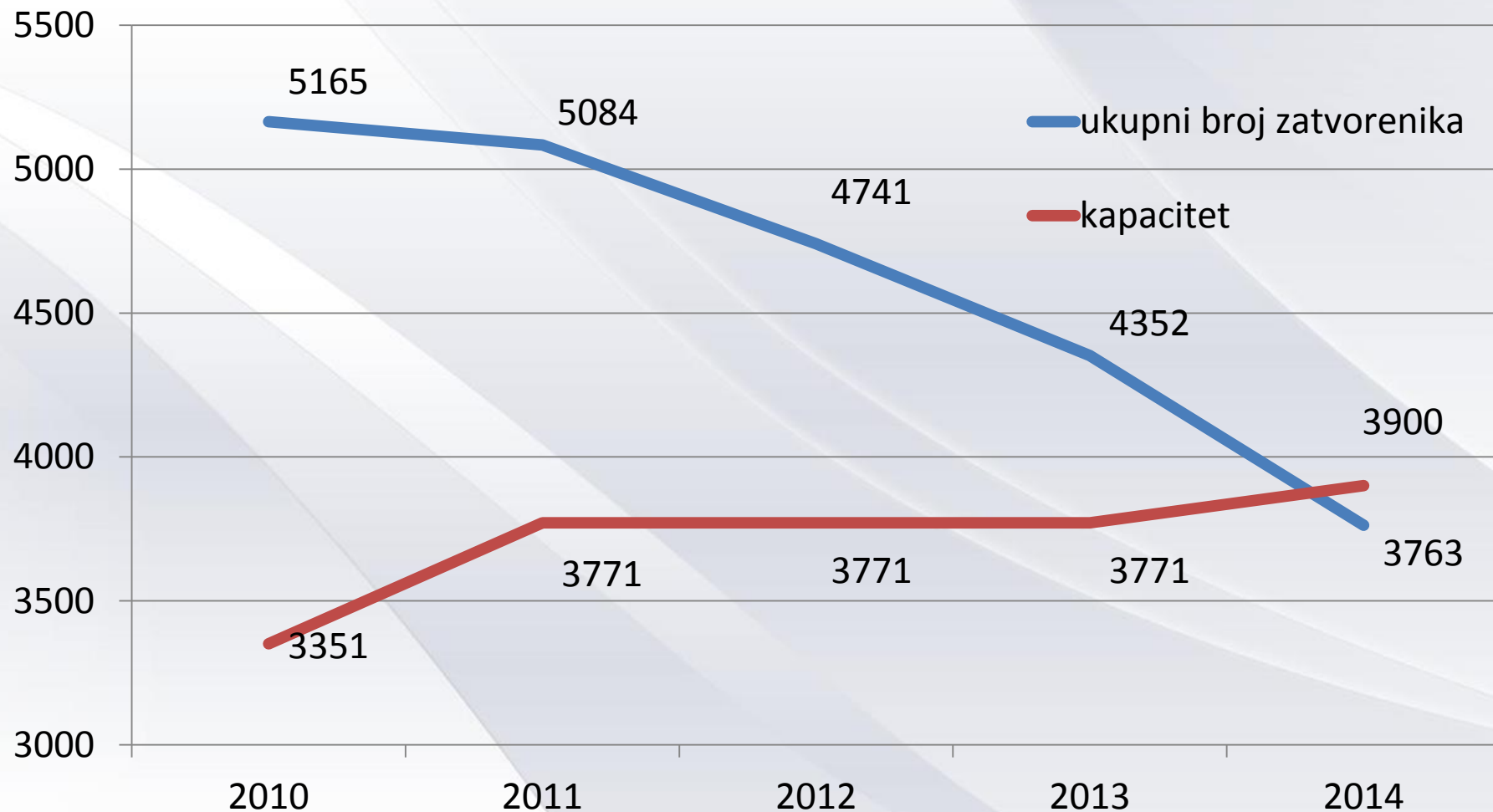
# PRISON STATISTICS

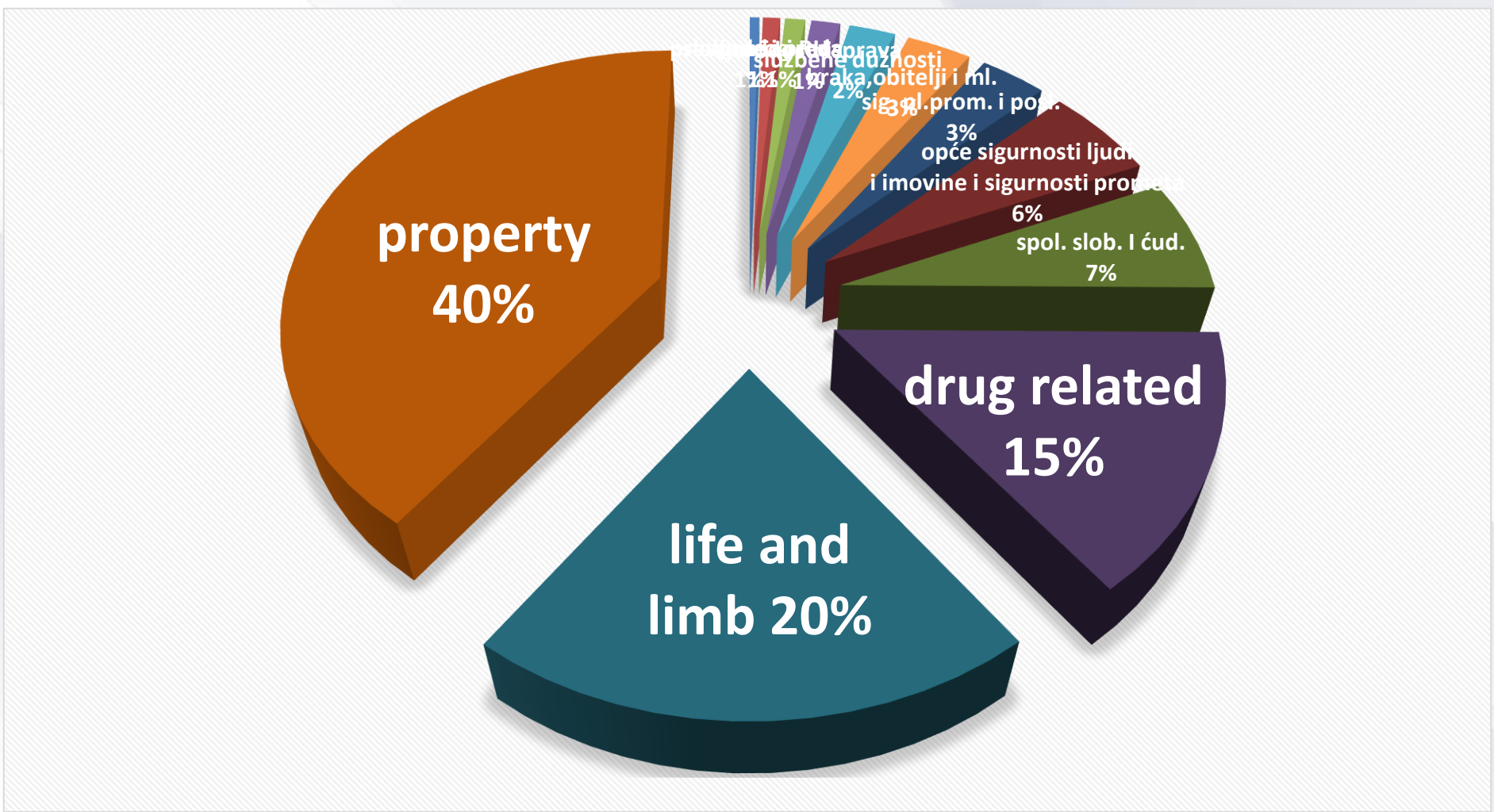


# Overcrowding (31.12.)

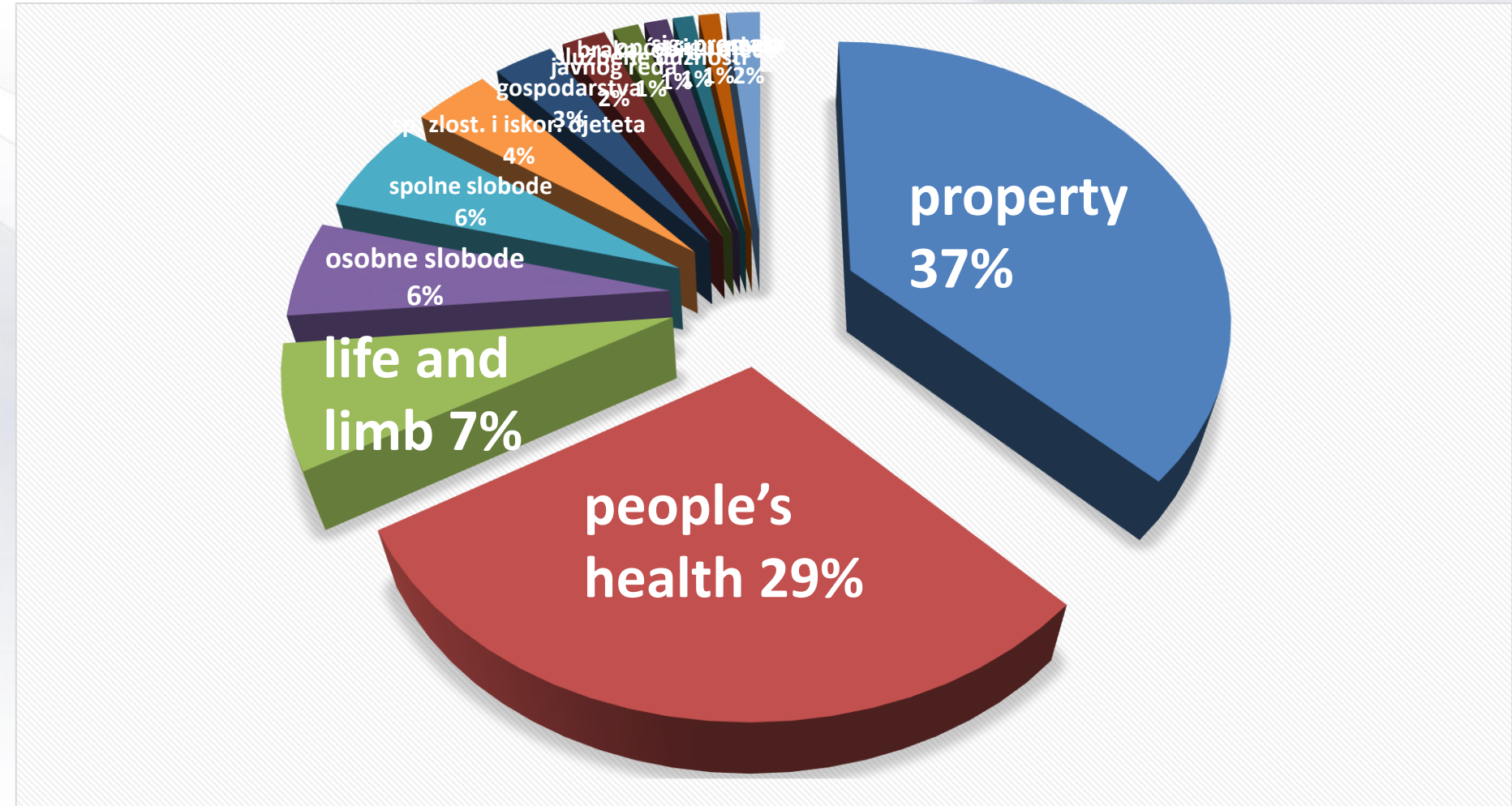


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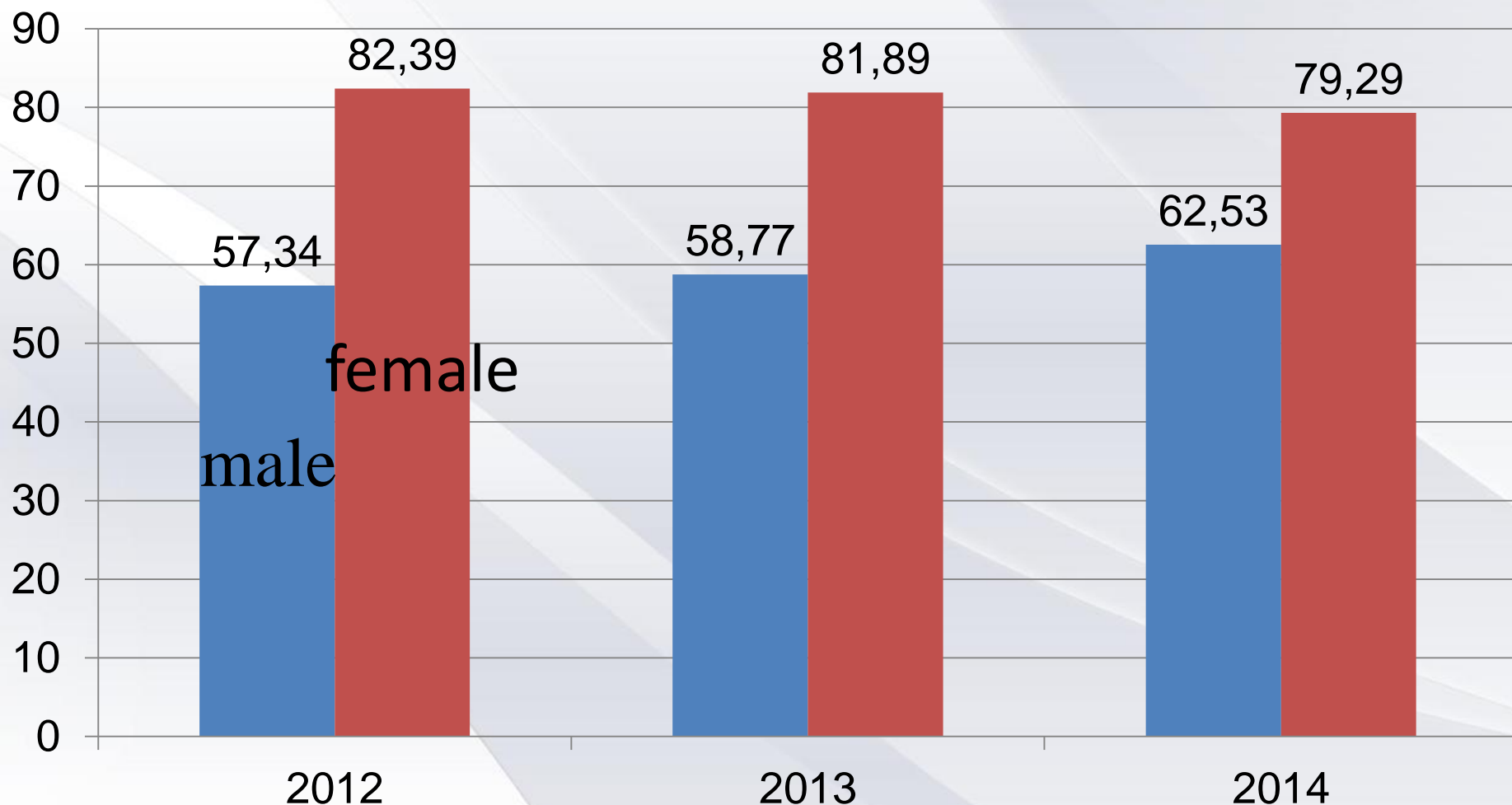








# Share of first time prisoners (31.12.)





# PRELIMINARY CONCLUSIONS

- 25% non-suspended imprisonment!
- short-term imprisonment!
- 100 persons sentenced to imprisonment up to 3 mon.!
- imprisonment for property offenses?
- overcrowding
- reoffending
- challenge – tracking imprisonment trends after 2013



# Thank you for your attention!



## BALKAN CRIMINOLOGY

[www.balkan-criminology.eu](http://www.balkan-criminology.eu) • [info@balkan-criminology.eu](mailto:info@balkan-criminology.eu)