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Investigating the Implementation of the Prison Sentence in the Criminal Proceedings for Female Prisoners

Gholamreza Khalili [a], Dr Mohammad Reza Kaykha [b]

[a] *Department of Criminal Law and Crime, Zahedan Branch, Islamic Azad University, Zahedan, Iran.*

[b] *Tehran State University of Sistan and Baluchestan, Iran.*

Abstract

The status of women in developing countries has become widespread. In our country, women are also trying to emulate their hidden talents and capabilities in the community and gain their true status. Altogether, these changes have led to many areas, including the rate of women's crime. The changes influenced by the process of development in societies have led to changes in the pattern of social life of women, which has led to an increase in the rate of committing crimes among women and a reduction in the ratio of sexual offenses to crime. Iran's society has faced widespread socio-economic transformations since the 40's. It also includes changes in the sphere of women's lives, in which the role and role of women in the labor market and socio-economic activities has increased. Based on the defendant's defense rights, the most important of these rights is the right to take charge of the victim, the right to compensation for the loss and the right of women to security and information in the criminal process. Also, his security in prison and his martyrdom is considered to be the most important supporting element. In some cases, the support of female prisoners is required in the non-public way of martyrdom and trials. In the process of enforcing the imprisonment, the need for support is also needed. The financial burden on the accused, as well as the reduction of the consequences of imprisonment in prisons, is also one of the rules laid down in the Iranian legal system.

Keywords: Female convicts, Criminal process, supporting methods, Sentencing.

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Introduction

Support for female convicts is very important because of their vulnerability to the execution of sentences, especially imprisonment. The victim of a woman in criminal proceedings or an accused according to the rules of procedure has special rights between the domain of the concept of victim and offender, and without defining the concept of the accused one can not be precise about the aspects of support for female convicts, which always distinguish between women And the men and the extent of their enjoyment of social, political, economic and cultural facilities have been the subject of human societies at various historical times. At the same time, with the development of living conditions in the modern age and the complexity of human communication and the conditions of today's world, people's views on issues such as crime and delinquency also differ from the past. Considering that women today have been able to participate in social and cultural scenes and Etc. Therefore, the importance and necessity of studying their legal issues and citizenship is also being considered more and more. On the other hand, given the fact that the legitimacy of the imprisonment has been questioned and few have accepted the abandonment of all criminals, at the same time, there has been widespread criticism of the negative effects of the imprisonment on the economic, criminological and social grounds, and these widespread mistakes along with The practical failure to impose a sentence of imprisonment further highlights the importance of examining and studying the protection of prisoners held by prisoners. In Iran, in spite of the efforts and costs of better and more efficient enforcement of prison sentences, it has failed to achieve the predicted goals of the laws and regulations (correction, rehabilitation and reconversion). For this reason, in recent years, under the influence of United Nations recommendations and other countries' successful experience, and because of the ineffectiveness of the reform programs in Iran, and in particular the attitude of the head of the judiciary to the issue of prison in jurisprudence, efforts to limit the use of sentences of imprisonment And diversifying punishments within the framework of de-commitment policies. Therefore, the issue of imprisonment is of great importance and should be defended in the present time by convicts (especially female prisoners).

Statement of the problem

The framework for relations between the ruling powers of the citizens is redefined. Over the past decade's women's struggle to gain their rights and activities in political, economic, social and cultural issues has increased, and since these developments are part of the economic, social, and cultural development programs of the societies, the change in the status of women of their results. In our country, women have gradually increased their presence in social and economic life outside the home by trying to reveal their hidden talents and capabilities on the community scene and gaining their true status, and social roles More Responsible D. Regardless of the natural differences between men and women, unfortunately, the law and regulations relating to prisoners do not differ significantly on the rights and duties of women in prison, and only a few cases have been made. One, in accordance with Articles ۵۰and ۶۹of the Code of Conduct on gender, background, age, nationality, type The crime, duration of punishment, physical and mental status, personality and talent, and the level of education and specialization are among the most important factors in the classification of the convicted offenders. Based on this, it is decided that the women or men are introduced into the professions and employment or prisons or educational institutions .. Regarding what is in the field of laws This imprisonment was expressed in relation to the woman, and due to the natural differences between men and women, especially those mentioned in the preamble to the

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Islamic Republic's constitution, in cases such as visits and leave, how to interrogate in detention centers or imprisonment of women as well as individuals The interrogator and the places of interrogation and the manner of supervision and supervision of such cases are accurate and clear eliminate the possibility of any abuse by related parties. Therefore, in this research, we study the methods of support for female prisoners in the criminal proceedings for the execution of prison sentences in Iran.

Convictions on women convicted

The effects of misconceptions on female convicts are remarkable in many respects. Prison has devastating effects on the prisoners' spirits. There are many problems that a person returns to his family when he is imprisoned. I remember the previous years when I was responsible for enforcing sentences. The economic burden of the prison is directly and indirectly significant. That is, if the manpower that is taken from the society and is unemployed, on the one hand, the costs of prison construction and maintenance, administration, health, nutrition and ... prison are very significant. In our country, in most cases, when judges do not use interim detention, they issue bail or bail for female prisoners, which, according to some professional judges, are called "arrest warrants"! Because in many cases these appointments, even for a short time, lead to the arrest of the accused. The defendant will bring the prosecutor's office on Thursday and hand them a bail. She can not afford to be on the day off and gets to prison. A day or two days or a few days. There are very shocking statistics from women who have been in jail for less than eleven days. In the new criminal procedure law, this problem has been somewhat resolved by predicting new ones (Jamshidi, 2008: 81 and 82). The imposition of sentences for female convicts increases the amount of crime in communities. Despite the fact that increasing the capacity of prisons is one of the reasons behind the implementation of the detention policy in the courts, it can not be cited as the main reason for this.

Consequences of the imprisonment of female convicts

Given the principle of the proportionality of the crime and the punishment of women convicted in the process of prosecution, the amount of punishment can be divided into short-term and long-term proportions of crimes and its importance. Of course, the concept of short-term imprisonment for women is not properly understood, and so far, the apologists have not given a comprehensive definition of it. Indeed, the length of the term of release of the term entitled short-term is not precisely defined. Some prisons are regarded as short-term for up to one year, but what's common is that this title is used for up to 6 months' imprisonment (Javaheri, 2011: 34). The view that imprisonment is the best punishment for the best purpose of female prisoners has led to widespread use of this criminal sanction in criminal law and, therefore, it can be found in the low-level past rules that this punishment To protect human and legal value. It is clear that the main objective of the criminal law is not to dissuade and to seek to intimidate through punishment and reform through punishment. This goal was followed by the use of imprisonment, although sometimes the purpose of preventing offenders from committing a victim was also considered. Over time, it became clear that the prison could not do corrective work, and the school was a crime training, more than a focal point for reforming and educating offenders. How many offenders convicted of small crimes were sentenced to prison, and the termination of their detention was released from prison by learning a variety of crimes (Haji-Dabadi, 2011: 49). The prison service serves people in custody of women convicted in court. Our duty is to provide humanitarian care and help them to move towards a useful life in keeping with the law-in jail and after release. Local prisons are ineffective and inappropriate

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for corrective actions, such as educational, psychological, and social adaptation, since education for labor within the cage is very difficult (Collective Researchers, 2005: 12).

Judge's view on the imprisonment for women

Regarding the suspension of a judge for the purpose of imprisonment for women, he must also examine the conditions of the convicted person, which is a good condition. Such measures and measures can be very useful as a primary punishment or as orders issued during suspension. If the convict does not comply with these conditions, he or she shall be suspended at the first level for one or two years, and the second time the suspension shall be lifted and the suspended sentence shall be enforced in the proceedings against women. There are also actions in the Provisional Measures Act that can be used as a substitute for imprisonment in special cases, such as the deportation of insane to the psychiatric hospital, the deportation of drug addicts to drug addiction centers, the employment of stray and unemployed offenders and agricultural workshops And industrial, prohibition of permanent residence, expulsion of foreigners, closing of an institution, obtaining precautionary guarantees from someone who threatens others, deprivation of the right to exercise authority or supervision, publication of a sentence that is very much like the Teshhirih debate on sanctions. It is also foreseen for Iranians who have committed crimes abroad (Mirmohammadsadeghi, 2008: 94 and 95) in the passport law of the country's exit from the country.

Suspension of execution of sentences for female prisoners

Suspension of the execution of sentences for female convicts is a result of the death of the convicted offender, resulting in the release of the execution of a punishment-in particular, the imprisonment and the inappropriate conditions of release. Suspension is not considered a criminal offense, but a means and means to help and confess to the perpetrator who has been given to the court in order to comply with the principle of individualization of sentences. In the middle of the month There is no definition of the suspension of the execution of the penalty. With regard to the title and the material devoted to this subject, it can be defined as follows: Suspension of execution of a sentence is to delay the enforcement of punishments imposed by punitive and deterrent convictions by the issuing court for a definitive conviction Sentencing According to the provisions of the law on the exclusion of suspension from some of the crimes of lawyers, it is believed that "the exclusion of suspending certain punishments is not justified. By the assumption, the severity and severity of some of the crimes should not result in the exclusion of a group of offenders who, like others, will be exposed to the same losses as the execution of the penalties. "The institution of suspending the execution of a punishment in Iran's criminal system is not part of alternative prison programs. It is considered as a real alternative and an independent punishment, but an alternative in the broad sense of the term, along with regulatory measures. Otherwise, the philosophy of such an institution (the reconciliation of the offender and his reform), which is also an objective of alternative prison programs (Hajibat Farrouz Jayi, 2008: 75).

New species replaced prisoners

These measures include alternatives that have been introduced in the world over the past few decades, but are still not legally valid in Iran's penal code, but have been subjected to alternatives for imprisonment for around 2004-2005 by the Criminal Police Commission and Criminal Law Reform The Legal and Legal Development Department of the Judiciary is envisaged in a bill titled "Alternative Penalties for the

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Prison", which was approved at the first session of the Islamic Consultative Assembly. For this reason, as well as considering the newness of these measures across the world, they can be referred to as the "new prison substitution." The most important examples of the new species are: deprivation of social rights, period of care, daily sanction and community-based services (universal) (ibid., 77).

Women's Censorship in Detention

Obtaining the Judiciary and the Prisons Organization in the Censorship of Convicted Women Sentenced to Detention: We know that, in addition to the criminal laws that the judiciary drafts and formulates, other agencies, such as ministries and government organizations, and, in the end, the parliamentary commissions The Expediency Council endorses the censures of imprisonment. Without asking whether the organization of prisons accepts the defendants and those who have been convicted of this criminality, has the capacity to accept? For this reason, it is necessary that this important matter be adopted as a general policy and as follows by the Expediency Council. Two methods can be used to reform judicial procedures and to impose detention (Goodarzi, 2005: 34). On the other hand, when a woman is imprisoned for committing a crime, she is losing more than a man's imprisonment; so that his wife typically marries, and the sons of this woman, in fact, do not have a mother, they commit social welfare. Women in prisons are familiar with all kinds of crimes and it is possible that they spread the disease, and if they want to go back to society and family, they will undoubtedly bring more and more social problems, and if so, Arrange with repetition of this cycle the future generations of the family with the name implications They will face a lot of problems (Nourbakhsh, 2007: 54).

Supporting Methods of Prison Women

Given the widespread criticism of the negative effects of women's prisons, including:

A) Inappropriate and degradable environment,

B) non-observance of the precise classification of prisoners according to the type of crime, their background, family status and the conditions for the commission of intentional or unintentional crime,

C) the creation of financial and economic problems with the imprisonment of offenders,

D) creating social and family problems of the law on social punishment;

To support the imprisoned women in the spring of 2005, it was submitted to the Islamic Consultative Assembly for adoption and ratification, and its general introduction was entitled "The Legal Bill on Alternative Imprisonment Penalties" (Najafi Ebrahbandadi, 2007: 113). But eventually moved to chapter nine of the second part of the Islamic Penal Code with remarkable changes called "alternative prison sentences". Social punishment "is a painful response to the offense and in accordance with the law, applied to the offender and requires a restriction of freedom and supervision." The most common examples of social punishment are: intensive care suspension, social services (public work), electronic surveillance, ban on leaving home (house arrest), travel ban and requirement to attend daily training centers (Riahi, 2013).: 38). Forced alternative prison sentences are a set of criminal responses that can replace the sentence of imprisonment. Some interpretations of social punishment and substitute imprisonment have been applied in sync and in place of each other. However, this application does not reflect the adaptation of the two, because social punishment merely involves a restrictive reaction to liberty, but alternative prison sentences include penalties that do not require supervision and restriction of freedom (Riahi, 2013: 42)

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Parole

The conditional release of women in prison sentences is a semi-judicial individualization, a semi-executive act that is jointly administered by judicial and executive authorities (Sanei, 2003: 140), and a guilty party who sentenced a convicted prisoner before the expiry of the term of imprisonment. It is granted and represents the legislator's special attention to the improvement, treatment and social reconstruction of him. The conditional release is: "Temporary release of a convict sentenced to a term of imprisonment and, under the conditions foreseen by the law, has the capability to release the rest of the sentence, if, in the event of the conditions for his release, he has definitively condemned the sentence. Perfect "(Norbs, 1998: 42).

Delinquent execution of punishment

The idea is to suspend the execution of sentenced Western women who during the last century have gradually begun to penetrate the criminal systems of the countries of the world, whereby the convicted person will be released from execution of the punishment, in particular, the imprisonment and the conditions of his inappropriate conditions. Ardabili, 2014: 215).

In fact, avoiding jail for women is the main motive behind the replacement policy by suspending the execution of prison sentences (Najafi-Parad Abadi, 1998: 3). In our country, this idea was first introduced in the 1925 General Penal Code, after which the suspension of the execution of the punishment after 1925, in addition to the sentence of imprisonment, was extended to several penal reform laws, and eventually the Islamic Penal Code became one of the foundations Criminal law was recognized in the enforcement of sentences. This establishment is currently one of the legal tools for individualizing punishment. At the outset, what more than any other social agent provided for the expansion of the idea of suspension was the unhealthy environment of prisons and the bombardment of prisoners, especially the premature sentenced prisoners, of the traces of ill-connected suicide with perpetrators (Sanei, 2003: 801). Gradually, suspension of punishment was considered an appropriate alternative to short-term imprisonment. Because short-term prisons not only expose the convict to all kinds of prison corruption, he also did not have a beneficial effect in the short term. Suspension is a means to help and co-ordinate all correctional and non-convicted convicts who have been assigned to the court in order to comply with the principle of the individualization of punishment and its enforcement (Valid, 2000: 7).

Criticisms to Suspend Punishment in Iran's Criminal Law

In this regard, there are criticisms of the implementation of punishment in Iran, which include:

1. Propaganda (46) The Islamic Penal Code, contrary to Rajah's law, stipulates that Islamic punishment, which would have suspended all punishment: "A ruler can suspend all or part of the punishment." Regarding the suspension of a part of the punishment, according to some lawyers (Ardebili, 1992-2371: 287), "by performing part of the punishment, we have created this feeling as a criminal offender who has paid his or her own punishment and owes society is not". The suspension of a portion of the punishment, in particular, the imprisonment, is in fact contrary to the principles and objectives of suspension, since one of the grounds for suspending the punishment is to create a right-wing motive in the convict and strengthen his spirit of disagreement with pleasures and lusts of the soul. Of course, fear of Keeper's execution is far from being effective in shaping this behavior. However, when part of the punishment was carried out and the convicted person was bitter and severely punished, he denied the chance of reforming

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him and denied him. Another discussion of the educational effects of the suspension was futile (Ardebili, 2014: 217-218) But the probability of achieving educational goals in suspending all punishments, especially when combined with care, is far more than a fraction of the punishment, and that not only the role of suspension is to replace the gobes, but also the feeling of injustice and Public dissatisfaction with the judiciary increases (Vahla and Ehsanpour, 2016: 261).

Criminal support according to the rules of law

Protection of women victims of rape in material laws through criminalization and the determination of the right to guarantee proper performances is possible. Rape has been criminalized in all criminal systems. The legislator, with the use of criminal means, has sought to dissuade potential offenders from committing this crime and to protect vulnerable women against this type of crime. An important issue that seems critical in the criminalization of this practice is the lack of a definite and independent definition of this crime in domestic criminal law and appropriate to the crime's crimes. In jurisprudential terms, any sexual intercourse outside the marital relationship is prohibited, however, by the consent of the parties, and is limited to the extent of the offense. Whenever one of the parties is dissatisfied with this and the other prompts him to commit this act, this feature is considered to be of inferior qualities for a person. Therefore, rape in jurisprudence, and consequently in Iran's criminal laws, is considered as a crime of adultery.

Protection of women in marriage crimes

Considering that in the sources of Islamic law, the observance of women's rights is abundant, and also considering that in the present day, the issue of women's rights and the need to support it, in addition to the domestic and national issues, is an international issue. Has become. It seems that the legal protections that a woman requires in marriage is not only contrary to Islamic law, but also because it prevents the abuse of individuals from the status quo, as well as the handicaps of those who are somehow in this Cases of Islamic law are problematic (Bariklo, 2008: 117). Legislative action of Iran in preventing the trauma of women in the family environment and reducing the psychological damage to her in materials 642 and 645 AH. It is admirable. In Article 642, the non-payment of the alimony of the woman by the man has been given a criminal qualification, and in Article 645, in order to maintain the safety and security of the woman, and to eliminate the burden and harsh from him in the proof In spite of marriage, a person sentenced to one year's imprisonment without having to register at the official office of a permanent marriage, a remarkable point in this article is the non-punishment of a woman, although the marriage contract with intent and satisfaction Couples; however, the lawmaker in this article penalizes only the couple who married without registering them in official offices, indicating the concern for the weak position of women's will in the development of marital life. In spite of the fact that couples have been alienated from paying alimony, even though this requirement in Article 1106 of the Criminal Code It is mentioned, however, that the granting of a criminal attribute to the practice of charity in Article 642 of the Criminal Code. It accelerates the wives' right to claim for maintenance of the existing alimony.

Another glorious example of the lawmaker's performance in respect of the victim's sex, is the formulation of Article 619 of the Criminal Code. And criminal punishment is anticipated for abusers and intruders of children or women. According to this article, anyone in public places or passages will offend children or women, or insult them with words and dictatorships; they will be sentenced to two to six months'

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imprisonment and up to 74 lashes. This substance is significant in several directions. On the one hand, the practice of harassment in streets and streets, which is not punishable by men, is punishable by women. The mention of the title "harassment" without any condition causes any action which, in the ordinary course, causes further trouble under Article 619 of the Criminal Code. And, on the other hand, insulting a woman in streets and streets has to be punished more severely than insulting. The most important point in Article 619 of the Criminal Code Granting the public aspect to the act of committing and not being a crime is a crime. In the eyes of the public, the harassment of children and women in public is so ugly that even a private plaintiff can not expel the offender from prosecution and punishment. Of course, the lack of attention to the relationship and delinquency of the victim in Article 619 of the Criminal Code. One of the defects of this article is Young Man (2011: 7).

In criticizing the steps taken by the Iranian legislator to ban mental violence against the spiritual integrity of women in the family environment, the weaknesses of these steps should be acknowledged. On the one hand, the lack of attention to the misconduct against women in the family environment, which restricts women's social rights, including the right to work, study, social activity and human rights, and, on the other hand, express the general expression of the duties and benefits of the rights and duties of couples who Creating a misconception in the minds of lay people is one of the defects of the legislature's work. Since the noble judges are also immersed in the general, this notion is far from reality in the particular case of judges and judicial procedures. For example, the sentence contained in Article 1105 of the Criminal Code. And giving the husband the right to preside over the family creates a false impression that all women's activities even with her parents should be with her husband's permission. Also Article 1117 of the Criminal Code Regarding the husband's right to prohibit a woman from professional and industrial activities that is in conflict with family or husband or wife's rights, it is generally interpreted that the right to engage in a woman is subject to the permission of the man. Such an interpretation of the above material is due to the false belief that the custom of "the second god of the husband" and the scope of this divine merely interpreted in the law of the couple and not his assignments (Sadat Saddi, 2004). All the victims, including domestic violence victims, are subject to second or second victimization. The second victim is the violation of the human rights of the victim, in the criminal process. Denying the human rights of the victim, refusing to recognize the problems of the perpetrators and the harassing or inappropriate behavior of the criminal justice system's officials are examples of the second victim. There is also the possibility of a second victimization in non-custodial institutions (such as health centers); the publication of harassing reports by the media can be another case of second-crime victimization. Some long-term policies and procedures for victim services in trusteeship centers can also lead to second-degree victimization. Also, the attitude of the perpetrators and blaming them for what happened and persuading the victim to forget crime and ignoring the effects of victimization can have negative consequences for the victim (justice for the victims, 2005: 25-24).

One way of protecting female defendants is to condemn the process of filing a lawsuit that identifies the role of the police. In this context, the role of the female policeman is more. Police officers in Iran lack the sensitivity to domestic violence, and their suspicious look at the victimization of domestic violence sometimes leads to inaccurate coping with the victim. These inappropriate behaviors include a wide range of phrases and behaviors, such as disregard for the woman's words and the use of fake, humiliating, abusive, and abusive expressions of the woman. The blame for her violent woman and her mockery of a husband's complaint is one of the other issues that cause her mental abuse and her second victimization in

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the police station. However, a well-documented approach is also seen by police officers, but the lack of consistent and coherent practices in dealing with the victim has caused some of the victims to be deprived of their rights because of the inadequate treatment of second-degree victim officers. (Hessami, 2005: 116 and 121-122).

One of the solutions to the criminal justice system is the recruitment, training and use of female police in order to solve the male mentally ill problem of domestic violence. Undoubtedly, the unwillingness of women to declare violence is due to various reasons, including the need to reflect on their private issues for a stranger, the inability of the police officer to understand the severity of domestic violence and the various effects of this type of violence and the situation of women victims and the lack of consideration of women's problems. Men have Convicted women have always complained about the repression of violence committed against them by the male police. This discontent, especially when the victim's problem relates to his personal and private ties, finds new dimensions and scope. Therefore, in order to ensure the welfare of the victimized women, to prevent their victimization in the criminal justice system and to provide appropriate conditions for the declaration of crime, in some countries the presence of a female police officer in the scene of domestic violence or at the police station is mandatory Has been. Today, women's police centers in Latin America and Established in some Asian countries to provide appropriate responses to crimes against women (Violence Against Women, 2001: 44-45). The police's duties against women are violent, diverse and diverse. But many of these women in Iran express dissatisfaction with the police's performance. The choice of the stage of "police investigation" and the status of the victim at this stage have been made for various reasons, including the fact that the specific powers of the police can be interpreted as a double-sided sword and harmed by the victim. In the legal system of Iran, the deficiencies and shortcomings of the preliminary investigation of the prosecutor's office can be remedied in court and possible mistakes in the proceedings are at the stage of appeal; however, police mistakes, in particular, in the manner of receiving and dealing with violence, are not at any other stage to be compensated. In fact, the most important aspect of police differentiation from other criminal justice institutions in the discussion of domestic violence is the initial confrontation with the victim. Particularly, the cultural space of Iranian society tends to cover up family problems and this may have a direct impact on how to respond to the victim (Hesami, 2005: 255-256). The presence of trained police forces is about the necessity of a community-based policeman that protects women. The rule of patriarchal thoughts that exists today in most societies can provide barriers to preventing women's advocacy. In this patriarchal atmosphere, the shortage of forces The trained woman is more likely than men to increase the barriers, although in Iranian society there is the possibility of women being present in the police forces, and the plan for recruiting women in the police forces in accordance with Article 20 of the recruitment law of the law enforcement agency of 27/4/1374 Formal aspect And it has been established that there are still vacancies for educated women's police who have been trained independently to fight gender-based violence and support women who have been trafficked. Such forces of women in the police and law enforcement structures will be able to create a climate of trust. And to provide peace of mind and security for the victim and to deal with the issue in a professional manner and with readiness (Azimzadeh, 2005: 217). The use of women's forces in the police force to strengthen the sense of sympathy with their victim homosexuals and her awareness of the specific problems of women certainly undoubtedly creates the necessary trust between the victim of violence against women and the police force. Because, from the viewpoint of a woman exposed to violence or violence, a state-of-the-art

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police intelligence agency is a patriotic man for her, as if she were not in the position of a woman and her support. In this case, establishing a sincere intercourse in supporting the oppressed woman and gaining her trust will be harder and a major reason for the unwillingness of women to seek out police forces in the aftermath of violence or threat of violence.

Criminal Support for Women Convicted in Penalties

One of the most important features of alternative prison sentences is an anecdotal approach to female convicts and its consistency; in other words, in addition to the will of the judiciary, the will of the offender is also required to apply these alternatives. This approach places the delinquent will within the will of the judiciary, removing it from a vertical and one-way perspective, and playing an active role for the perpetrator in the process of prosecution. Accordingly, criminals are one of the parties to the criminal agreement and have the right to examine the dimensions of the proposal of the judicial authorities. So much so that they can comment on whether to accept or reject it after evaluating the proposal. In this way, criminals can intervene in the context of the settlement as accepting the suggestion of a judicial authority such as a prosecutor.

Since sentences for imprisonment alternatives are physical and psychological restrictions for the person convicted, the perpetrator must be satisfied with its implementation; that is, the perpetrators have the right to be fully informed of the work they are asked to do (Assyria, 2003: 327) .

Consent and satisfaction of the alternatives to detention have been explicitly enacted in the New Islamic Penal Code, including Article 83: "Free public services are services that are condemned with dissatisfaction. . . The case will be ruled out. " Also in the case of electronic surveillance, Article 61 condemns the satisfaction of the sentence. In the case of other alternatives (care period, daily cash penalty, cash penalty), although not explicitly mentioned in the law, but until the perpetrator wants to do so, it is not possible to enforce it and the same imprisonment is enforced. According to Note 3, article 83, "If the dissatisfaction is denied to the public service, the basic punishment shall be ruled". Another alternative to imprisonment is that it is reversible and also if it is not condemned to the prescribed obligations, in which case the same basic imprisonment that is imprisoned will be re-enforced. In fact, the guarantee of the inadequate implementation of the alternatives to imprisonment is the same as the imprisonment prescribed in the sentence. According to Article 69 AH. M U C. "The court, in determining the alternative punishment, also determines the length of the imprisonment to execute a sentence of imprisonment in the event of an alternative punishment, a violation of orders or an ineligibility". Also, according to Article 80, "If a convicted person violates the provisions of the judgment or orders of the court, the sentence of the judge for the execution of the sentences and the court's decision for the first time shall be increased by a quarter to one second and, if repeated, the sentence of imprisonment shall be enforced" . (Norpour and Ahmadi, 2012: 21)

We consider the types of imprisonment alternatives for women that include social punishment.

Warning

In small delinquents or delinquencies that are targeted by adolescents or young people and those who are vulnerable, such as the elderly, warnings can be used as a substitute for the imprisonment (the first time the crime is committed).

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ticket

This kind of alternative punishment exists in most countries that apply alternative punishment. Penalties and fines, although they are an appropriate option for imprisonment, but are for threatened individuals who do not have the money to pay a fine. Consequently, they should go to jail again in order to resolve this matter. A daily fine may be imposed on a convicted person against a daily or weekly payment in a specified amount (by specifying the number of days), or if the court allowed In addition to convicting the accused, in accordance with the circumstances and condition of the accused, to make a payment in installments. (Friendship, 2016: 104).

Compensation for the rights of the victim

One of the successor sentences for imprisonment has been to compensate for the crime of individual crime. When the victim's rights are restored, there is no further complaint, and because the crimes are unimportant, it cannot be punished.

Supervision

In fact, in this way, to achieve these two goals (the perpetrator's reformability and the effectiveness of the punishment), and the success of its implementation, there must be cooperation and synchronization between the people of the society and judges and the executive body. The place of the prison and the behavior and actions of the prisoner are monitored and inspected. As if the convicted offender is obliged to introduce himself / herself to the Consulate every day or, in the case of the first-time addiction victim, convicted against a place of imprisonment or a cash fine every week, be subjected to an addiction test. (Friendship, 2016: 104).

Delayed order

In this way, the judge does not issue a sentence to a prisoner, but he is forced to perform the work against a plaintiff or a convicted offender or society, or on a special basis or for public administration, and if, after a while, he has the effects of treatment on the convict against the investigation Subtle and perceptible from the place where it works, and place of residence, etc. The sentence is no longer issued to the prison.

Deprivation of social rights

Although this is referred to in Articles 19 and 20 of the Islamic Penal Code, this article is about the intensification of punishment, not its replacement. In other words, the judge after the verdict was issued
And determines the basic punishment for completing and punishing the punishment of Article (19). Therefore, it is suggested that some crimes be used (such as leaving a charity, not registering the marriage event, etc.), and to use unpopular offenses instead of imprisonment. In fact, forced labor, in lieu of imprisonment, can also help incite prisoners to persuade them to reform and return to the context of the community, and also to engage in inmates who after using this term as a source of income. (Friendship, 2016: 104-105).

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The use of judges from open and semi-open prisons

Depending on the prison regulations and the prison conditions, substitute sentences for imprisonment are one of the alternatives to imprisonment in relation to individual offenses to compensate for the rights of the victim. When the rights of the victim are restored, there is no further complaint, and because the crimes are unimportant, it can not be punished openly and indirectly, allowing judges to be judged in the case of prisoners who must be held incarcerated, but there is also hope for reform in them. Sentenced to death sentenced to imprisonment in mid-open prisons.

Use of conditional release

Although referred to in this article in the Islamic Penal Code in Article 38, however, the legislator, unfortunately, has not made any distinction between intentional and unpractical offenses and has not given the court and judge any choice in this kind of explicit consideration. The legislator can, by amending article (38), to reduce the amount of imprisonment sentenced to less than half in respect of minor crimes (withdrawal and ...) and unpopular offenses. In other words, it should be distinguished between offenders of major crimes with minor and unintentional crimes, while according to article (38), the conditions for the use of probation are the same for all types of crimes, which is indicative of the inaccuracy of the legislature in implementing prison policies. Deterioration (Friendship, 2016: 105).

Temporary maintenance in places and houses

In some countries, there are places that hold the convicted person there. In the case of those who commit some of the crimes that their existence in prison and their release causes deviation or corruption, they can be kept at these centers, including the welfare center or the dormitory of the Relief Committee, which, if individuals The tramp or girls who commit acts of cruelty and escape are ordered to be held in those centers instead of imprisonment or flogging.

Conclusion

Female prisoners are at increased risk of victimization in the criminal justice process than men (inside and outside of the house); thus, the prevention of their victimization, or the reduction of the risk of their victimization or the prevention of their victimization, is raised. . Because extensive publications show that the risk of future victimization of those who once have been convicted of crime is more than the others. Observations also show that the above-mentioned individuals are the victims of other crimes than others. Control is a set of financial, security, educational and psychological measures for women, which applies the criminal justice system to more intuition in the process of proceedings. . The implementation of such programs, which are commonplace in international criminal law and international tribunals, is based on three forms of security-support programs for women, women's psychosocial support and plans to hide the identity of witnesses for female defendants. Takes. On the other hand, women's defense rights today are regarded by the woman as an integral part of a fair trial in accordance with international, regional and domestic regulations, and can not be limited by any excuse.

Revealing the reasons for female defendants as one of the methods of support in the process of prosecution is one of the components of his defense rights. The criminal justice rules that the accused's status in the criminal justice system is raised to a degree that he can defend himself. The accused has no capability after the capture of the facilities to collect and present the accused's reasons. This goes back to

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the extent of the disclosure of the truth, but the disclosure conflicts with the protection of witnesses and victims, preserving the confidentiality of the reasons and the proceedings.

Victimized women will potentially need more help and support. In addition to establishing formal and informal institutions and institutions in order to protect and protect women victims of the necessary awareness of women in the field of the imprisonment in the criminal process that threatens them to care for themselves, educate women about the rights Human and legal rights through all media and encouraging them to disclose violence against them, especially in the process of sensitizing and training police personnel, judges and lawyers on how to deal with, pursue and resolutely deal with crimes and violence that make women victims he does.

Criminal justice institutions have a very important role in the criminal punishment of women victims of crime. To the extent that penal laws are well established, if these institutions fail to provide support and do not properly enforce the relevant laws and regulations, there is still no full criminal protection against female victims.

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