

- **Having regard to** Law 26 July 1975 , n°354 in the section which regulates a prisoner's relationships with the external world and with his/her family, especially with regard to preserving parental relationships;
- **Having regard to** DPR (Presidential Decree) 30 June 2000 n°230, "*Regulations containing provisions on the Penitentiary Act and on the measures entailing restrictions on, and deprivation of personal liberty*" ;
- **Having regard to** Law 8 March 2001, n°40 "*Measures alternative to detention protecting the relationship between female prisoners and minors*", art.5;
- **Having regard to** Law 21 April 2011, n°62, and in particular the agreement according to article 4 par. 1, as well as Decree 8 March 2013 "*Requirements for Protected Foster Homes*";
- **Having regard to** Circular 10 December 2009 of the Ministry of Justice, Prison Administration Department, Directorate-General for Prisoners and Treatment, called "*Prison treatment and parenting - facilitated path and prison stay for the child meeting his/her detained parent*";
- **Having regard to** Law 12 June 2011, n°112, establishing The Guarantor Authority for Childhood and Adolescence;
- **Having regard to** the Ministry of Justice's Decree 5 December 2012, called "*Approval of the Charter of Prisoners' and Internees' Rights and Duties*";
- **Having regard to** Recommendation CM/Rec (2012) 12 of the Committee of Ministers to Member States on foreign prisoners and in particular the chapter "*Women*";
- **Having regard to** the Memorandum of Understanding signed on 28 January 2014, in the presence of the Minister of the Interior, between the Chief of Police – General Director of Public Security – and The Guarantor Authority for Childhood and Adolescence ;

Considering that

The Parties agree on the importance and necessity of:

- Favoring the maintenance of contacts between imprisoned parents and their children, always safeguarding the minor's superior interest;
- highlighting the peculiarity of imprisoned parents' children, so that regulatory interventions and measures are promoted, which allow for this social group's need for parental and emotional relationships without , however, producing further stigma and discrimination against them;
- protecting children's right to an emotional and continuing bond with their imprisoned parent, who has a duty and a right to play his/her parental role;
- supporting family and parental relationship during and beyond detention, assisting the family and, in particular, supporting the minors who are emotionally, socially and economically damaged, with frequent negative repercussions on their health and effects also on their dropping out of school;