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Prisons without walls

When children's parents go to prison, the impact on the child can be devastating. How do other European countries manage this challenge? **Ben Raikes** reports on the COPING research project which investigated responses from four European countries.

What is the impact of a child's parent or carer going into prison? Children can feel loss and become stigmatised. They lose the closeness of a parent they may have loved and cared for deeply. They face disruption and sometimes humiliation, and without support can experience negative outcomes such as a decline in their educational achievement.

The COPING research Project took place between January 2010 and January 2014. The project's aim was to understand what factors assisted children to remain resilient and to cope while their parent was in prison, with an emphasis on hearing directly from children and young people. The research compared experiences in four countries in Europe: United Kingdom, Sweden, Germany and Romania. In each country, a university was partnered with a non-governmental organisation (NGO). The NGOs were able to access participants due to their pre-existing relationships, and if any participants identified immediate support needs during their interview then the NGOs could provide that support. The universities provided the research base for the project.

In each country, up to 250 children between seven and 17 years and their carers completed questionnaires about their lives. Up to 40 families in each country were interviewed in depth. In addition, key stakeholders from different agencies were interviewed about their views on children with parents in prison. A mapping exercise was undertaken to identify the services that exist to support children of prisoners and their families.

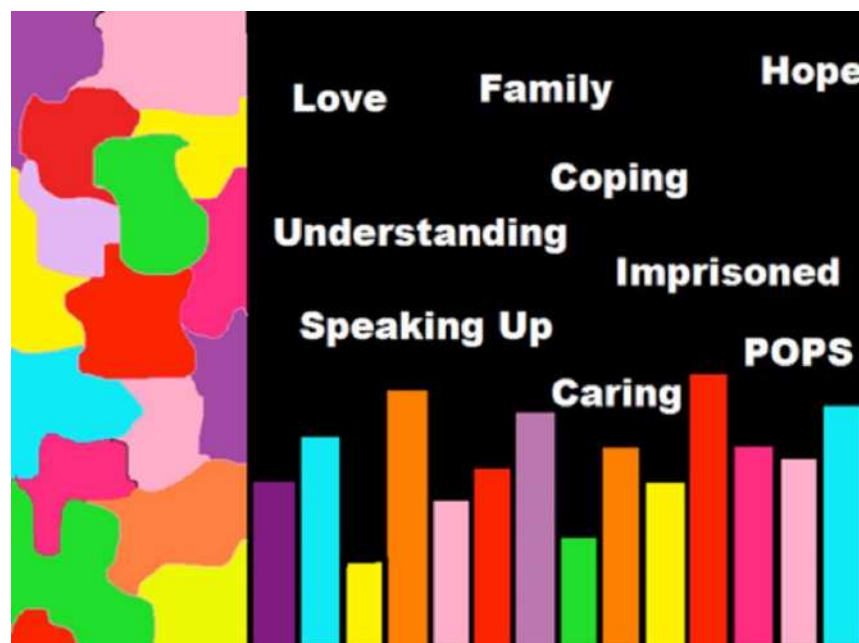
The sense of loss

Previous research tells us that children with incarcerated parents experience an “ambiguous loss” in relation to the parent who is in prison¹. Although imprisonment means that children are physically separated from a parent, the emotional attachment remains. A small minority of children interviewed were relieved to have the parent who offended removed from their home, but the vast majority felt the loss of their parents acutely, experiencing it as akin to a bereavement. Overall, the findings were that in the UK, Germany and Sweden, children with incarcerated parents were 25 per cent more likely to develop mental health problems compared to children whose parents were not in prison². This figure rose to 50 per cent in relation to Romanian children.

Where there were no safeguarding issues, early good quality and frequent contact between children and their imprisoned parent was identified as the key factor in assisting children to cope and remain resilient. Children were generally reassured after their first visit to their parent, when they could see for themselves that their parent was coping as well as could be expected. Therefore arranging for children to visit as soon as possible was crucial to ensuring children’s wellbeing. If a long time gap passed before the first visit then children would often build up negative fantasies about how their parent was experiencing prison. The first visit ensured their fantasies, which sometimes included the idea their parent was chained to a wall or kept in a cage, were replaced with reality, which although not pleasant was not as bad as their worst fears. Discreet and sensitive support from schools, where children spend so much of their time, was also a very important factor in relation to supporting children.

One young woman who was 15 years at the time of interview made a collage to represent the feelings she experienced when her father first received a very long prison sentence and how they developed over time.

“Children were generally reassured after their first visit to their parent, when they could see for themselves that their parent was coping as well as could be expected.”



The left hand side of the picture was made of torn up tissue paper. The words capture what helped her to cope. (POPS stands for Partners of Prisoners Support Service). The straight lines represent the routine that now governs her life. When I met her, she had been visiting her father every week for seven years each Saturday morning. She was prepared to get up very early and miss out on social activities with her friends in order to keep up her relationship with her father. She is performing very well at school and explained her picture as follows: "I created this picture to give a visual representation for how my life has been since my dad was arrested. Initially, my life was torn apart and in bits. It was difficult and there was no structure at that time. Now, with the help of my family, friends and outside agencies, there is some organisation and stability to my weekly routines. My life won't be perfect until my dad is released from custody".

Invisible children

There is no requirement for UK prisons to record the number of children who have a parent in prison, with the result that many of these children are invisible to social care professionals and policymakers³, so we can only estimate their numbers. Approximately one per cent of children under 18 have a parent in prison⁴. Recent studies have suggested that this equates to 200,000 children⁵. As the prison population in England and Wales has nearly doubled since 1993 so too has the number of children affected by the imprisonment of their parents⁶. These children face multiple sources of social exclusion including "pre-existing deprivation, loss of material and social capital following imprisonment and stigma"⁷. The fear of stigma means that families affected by imprisonment often do not disclose the reality of their situation to those around them, including their own extended family, schools and agencies that could potentially assist them. Their fear is that once this fact is known then their whole family will be judged adversely for a long period of time.



During our research, we came across examples of practice by teachers that confirmed families' worst fears about being stigmatised. One 12-year-old boy said that on one occasion when he misbehaved in class, his teacher exclaimed loudly to the whole class that he would "turn out just like his father". Not only was this a breach of confidentiality, but it also made him feel labelled and judged as result of his father's offending.

Costs of imprisonment

The economic cost to the state of imprisoning parents is very high, particularly when it is a mother who is imprisoned. When a mother is sent to prison, only nine per cent of children reside with their fathers⁸. The other 91 per cent of children are accommodated with grandparents, other relatives, friends or in residential care. Therefore, children who have mothers in prison are likely to face significantly more disruption than those who have fathers in prison. Children with imprisoned mothers are likely to have to move house, often to reside with relatives which, in turn, can lead to overcrowding within their households and resentment. Additionally, they may have to move schools, becoming separated from their friends at the time when they need them the most for support.

In 2011, a study estimated the costs of accommodating a child in care for a period of eighteen months as ranging from nearly £60,000 for children with no additional needs, to up to nearly £550,000 for a child with disabilities, behavioural difficulties and offending behaviour. With children of incarcerated mothers being at particular risk of being placed in foster or residential care, this cost highlights the urgent need for early intervention within families where there is a risk that a mother might be sent to prison. Another cost incurred when a parent is sentenced to imprisonment, even when the children remain cared for by their other parent, is the loss of earnings, which in turn may lead to the loss of housing. In these circumstances, the state has to pick up the cost of rehousing and providing benefits to fill the gap created by the lost income.

The UN Convention on the Rights of the Child in 1989 should ensure that the impact on a child should be the primary consideration in relation to the actions of any public body, including the Criminal Courts. Unfortunately, this is not the case when a term of imprisonment is considered for a mother or father who is the primary carer for a child. The reality is that this is not a priority for the courts which are focused on handing down sentences that are proportionate to the crime committed, rather than considering the impact of those sentences on the children affected. This is in stark contrast to the Family Courts where detailed reports are provided before an enforced separation between a parent and child is ordered⁹. Other countries such as Finland, Italy, Greece and South Africa currently require an impact statement to be prepared for the judge or magistrate to take into account, laying out the impact that a prison sentence for a parent would have upon any affected children¹⁰. The judicial official is required to state why they still consider prison is appropriate after considering the impact statement.

International comparisons

When comparing the support services available for children of prisoners, the different characteristics of each partner country are significant. Sweden has the smallest prison population. This is due to being less populated and also having a rate of imprisonment that is lower than the other three partner countries, with shorter sentences and with alternatives to custody being used wherever possible. The Swedish NGO COPING partner was Bryggan, which is specifically set up to support children of prisoners. Support is provided in both Stockholm and Karlstad, and there are groups available for children of prisoners to join tailored to the needs of different age groups. The group leaders organise outings for children of prisoners in their care which include skiing trips and camping. The emphasis is on mixing leisure activities which allow the young people to relax and get to know one another with the chance for them to participate in workshops to discuss the issues they face in a mutually supportive way.

The points raised by young people in these workshops have been relayed to the Swedish prisons department. Bryggan works very closely with the Swedish prisons officials, as is evident from the fact that it is currently devising a prison-parenting programme that will eventually be rolled out in prisons across Sweden.

Swedish prisons of all security categories have apartments where family members can visit the imprisoned member of the family for an overnight stay. These facilities, available to imprisoned fathers and mothers, have huge potential to allow family members to bond in a much more natural environment than can be achieved with normal time limited visiting arrangements.

Unlike the UK, the Romanian Ministry of Justice has required all prisons to record information in relation to whether prisoners have children since 2011. This was the direct result of emerging findings from COPING, identifying the importance of gathering this data in order to understand the scale of need. Romania has some NGOs who provide services and support for children who are generally “at risk”, such as street children, so it is likely that many children of prisoners will fall into this category even though the services have not been specifically developed for them.

Germany records whether prisoners have children, however details such as whether the parent had contact with the child before they were imprisoned and the ages of children are not recorded. This additional information is required in order to ensure the welfare of children of prisoners. Geography makes a large difference in terms of how imprisonment is approached in Germany. Therefore, in Bavaria, penal laws are strict, with the result that phone calls between prisoners and their families, for example, are severely restricted. This contrasts with the UK and Sweden where phone calls are the main way by which children and their imprisoned parents maintain contact. COPING research identified that some families talk on the phone as often as three times a day. However, in other parts of Germany, services such as family days and mother/father child groups are well developed, and provided by NGOs on a regional basis.

UK provision

In the UK, there are a large number of NGOs that provide support and information to prisoners’ partners and other adult family members – for example, **Action for Prisoners Families** in England, and **Families Outside** in Scotland.

There are far fewer organisations that provide support directly to children and young people affected by imprisonment. **The Ormiston Trust** in East Anglia and **PSS** in Liverpool run services that directly engage children with parents in prison in supportive activities including one-to-one counselling and groups. There are websites such as the **The Barnardo’s iHop site** which provides information for professionals who are working with families affected by offending and imprisonment, as well as the **National Offenders’ Families’ Helpline** which offers advice and support to families who have come into contact with the criminal justice system.

In the UK, most prisons now have visitor centres that are managed by NGOs. These centres generally provide refreshments, play areas and advice and support in relation to the regulations governing prison visiting as well as welfare benefits.

There are currently seven prisons with mother and baby units in England, with the capacity to accommodate 77 mothers and their babies, although fewer places will be available following the planned closure of the two open prisons for women which both have mother and baby units. At present in England, only Askham Grange women’s open prison provides overnight stays for imprisoned mothers and their children. This facility, which does not allow partners or other family members to enter, allows imprisoned mothers and their children to bond in ways that are simply not possible during two-hour visits. Both children and their mothers particularly prize the privacy that overnight stays afford while the longer time allows difficult topics to be discussed that could not be processed within a two hour period¹¹.



No rights for children of prisoners

Swedish young people involved in the COPING Project gave a presentation at the final dissemination event focusing on their recommendations, based on their belief that the Human Rights Act and the UN Convention on the Rights of the Child often did not apply to children of prisoners.

Their recommendations reinforced recommendations that had arisen from the research conducted during the COPING project. They considered that the arrest process, which sometimes involved the police smashing down the door of a house in the middle of the night, violated the right to privacy and family life. They understood that sometimes this was necessary but they considered the police could be much more proactive in terms of raiding houses at a time when children were not present and if that was not possible, arranging for them to go to a place away from their home. This would avoid the trauma of seeing the contents of their house turned upside down, including their own possessions. One young person worried that he could be using the toilet when the police burst in, which would be particularly humiliating.

With regard to the right to have information that affected their wellbeing, the young people expressed their concern that often they were not told the truth about their parent being in prison. A common explanation was that their parent was “working away”. There is a consensus that it is in children’s best interests to be given an age appropriate explanation of why a parent has been sent to prison¹². Swedish young people said that if their parent did not tell them the truth then social care workers should help their parent to do so, and if they couldn’t, the social worker should tell the child against that parent’s wishes if necessary.

With regard to the right to live a life free of discrimination, the young people believed that much of the discrimination they faced was borne of ignorance. They called on schools to raise awareness about the reasons why people commit crime and the reality of what prisons were like to act as an antidote to the lurid depictions of prisons that are on the television. This would serve to reassure some children with parents in prison that not all prisons are as extreme as those depicted in the media.

Young people also said their right to contact with both parents was severely compromised by the imprisonment of a parent. They highlighted the barriers that exist to visiting a parent in prison, including distance, money and the willingness of an adult to accompany them. If the parent or person caring for them had fallen out with the parent in prison then it was likely that they would not get the chance to visit and maintain their relationship with their imprisoned parent. Therefore, they suggested that there could be workers funded by the state with the specific task of taking young people to visit their parent in prison in situations where there was no other means for them to get there.

COPING recommendations echoed the concerns put forward by young people. Key recommendations were:

- Prisons should provide welcoming and comfortable visiting environments and all prison staff should behave in a respectful, child-friendly manner when dealing with families.
- Arrest procedures should be much more sensitive to the impact they might have upon children by reflecting the UN Convention on the Rights of the Child.
- Professionals should be prepared to support those caring for children of prisoners to tell children about their parent's imprisonment.
- Schools should identify children of prisoners in ways that are discreet and non-stigmatising, develop greater awareness of their needs and offer them support.
- Courts should consider the child's best interests when sentencing.
- Prison and security measures should be compatible with a child's wellbeing and right to maintain contact with an imprisoned parent
- Imprisoned parents should be offered opportunities to contribute to their children's daily lives.
- The EU and national governments need to be aware of the existence of children of prisoners and make meeting their needs a policy priority. There needs to be general public awareness-raising on issues relating to children of prisoners across the EU.

Case Study 1: Tony and Toby, aged seven and eight years (Names have been changed)

Tony and Toby knew that their father was in prison, and they had the impression that he had fought with the police when he had been arrested. They struggled to reconcile the fact that they loved their father with the fact that he had committed a crime. Their father was in a high security prison a long way away and therefore they had only visited him once. The boys had a very distorted view of what his prison cell was like, as Tony's picture below shows. They believed that a cage was placed over their father's bed at night to stop him escaping, and that if he touched the bars of the cage, he would receive an electric shock. They also believed that cameras were pointing at him all the time, and that the prison officers had to use guns to control him.



Case Study 2: Amy, aged 7 (Name has been changed)

Amy's father had been in and out of prison for much of her childhood, with the result that she only saw him for a few months at a time before he reoffended and was returned to prison. When I went to interview her, I was expecting her to have minimal attachment to her father. However, I was very struck by how positive she was about the times when she had seen him briefly between sentences. She spoke of her enjoyment of going cycling and swimming with him, and her positive view of her dad was verified by her mother who explained that when her father was not in prison, he was a conscientious husband and father. Amy expressed her frustration about the fact she could not ring her father in prison, so she could never talk to him when she wanted to, saying "we can't phone him, he has to phone us. When I want to talk to him he doesn't phone and then when he does phone, I don't want to talk to him."

Her attachment to her dad was evident from the picture she drew below in which she has dressed herself and her father in matching "Dad" t-shirts.



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