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Constructive Connections: building resilience of families affected by the criminal justice system

FINAL REPORT

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Cover image courtesy of the COPE Network

Foreword

Having a parent in prison has a major impact on the human rights of children and young people, yet children of prisoners are often overlooked. The stigma, psychological distress, economic and social disadvantage, and the widespread disruption to their lives can be profound and lifelong. These children are invisible in the justice system, which means that they are often not given the help they are entitled to in education, health and social support. The state lacks some of the basic tools to even count them accurately, but, as this research highlights, there may be as many as 27,000 children in Scotland affected.

The evidence uncovered by this research, and the story it tells about our failures to support children properly, demands our attention and our action. The report reveals that childhood itself is put on hold or lost completely; that sources of peer-support are unavailable; that school, rather than offering stability and nurturing aspiration, can instead become a further source of distress and bullying; that the experience of prison visiting can be humiliating for children and young people; and that too often children bear this burden in silence and without support.

Over a decade ago, in 2008 the office of the Children and Young People's Commissioner Scotland produced our report *Not Seen, Not Heard, Not Guilty: The rights and status of the children of prisoners in Scotland*. It is concerning that so little has changed over the last 12 years. Little progress made, despite the focus of both the United Nations and the Council of Europe, which have reiterated that children's rights and best interests should be a primary consideration.

These international human rights bodies are clear - children with imprisoned parents have committed no crime and should not be treated as being in conflict with the law as a result of the actions, or alleged actions, of their parents.

If we are able to move forward in Scotland to ameliorate the burden felt by these children we have to prioritise their human rights. They have the right to maintain contact with their family. They have the right to be treated humanely and with dignity. They have the right to lead a life free from victimisation and bullying.

The criminal justice system plays an important role in human rights terms, keeping people safe and ensuring access to an effective remedy for those who are harmed, but we cannot ignore the impact that it has on children. Children who took part in this research remind us that they are not guilty, but they are punished. Their message within this report is clear: treat us with humanity. I have had the pleasure of working with brave young human rights defenders in Scotland who campaign for the rights of children affected by imprisonment at a local, national and global level. They show resilience, courage and tenacity in challenging power, in standing up and making themselves visible and heard. I have also met very young babies who are benefitting from important time with their parents through prison parenting classes. The human rights of all children affected by parental imprisonment must be at the heart of the change that needs to happen.

This research helps to give Scotland the tools to effect that change.

Bruce Adamson
Children and Young People's Commissioner Scotland

Executive summary

Constructive Connections: building resilience of families affected by the criminal justice system

A research project for NHS Greater Glasgow and Clyde

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THE CONTEXT OF THE STUDY

The Stimulus for the Study

NHS Greater Glasgow and Clyde had identified through previous research that there was a need to engage with families that are affected by the criminal justice system in order to improve the experience for children and young people.

A consortium of two universities supporting a Scottish voluntary organisation that works solely on behalf of families affected by imprisonment was commissioned to undertake a participative research project over 18 months to elicit from children, young people, their families and involved professionals what the problems were and to co-produce proposed solutions.

An estimated 27,000 children are affected each year by parental incarceration in Scotland. GIRFEC - Getting It Right For Every Child, now enshrined in Scottish legislation through the Children and Young People (Scotland) Act 2014, is a sound building block for supporting children whose parents come into contact with the criminal justice system.

Summary of Evidence

Empirical evidence of the impact on children and young people of parental involvement in the justice system is limited. However, there is a small but growing body of evidence that suggests that parental involvement in the justice system has association in children and young people with a range of emotional difficulties, including feelings of grief, loss and sadness, distress, confusion and anger, suffering depression, becoming withdrawn or secretive, showing regressive or attention seeking behaviour, having disturbed sleep patterns, eating disorders, and symptoms of post-traumatic stress disorder.

Empirical evidence of the impact of familial involvement in the justice system on social and health indicators for children and young people is very limited. The majority of research focuses on the impact on the person with offending behaviour or with convictions. Review of risk and resilience in children of prisoners suggests that development of effective interventions should seek to support children to manage the experience of having a parent in prison through positive psychology

approaches and the development of resilience through connection with the child and the family unit or primary care-giver.

Involvement in the justice system experienced by families with complex vulnerability is often not a single discrete event but more usually, a complex and dynamic process that takes place over a period of time, punctuated by engagement in different aspects of the justice system. Each point in that process presents challenges to the resilience of the child, young person or family unit and has the potential to impact negatively upon the child, young person or family unit.

Research across Germany, Sweden, Romania and the UK (the COPING study), found that the most important protective factors for children of prisoners in all four countries were continuing relationships with a parent or carer, and children being given enough information to understand what was happening to them. Early and good quality contact with their imprisoned parent was crucial for children, reassuring them about their parent's wellbeing.

STUDY DESIGN

Overview

The study was designed with two stages: eliciting the experiences of children and young people through face-to-face interviews (supplemented with interviews with the remaining parent and involved professionals), followed by a stakeholder event to facilitate co-production of proposed solutions. Since recruitment of families proved to be especially difficult, an additional consultation event was held with families, followed by two stakeholder events targeted at practitioners and senior managers.

Aim and Objectives

These were defined by the commissioner. The aim was to explore the impact of parental involvement in the justice system on children, young people and their families or significant care-giver, and to co-produce responses to those findings that support those individuals and families.

Research objectives

- To build on current knowledge of the impact on children, young people and their families of parental involvement in the justice system
- To explore the range of health and social care impacts on the child, young person and their immediate family of parental involvement in the justice system
- To co-produce relevant and appropriate responses to the findings that enable resilience-building in the individual in both the family and community setting
- To explore with children and young people as active participants in the process the health and social care impacts of parental involvement in the justice system at three points in the justice system
- To explore the impacts on families of parental involvement in the justice system with parents and significant care-givers at the same three points
- To explore with professionals and service providers their understanding of the impacts on children and young people and their families of parental involvement in the justice system at the three points

Sample

The four situations of children or young people experiencing a parent's (1) recent arrest and charging, (2) sentencing & serving a custodial sentence, (3) being sentenced and serving a community order & (4) completion of sentence were addressed with children and young people, parents and care-givers, professionals and service-providers. Children and young people up to the age of 18 years were invited to take part. This was to ensure that periods of significant life-changes in moving from primary to secondary school and on to college, sixth form or employment could be considered.

A case was counted as a single family with one parent involved in the justice system. When two or more children or young people from the same family wished to be included, they had the choice to participate separately or together. Each was counted as a unique contribution since their experiences and the impacts upon them could differ considerably. Despite contact with over 100 organisations, only 14 children and young people took part.

OVERVIEW OF FINDINGS

Multiple disadvantage and complex need

Families often had complex needs and multiple disadvantage, including physical and mental ill-health, violence, abuse, and historic involvement in the criminal justice system.

Changed lives: lives on hold

The experience brought significant changes to families' daily lives, relationships, roles and responsibilities. Childhood was compromised in order for children to support the family.

Secrets, honesty and communication

There was confusion, deceit, honesty and complicity about information. When not told explicitly, children found out by other means (sometimes erroneously) and were careful about who they would confide in.

Support the supporters

There was criticism of statutory support but positivity about 3rd Sector organisations which offered practical, non-judgemental support. Peer support was an unexploited resource.

School as support

Schools could be a place of humiliation or support. They could be an escape and a place to achieve in life despite other problems. Children commonly retained aspirations to professional careers. There were examples of discreet, effective support from head teachers and pastoral care.

Humanising the Criminal Justice System

Families felt vulnerable, reporting harrowing experiences of victimisation, stigma & bullying by elements of the justice system and by their community. Children found the point of arrest particularly stressful. Prison visits needed to include more sensitivity to children and to offer more intimate and meaningful contact with the incarcerated parent.

Practitioners and Managers

These accepted the views expressed by the families and saw the child's welfare as the driver for change. Despite the challenges, there was obvious determination to implement changes in response to the needs expressed by families. Locally-tailored solutions would be necessary, but there was learning to be used from one another, and sometimes even small changes would make a significant difference.

KEY MESSAGES

- 1) Despite the commitment from senior managers in the partnership and some enthusiastic support from local service managers & practitioners, the endeavour was characterised sharply by reticence among most service providers to identify children and families who might be approached to participate and then by persistent placement of barriers actively or passively to allow access to the families.

This is a common feature in research with children, often resulting from misguided determination to protect children from further trauma (misguided because it results in a situation of double jeopardy - individuals who are most in need of improved life chances are doubly disadvantaged by the lack of research evidence to guide reform).

While some families chose not to participate, others were eager to do so and had a great deal to say, and safeguards were in place to ensure their wellbeing. Other factors are usually involved, too: jealous guarding of “our families” together with thoughts of restricted competence in others, fear of criticism of individuals or services, and also protection of perceived fields of expertise.

Part of the solution to this will likely be awareness-raising, training in supporting young people’s decision-making and managing safe participation in research, and the engendering of a culture of improvement through research.

- 2) Sources of support and the lack of support were a vital aspect of the concerns of the families. The general lack of support with some problems or in specific personal circumstances was widely reported, and the absence of help for those who supported the children to cope was a particular feature of this. Participants identified three sources of solutions.

Schools were seen both as a place of stress and threat, and as a haven and an opportunity for “one good adult” to exert a lasting positive impact. Vulnerability and isolation could be overcome if the right

member of staff could be identified and then responded positively with sensitivity. Children found an outlet and a means to achieve something positive in their life despite all other stressors. Schools need to move proactively to identify the need, avoiding assumptions of coping when a child is hiding in isolation, and adopting a sensitive approach to outbursts or periods of particular distress.

The families were distrustful of statutory services (though there were examples of individuals excelling in understanding and support), but they had found enormous value in non-statutory, independent and Third Sector support. They sought more emphasis on central funding for support through these avenues.

The third source of support was held by parents, particularly, to be a largely untapped but potentially especially effective resource. They sought the development and central assistance of peer-support groups: parent-to-parent and young people-led groups. A means for affected families to be put in touch with such groups is needed.

- 3) The most emphatic message from the young people was the need to humanise their experience - from arrest of a parent to the years after their release. They felt themselves to be victimised by the authorities and by the community, and this led to massive disruption in their lives: the loss of their childhood.

They sought more child-friendly prison visiting, with the ability to engage in physical contact with the parent and to undertake meaningful activity together. They wanted police officers, prison officers & others to acknowledge their innocence and their needs as a child, and they recognised the need for a more structured and supportive transition during the time of adolescence and coming of age.

Their comments also suggest the need for community-based interventions to educate others about the impact on children of victimisation.

1 Introduction

NHS Greater Glasgow and Clyde had identified through previous research that there was a need to engage with families that are affected by the criminal justice system in order to improve the experience for children and young people. A consortium of two universities supporting a Scottish voluntary organisation that works solely on behalf of families affected by imprisonment was commissioned to undertake a participative research project over 18 months to elicit from children, young people, their families and involved professionals what the problems were and to co-produce proposed solutions.

According to the Scottish Government in 2017, an estimated minimum of 20,000 children in Scotland were affected by a family member being imprisoned each year⁴, though the same Government source previously reported this at 27,000.⁵ In the literature, there is some commonality in the characteristics of the populations affected by parental substance misuse and parental imprisonment. When combined with the correlation between Glasgow's crime statistics and drug and alcohol use, this commonality strengthens the supposition that a high percentage of Glasgow's children and young people who are affected by parental imprisonment will also have an experience of parental substance misuse. Additionally, although limited there is a small amount of evidence that indicates a significant mental health impact on children and young people of parental imprisonment

and on some social indicators of vulnerability such as risk-taking behaviour or school expulsion. However, empirical evidence of the impact of familial involvement in the justice system on social and health indicators for children and young people is very limited. The majority of research focuses on the impact on the person with offending behaviour or with convictions.

A review of risk and resilience in children of prisoners⁶ suggests that development of effective interventions should seek to support children to manage the experience of having a parent in prison through positive psychology approaches and the development of resilience through connection with the child and the family unit or primary care-giver. Recent changes to Scottish legislation via the Criminal Justice (Scotland) Act 2016 places a requirement for an impact assessment to be carried out on the occasion of parental imprisonment. However, at the time of this study there was no guidance or further information available. Prior to this, there was no UK or Scottish legislative requirement for an impact assessment of familial involvement in the justice system to be carried out at any point in the justice process. Unless a child or young person met the child protection threshold and was identified through other channels there was no statutory responsibility to provide support for those affected children, young people and their families.

⁴ Scottish Government (2017) Justice in Scotland: vision and priorities.

<https://www.gov.scot/publications/justice-scotland-vision-priorities/>

⁵ Scottish Government Justice Analytical Services (2012) Freedom of Information Request from Dr Chris Holligan, 26 January 2012.

⁶ Măirean C, Turliuc M, Christmann K (2012) Risk and Resilience in Children of Prisoners: A Research Review. *Scientific Annals of the Alexandru Ioan Cuza University*. New Series. Sociology and Social Work Section (Analele Științifice ale Universității "Alexandru Ioan Cuza" din Iași. Sociologie și Asistență Socială) 5(2) 5376.

2 The Context of the Study

Summary of Evidence

Empirical evidence of the impact on children and young people of parental involvement in the justice system is limited. However, there is a small but growing body of evidence that suggests that parental involvement in the justice system has association in children and young people with a range of emotional difficulties, including feelings of grief, loss and sadness, distress, confusion and anger, suffering depression, becoming withdrawn or secretive, showing regressive or attention seeking behaviour, having disturbed sleep patterns, eating disorders, and symptoms of post-traumatic stress disorder.^{7,8,9,10}

Additionally, correlations have been established between children affected by parental imprisonment, behavioural problems (including risk-taking behaviours) and school expulsion.

There is commonality with parental substance use and addictions research and evidence from criminal justice research which suggests that children of prisoners are more likely than their peers to experience significant disadvantages and to come from families with multiple and complex needs, including experiencing social exclusion, financial

difficulties, family discord and instability of care arrangements, stigma, isolation and victimisation, and poor educational attainment.^{11,12,13,14,15,16,17,18} Intervention to support children who are affected by parental involvement in the justice system has the potential to act similarly in cases of parental substance use or addiction.

However, children are not a homogenous group and ongoing developmental stages, family environments and wider social factors have influence on the impact of parental imprisonment at different ages and at different stages of the justice process.¹⁹ Additionally, involvement in the justice system experienced by families with complex vulnerability is often not a single discrete event but more usually, a complex and dynamic process that takes place over a period of time, punctuated by engagement in different aspects of the justice system. Each point in that process presents challenges to the resilience of the child, young person or family unit and has the potential to impact negatively upon the child, young person or family unit. Police arrests can be traumatic, bewildering, stressful and confrontational, and can be left unexplained to the child.^{20,21}

⁷ Boswell G (2002) Imprisoned fathers: The children's view. *Howard Journal* 41 (1) 14-26.

⁸ Crawford J (2003) Alternative sentencing necessary for female inmates with children. *Corrections Today* June 2003, np.

⁹ Cunningham A (2001) Forgotten families - the impacts of imprisonment. *Family Matters* 59: 35-38.

¹⁰ Hissel S, Bijleveld C, Kruttschnitt C (2011) The well-being of children of incarcerated mothers. An exploratory study for the Netherlands. *European Journal of Criminology* 8(5), 346-360.

¹¹ Smith R, Grimshaw R, Romeo R, Knapp M (2007) Poverty and disadvantage among prisoners' families. *Centre for Crime and Justice Studies and Joseph Rowntree Foundation*, London.

¹² Scharff-Smith P, Gampell L (2011) Children of imprisoned parents. The Danish Institute for Human Rights, European Network for Children of Imprisoned Parents, University of Ulster and Bambinisenzasbarre

¹³ Glover J (2009) Every night you cry: the realities of having a parent in prison. *Barnardo's*, Essex.

¹⁴ Ayre L, Philbrick K, Reiss M (2006) Children of imprisoned parents: European perspectives on good practice. *EUROCHIPS*, Paris

¹⁵ Murray J (2007) The cycle of punishment: Social exclusion of prisoners and their children. *Criminology and Criminal Justice* 7(1) 55-81.

¹⁶ Boswell G (2002) Imprisoned fathers: The children's view. *Howard Journal* 41(1) 14-26.

¹⁷ King D (2002) Parents, children and prison: effects of parental imprisonment on children. *Centre for Social and Educational Research*, Dublin Institute of Technology, Dublin.

¹⁸ Murray J, Farrington DP, Sekol I, Olsen RF (2009) Effects of parental imprisonment on child antisocial behaviour and mental health: a systematic review. *Campbell Systematic Reviews* 4 1-105.

¹⁹ Dallaire HD, Ciccone A, Wilson LC (2010) Teachers' experiences with and expectations of children with incarcerated parents. *Journal of Applied Developmental Psychology* 31: 281-290.

²⁰ Poehlmann J (2005) Representations of attachment relationships in children of incarcerated mothers. *Child Development* 76(3) 679-696.

²¹ Murray J, Farrington DP (2006) Evidence-based programs for children of prisoners. *Criminology and Public Policy* 5(4) 721-736.

To be able to identify appropriate supports and resources that will mitigate potential negative effects consideration should be made of the short-term and long-term effects on children at different developmental stages of arrest procedure and consequent separation, parental absence during imprisonment and of reunion after release.²²

Policy Context

Glasgow faces a unique challenge in Scotland. Evidence suggests a strong link between alcohol misuse and crime, particularly violent crime, within the city.²³ In 2012, a prisoner health needs assessment across Greater Glasgow and Clyde highlighted that 20% of prisoners self-reported an alcohol dependency, and almost half of prisoners were drunk while committing their offence.²⁴ In 2010/11 Glasgow had the highest rate of drug-related offences recorded per 100,000 of the Scottish population with 1,260 per 100,000.²⁵

Preventing the harm caused to families from the consequences of parental alcohol and drug misuse through implementing multi-faceted partnership approaches has been a cornerstone of Scottish Government policy for many years. This has been highlighted as a priority in a number of strategy and policy developments. These include the guidance and boundaries given in both national and local strategies and action plans.

- Changing Scotland's relationship with alcohol: a framework for action (Scottish Government, 2009)
- The road to recovery: a new approach to tackling Scotland's drug problem (Scottish Government, 2008)
- Getting our priorities right (Scottish Government, 2013)

The Children and Young People (Scotland) Act 2014 legislates for the implementation of 'Getting it Right for Every Child' (GIRFEC) through Parts 4 (Named Person), 5 (Child's

Plan) and 18 (Wellbeing) where it is identified that a child or young person has additional support or protection needs. The specific duties and responsibilities associated with parts 4, 5 & 18 of the Act should have been fully implemented across Scotland from August 2016, though ongoing legal challenges to the Named Person policy have still to be resolved. These duties include:

- A Named Person made available to every child 0 -18 years (and beyond if still in school);
- A legal requirement to share information with the Named Person as appropriate; and
- A single system for assessment and planning through a Child's Plan.

In combination, these parts of the 2014 Act provide for the wellbeing of a child to be assessed (Part 18, Section 96) according to key indicators (safe, healthy, achieving, nurtured, active, respected, responsible and included) to enable the child to flourish by supporting, promoting and safeguarding wellbeing. Additionally, the Children and Young People (Scotland) Act 2014 places legislated duties upon Ministers and public bodies to "keep under consideration whether there are any steps which they could take which would or might secure better or further effect in Scotland of the UNCRC requirements" with the aim of making Scotland the best place in the world for children to grow up.²⁶

Principles

The best solutions for children and young people whose parents are involved within the criminal justice system will frequently be the best solutions for the whole community. Children and young people with positive relationships with their parents and family are likely to have better health and wellbeing outcomes.²⁷ This chimes with a broad population approach to tackling health inequalities, recognising both the importance of family and community networks, and the

²² Parke R, Clarke-Stewart KA (2002) *Effects of parental incarceration on young children*. US Department of Health and Human Services, Washington DC.

²³ Annual Report, Glasgow City Community Justice Authority 2012-2013.

²⁴ Knifton L, Dougall R (2012) *Prison health in NHS Greater Glasgow & Clyde; a health needs assessment*.

²⁵ Annual Report Glasgow City Community Justice Authority 2013-2014.

²⁶ A Scotland for children: a consultation on the Children and Young People Bill p3: Scottish Government, 2012.

²⁷ Glasgow Centre for Population Health, 2013.

inevitability that poverty, poor housing and unemployment are the background to much criminal behaviour.²⁸ Phillips and Dettlaff²⁹ note that parental substance abuse, domestic violence, and extreme poverty are more common in households in England and Wales where a parent has been arrested and or sentenced to probation and that unemployment was a significant factor among caregivers who have experienced imprisonment. The factors are considered to affect both the short-term and long-term wellbeing of children.

Those who come into contact with the criminal justice system in Scotland, particularly Scottish prisoners, mainly come from the most deprived areas in the country,³⁰ and most adult family members of prisoners are unemployed, receiving benefits, and live in rented accommodation with low weekly incomes.³¹ Whilst limited research in the UK has explored the impact on children of parental involvement across the criminal justice process, research in Australia highlights unintended consequences as being '*children witnessing traumatic arrest processes, experiencing sudden and unanticipated separation from their parent/s, being displaced from home and struggling to maintain contact with their imprisoned parent*'.³² GIRFEC - Getting It Right For Every Child,³³ now enshrined in Scottish legislation through the Children & Young People (Scotland) Act 2014, is a sound building block

for supporting children whose parents come into contact with the criminal justice system. Although more specific recognition of the needs of the estimated 20,000-27,000 children affected each year by parental imprisonment in Scotland is merited, we also recognise that attention needs to be paid to the experiences of children who have parents involved across the criminal justice system.²⁵ These families are often among the most complex cases child protective service agencies encounter.³⁴

Resilience

Parental arrest, conviction, and incarceration may lead to 'multiple emotional and social strains for families and children'.³⁵ Children can be seen as strong and resourceful and able to work with adults, or as deprived and damaged, or ignorant and needing services and education.³⁶ Our belief is that children have an innate capacity to overcome problems and challenges in their family lives, with timely help from their families and friends, and sometimes from outside. Children find their own ways of adapting to and learning from experience, sometimes choosing to distance themselves from unhelpful parental examples.³⁷ "Adaptive distancing" is a concept closely related to the "steeling effect" of exposure to risk, identified by Rutter.³⁸ Children can turn adversity to their advantage, developing positive attitudes rather than succumbing to negative consequences.³⁹

²⁸ Whitehead M, Dahlgren G (2007) *Concepts and principles for tackling social inequalities in Health*. World Health Organisation. University of Liverpool.

²⁹ Phillips S, Dettlaff A (2009) More than parents in prison: the broader overlap between the criminal justice and child welfare systems. *Journal of Public Child Welfare* 3(1) 3-22.

³⁰ Houchin R (2005) *Social exclusion and imprisonment in Scotland*. Glasgow Caledonian University.

³¹ Dickie D (2013) *The Financial Impact of Imprisonment on Families*. In Brief 8 and Full Report. Edinburgh: Families Outside.

³² Flynn C, Naylor B, Arias P (2015) Responding to the needs of children of parents arrested in Victoria, Australia. The role of the adult criminal justice system. *Australian & New Zealand Journal of Criminology* 0(0) 1-19.

³³ Scottish Government (2012) *A Guide to Getting It Right for Every Child*. Edinburgh: Scottish Government.

³⁴ Phillips S, Erkanli A (2008) Differences in patterns of maternal arrest and the parent, family,

and child problems encountered in working with families. *Children and Youth Services Review* 30,157-172.

³⁵ Murray J, Loeber D, Pardini D (2012) Parental involvement in the criminal justice system and the development of youth theft, marijuana use, depression and poor academic performance. *Criminology* 50(1) 255.

³⁶ Alderson P (2005) Designing ethical research with children. In Farrell A (Ed) *Ethical research with children*. Maidenhead, Berkshire: Open University Press 27-37.

³⁷ Norman E (2000) The strengths perspective and resilience enhancement - A natural partnership. In E Norman (Ed) *Resiliency enhancement: Putting the strengths perspective into social work practice*. New York: Columbia University Press, 1-16.

³⁸ Rutter M (2007) Resilience, competence and coping. *Child Abuse and Neglect* 31(3) 205-209.

³⁹ Neenan M (2009) *Developing resilience: a cognitive/behavioural approach*. London & New York: Routledge.

Lösel et al⁴⁰ found that older children of prisoners supporting younger siblings demonstrated less anxiety than other children. Ungar⁴¹ described children as the architects of their own experience, rather than as passively enduring hardships.

Masten and Obramovitch⁴² identified core preventative factors for children as the capacity and the confidence to steer their own lives and the ability to reflect, including optimism and a belief that life has meaning. Positive relationships and a capacity for recruiting and forming lasting bonds with parent figures are also crucial. Cooklin⁴³ suggested that children “*can survive extreme emotional adversity if they understand what is happening and have at least one reliable and non-partisan adult with whom they can affirm a more objective perception of what is happening to them.*”

Stigma

Stigma is fundamental to the challenges faced by children with parents involved in the criminal justice system. Parental arrest, conviction and/or imprisonment may lead to children experiencing stigma, potentially contributing to behavioural problems.⁴⁴ Light and Campbell (2006) describe the concept of “guilt by association” which causes families to feel less worthy, and less likely to seek help. As long ago as 1977, Sack identified the strong sense of shame experienced by the sons of prisoners as though they were confessing their own crime or wrong-doing by announcing their fathers’ confinement, thereby contributing to the boys’ aggressive

and anti-social identification. However, the attachment and experience of stigma is multifaceted. Research identified by Phillips and Erkanli⁴² shows that stigma is often more pronounced the first time a family member is arrested. Where multiple arrests, convictions and prison sentences have been witnessed, the impact on children is likely to be experienced differently. Equally, some researchers have postulated that, owing to cultural gendered role expectations and racial stereotyping, stigmatising effects may be experienced differently by some groups.^{41,45} Therefore, research needs to adopt a more biographical approach to capture holistically children’s historical experiences of their parents’ criminal justice involvement.

There is a strong commitment amongst organisations that support children of parents involved in the criminal justice system, including Families Outside in Scotland and Partners of Prisoners in northwest England, that children told the truth about their parents’ involvement in the criminal justice system fare better than those protected from the truth.⁴⁶ Children can derive much support from their peers, especially those with similar experiences, and from sharing experiences with them. Children find their own preferred solutions to handling stigma. Research in Sweden⁴⁷ found that children (mainly girls) coped with parental imprisonment through talking to family and friends, and with support from school, and by viewing the future positively and perceiving imprisonment as a transient problem. Somewhat differently, it was found that more socially skilled children,

⁴⁰ Lösel F, Pugh G, Markson L, Souza KA, Lanskey C (2011) *Risk and protective factors as predictors of fathers’ resettlement and families’ adjustment*. University of Cambridge Conference; ‘Dads inside and Out’.

⁴¹ Ungar M (2005) Pathways to resilience among children in child welfare, corrections, mental health and educational settings: navigation and negotiations. *Child and Youth Care Forum* 34(6) 423-444.

⁴² Masten AS, Obradovic J (2006) Competence and resilience in development. *Annals of the New York Academy of Sciences* 1094: 13-27.

⁴³ Cooklin A (2009) Children as carers of parents with mental illness. *Psychiatry* 8(1) 17-20.

⁴⁴ Murray J, Loeber D, Pardini D (2012) Parental involvement in the criminal justice system and the development of youth theft, marijuana use, depression and poor academic performance. *Criminology* 50(1) 255.

⁴⁵ Phillips S, Erkanli A (2008) Differences in patterns of maternal arrest and the parent, family, and child problems encountered in working with families. *Children and Youth Services Review* 30,157-172.

⁴⁶ Lockwood K, Raikes B (2016) *A difficult disclosure: the dilemmas faced by families affected by parental imprisonment regarding what information to share*. In: *Experiencing imprisonment: research on the experience of living and working in carceral institutions*. Routledge, London.

⁴⁷ Steinhoff R, Berman AH (2012) Children’s experiences of having a parent in prison: ‘We look at the moon and then we feel close to each other’. *Sociology and Social Work* 5(2): 77-96.

whose mothers were in prison, with higher levels of social support, were more likely to exercise caution about sharing information, restricting this to trusted friends. Speaking to friends could leave children open to persistent (and sometimes unwelcome) questioning, and secrecy was neutral with regards to outcomes.⁴⁸

Gender issues

Few clear differences have been found in the past between boys and girls dealing with parental involvement with the criminal justice system.⁴⁹ Existing research in this area is limited to adopting a gendered approach to parental imprisonment. The Cambridge Study in Delinquent Development identified the increased vulnerability of sons of prisoners to mental health issues and anti-social behaviour.⁵⁰ There may be some indicators that boys are more prone to externalising and girls more prone to internalising reactions, although indications have been found of children's reactions to parental imprisonment including both "acting in" and "acting out" behaviour, at different times.⁵¹ An unpublished doctoral thesis highlighted that boys struggled to cope with the absence of a reliable male role model, whereas girls living with their mothers during paternal incarceration benefitted from consistently available female role models.⁵² More generally, it has been suggested that girls were more resilient in

childhood, while being more vulnerable in adolescence.⁵³ Older research concluded that women and girls had a slight edge in resilience over males.⁵⁴

Government statistics in the UK and the USA have consistently identified that children experiencing paternal imprisonment are mainly looked after by their mothers, whereas many more children experiencing maternal imprisonment were looked after by grandparents or other family members or foster carers, than by their fathers. In all jurisdictions, far more children experience paternal than maternal imprisonment. Juby & Farrington⁵⁵ found that boys whose mother was in prison were more likely to be delinquent than those with their father in prison, and concluded that paternal loss was less damaging than maternal loss. Review of longer term outcomes for prisoners in the USA found that incarcerated mothers were 2.5 times more likely than incarcerated fathers to have adult children imprisoned, the key factor being disrupted attachment relationships.⁵⁶ The pan-European COPING study found much evidence of children missing their imprisoned fathers very much, while recognising that the impact of maternal imprisonment can be more profound.⁵⁷ However, children of women and men involved in the criminal justice system are often considered as two discrete groups. Yet,

⁴⁸ Hagen KA, Myers BJ (2003) The effect of secrecy and social support on behavioural problems in children of incarcerated women. *Journal of Child and Family Studies* 12(2) 229-242.

⁴⁹ Parke RD, Clarke-Stewart KA (2001) *Effects of parental incarceration on children*. In 'From Prison to Home' Conference. Retrieved from www.urban.org/uploadedpdf/410627_Parentalincaarceration.pdf.

⁵⁰ Murray J, Farrington DP (2005) Parental imprisonment: effect on boys' anti-social behaviour and delinquency through the life course. *Journal of Child Psychology and Psychiatry* 46(12) 1269-1278.

⁵¹ Fahmy C, Berman (2012) Children of male prisoners: the free mother's perspective. Ioannu Cruz University ISSN: 20653131 (print) Analele Stiintifice Ale Universitatii 'Alexandra Ioan Cruza' Din Iasi (Serie Noua Tom V, NR 2/2012, Sociologie Si Asistenta Sociala) 115-137.

⁵² Manby M (2015) *Exploring the emotional impact of parental imprisonment on children through children's, parents' and carers' accounts*. Unpublished Doctoral Thesis. University of Huddersfield.

⁵³ Masten AS, Best KM, Garmezy N (1990) Resilience and development: contributions from the study of children who overcome adversity. *Development and Psychopathology* 2(4) 425-444.

⁵⁴ Rutter M (1987) Resilience and protective mechanisms. *American Journal of Orthopsychiatry* 57(3) 316-331.

⁵⁵ Juby H, Farrington DP (2001) Disentangling the link between disrupted families and delinquency. *British Journal of Criminology* 41: 22-40.

⁵⁶ Dallaire DH (2007) Incarcerated mothers and fathers: a comparison of risks for children and families. *Family Relations* 56(5) 440-453.

⁵⁷ Jones AD, Wainaina-Wozna AE (Eds) (2013) Authors: Joes AD, Gallagher B, Manby M, Robertson O, Schutzwahl M, Berman AH, Hirschfield A, Ayre L, Urban M, Sharratt K. *Children of prisoners. interventions and mitigations to strengthen mental health*. University of Huddersfield.

whilst the arrest, conviction and/or imprisonment of mothers and fathers may have different immediate and long-term consequences for children, Phillips et al (p.56) note that '*children whose mothers are arrested may be at risk for experiencing not only the consequences associated with maternal arrest, but also those associated with paternal arrest*'(p56).⁵⁸ Therefore, a more inclusive approach to understanding the impact on children is required.

COPING Research

Research from the University of Huddersfield, across Germany, Sweden, Romania and the UK, found that the most important protective factors for children of prisoners in all four countries were continuing relationships with a parent or carer, and children being given enough information to understand what was happening to them. Early and good quality contact with their imprisoned parent was crucial for children, reassuring them about their parent's wellbeing. Most children adapted successfully to prison regimes. Half the children surveyed (n=737) identified "bad" effects of parental imprisonment, including their feelings, behaviour and money. A fifth of these children identified "good" effects of parental imprisonment including family relationships. This is a timely reminder that for a significant minority of children of prisoners, parental imprisonment can bring welcome respite from a delinquent or abusive parent.⁵⁴ Similarly, it found that while half of the parent/carer participants (mainly mothers) reported deteriorating health and a quarter that their children's health had declined, about a third reported benefits from their partner's incarceration.⁵⁹

Romania was much the poorest country studied. Unsurprisingly, Romanian children surveyed emphasised the loss of income caused by parental imprisonment, and evidenced less concern about their feelings. A key finding was that there was less evidence of stigma associated with parental imprisonment in Sweden, a country with more

family-friendly prison policies. Sweden was positive about identifying the needs of children of prisoners in their own right.

In Sweden, children of prisoners experienced positive support from their schools, typically from a school nurse in primary school, and from a counsellor in secondary school. Across all four countries, including those in the UK, schools played an important role in supporting children and families, giving children opportunities to succeed, social contact with peers, and for some, support from trusted staff. Although there were some negative examples, schools were key sites for tackling bullying, stigma and social exclusion.

The Scottish Context

While a recent research review is realistic about the improvements required to support children with parents in the criminal justice system in Scotland, not least the need to reduce numbers in prison and especially for women imprisoned for relatively minor offences, it nonetheless paints an optimistic picture of developments at the national level, and regarding developments in the Scottish Prison Service and in the voluntary sector.⁶⁰

Once paragraph 107 of the Criminal Justice (Scotland) Act 2016 is implemented, it will provide for the first time a requirement for the identification of children affected by parental imprisonment and for this information to be passed to the Named Person. COPING had campaigned for measures like these across all criminal jurisdictions. McGillivray highlights high rates of mental illness and drug use amongst prisoners in Scotland, and commends the non-stigmatising and asset-based treatment models being developed for substance-abusing women such as that at the Aberlour Family Support Service in Glasgow.⁵⁷

Much ambition is being invested to achieve improved family-friendly policies in Scottish prisons. Costs of phone calls for prisoners to

⁵⁸ Phillips S, Erkanli A, Costello J, Angold A (2008) Differences among children whose mothers have a history of arrest. *Women in Corrections* 17(2/3) 43–62.

⁵⁹ Arditti JA, Lambert-Shute J, Joest K (2003) Saturday morning at the jail: implications of incarceration for families and children. *Family Relations* 52(3) 194-204.

⁶⁰ McGillivray C (2016) *Rendering them visible. A review of progress towards increasing awareness and support of prisoners' families*. Edinburgh: Families Outside.

their families have been reduced,⁶¹ and the 'E-mail a Prisoner' scheme has been made widely available across the UK. The Scottish Prison Service established standards for encouraging family contact in 2013, promoting flexible visiting, improved transport links and advertising the availability of the Assisted Prison Visits Scheme. Information for families is being improved, for example prisoner progression schemes and prison regimes. There are serious attempts to improve the quality of visits for children, including improved prison staff attitudes. A start has been made to improve release planning involving families through Scotland's Integrated Case Planning Case Conferences, advocated by Loucks,⁶² although much more progress is needed here.

NGOs like Families Outside and Circle Scotland have been stitched into this reform

agenda, including Families Outside's contribution to support for family contact where appropriate, and particularly impressively, teacher training programmes. Families Outside is strongly based through its helpline and family support work and its contacts with all Scottish Prisons; and is able to influence prison policy as a member of the Child & Family Strategy Groups in all fifteen Scottish prisons. Prospects for positive implementation of recommendations from Constructive Connections Action Research are significantly enhanced by the hunger for reform towards a family-friendly criminal justice system, no doubt influenced by Scotland's long-established enlightened approach to youth justice, amongst policy makers, professionals, including the Prison Service, and the energetic voluntary sector.

⁶¹ Prison Reform Trust (2013) *Prison: the facts. Bromley Briefings Summer 2013*. London: Prison Reform Trust.

⁶² Loucks N (2008) *Family involvement in ICM case conferencing*. Edinburgh: Scottish Prison Service (unpublished).

3 Study Design

Overview

The study was designed with two stages: eliciting the experiences of children and young people through face-to-face interviews (supplemented with interviews with the remaining parent and involved professionals), followed by a stakeholder event to facilitate co-production of proposed solutions. Since recruitment of families proved to be especially difficult, an additional consultation event was held with families, followed by two stakeholder events targeted at practitioners and managers.

Approach

The approach was strongly influenced by the work of Families Outside in Scotland, and by a recent comprehensive summary of international research about best outcomes for children of prisoners and its optimistic, well-founded evidence about developing good practice, not least in Scotland.⁵⁷ The research was also influenced by findings from our own COPING research exploring the impact of parental imprisonment in four European countries.⁵⁴ The research had a determined emphasis on learning from the best examples of supporting children of prisoners in Europe, and on influencing change at the level of national legislation, professional practice, and community and voluntary sector involvement. However, children who have parents in prison are only a subgroup of the children who have parents involved with the criminal justice system,²⁵ and so we welcomed the opportunity to explore the impact on children whose parents were involved at other points within the criminal justice system.

We adopted a positive view about children, children's rights and childhood, and about the capacity of children to influence public policy and to shape their own solutions to the challenges they face. Accordingly, we were enthusiastic about the participative action research approach which underpinned "Constructive Connections", and which allowed children and young people who had experienced the criminal justice system a leading role in fashioning their futures.

Ethical Research with Children and Young people

The project was based in participatory and child-centred approaches to research. The

project was conducted with the best interests of children and young people at the forefront, with their own accounts being valued as much as any others, working with them rather than conducting research on them, and striving to ensure that their voice was promoted at every stage of the evaluation. We also drew on principles of action research emphasising the participatory engagement of all stakeholders as partners in a process of collaborative and reflective sense-making. Our study design was based on family cases, with the child or young person as the index with their parents or carers and the professionals involved with the family as part of their world. These cases then led further exploration by families, practitioners and managers at three events.

We recognised the varied impacts that can be felt by children and young people who experience the arrest, imprisonment or release of a parent, placing as much emphasis on mental health as on physical effects, and acknowledging that such experiences may be felt in the context of additional challenges in the home such as poverty, substance misuse, and domestic violence. To investigate the issue of parental involvement with the criminal justice system without consideration of this context would have resulted in conclusions that would fail to reflect the real world of the children and families of concern to the commissioner.

We adopted an "action inquiry" approach in which children and young people were encouraged and supported to recount their experiences, to share these with others in the project, to reflect critically upon these together, to identify the issues that were of individual or shared concern to them or which have been important to a positive outcome. Through this we sought to arrive at their preferred strategies to challenge existing practices, to improve support, or to optimise positive responses from children and young people faced with this challenge. In this, we incorporated a model of positive psychology, which is also applied as a positive deviance approach, emphasising emotional strengths and positive strategies rather than dysfunction and helplessness. These perspectives were 'played back' to parents, carers, professionals and service providers to support further reflection and inquiry into systemic issues and

current practices and to inform new possibilities for future policy and practice.

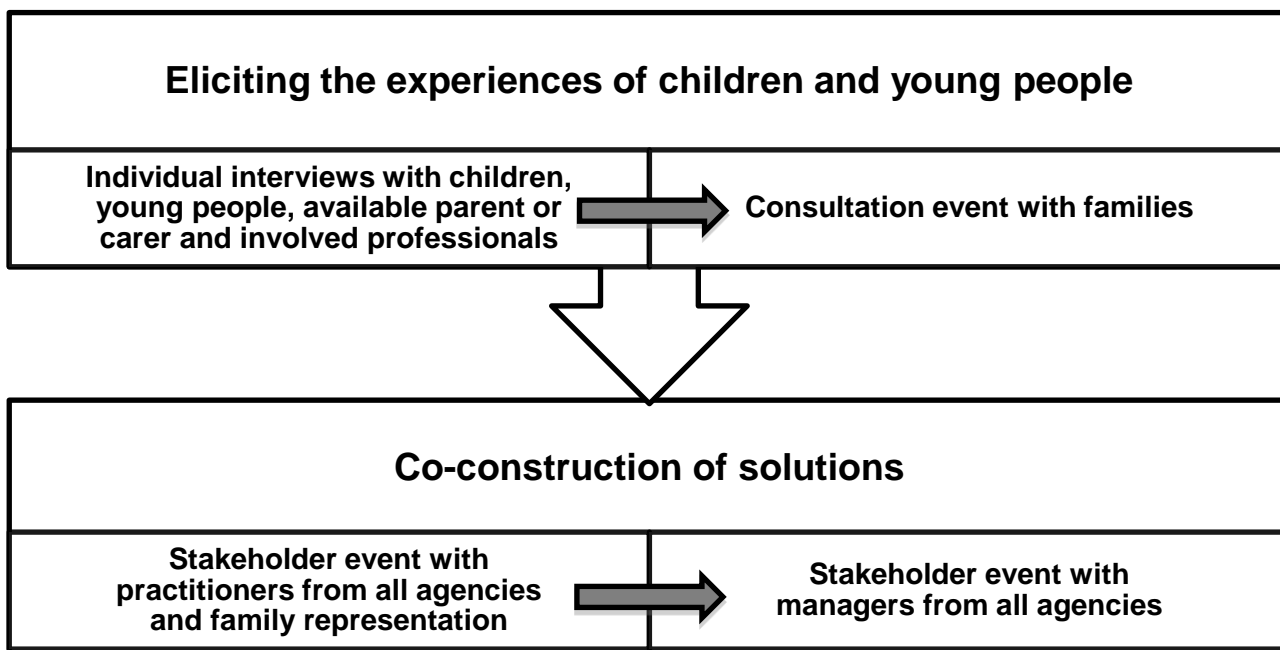
Aim and Objectives

These were defined by the commissioner. The aim was to explore the impact of parental involvement in the justice system on children, young people and their families or significant care-giver, and to co-produce responses to those findings that support those individuals and families.

Research objectives

- To build on current knowledge of the impact on children, young people and their families of parental involvement in the justice system
- To use an action research approach to explore the range of health and social care impacts on the child, young person and their immediate family of parental involvement in the justice system
- To co-produce relevant and appropriate responses to the findings that enable resilience building in the individual (child/young person/parent or carer), in both the family and community setting
- To explore with children and young people as active participants in the process the health and social care impacts of parental involvement at three points in the justice system
- To explore the impacts on families or significant care-givers of parental involvement in the justice system at three key stages of a potential journey through the justice system
- To explore with professionals and service providers their understanding of the impacts on children and young people and their families of parental involvement in the justice system at three key stages of a potential journey through the justice system

Figure 1: The study plan



Plan of the Study

The project was planned to be in two parts: consultation with children and young people to establish their experiences, and then a co-production phase to derive proposed solutions.

Sample

The four situations were of children or young people experiencing a parent’s (1) recent arrest and charging, (2) sentencing and serving a custodial sentence, (3) being sentenced and serving a community order,

and (4) completion of sentence were addressed with children and young people, parents and care-givers, and professionals and service-providers. We hoped to engage 10 cases in each of the four groups, though we foresaw difficulty with the first of these since many children remain unaware of the parent's involvement in the criminal justice system as the parent or carer at home seeks to protect them. Should charging not result in a custodial sentence, families may seek to conceal the nature of the episode from the child entirely. We planned to overcome this if necessary by increasing recruitment of children and young people experiencing a parent undergoing a custodial sentence since these would also have experienced the period of arrest and charging, some more recently than others.

Children and young people up the age of 18 years were invited to take part. This was to ensure that periods of significant life-changes in moving from primary school to secondary school and from secondary school on to college, sixth form or perhaps employment could be considered. The remaining parent and significant care-givers of each child participant were eligible to contribute their accounts of the impact on themselves as providers of care for the child or young person, on the family as a unit and on the child or young person individually. The specific

professionals and services involved in each case vary. With the assistance of the commissioner and partners, as many of the agencies as possible were approached to be included.

A case was counted as a single family with one parent arrested and charged, serving a sentence, or released. When there were two or more children or young people from the same family who wished to be included, they had the choice to participate separately or together. Each was counted as a unique contribution since their experiences and the impacts upon them could differ considerably. Without seeking equal or statistically representative groups, we endeavoured to include children and young people of differing ages and gender, points of transition at school (times of additional stress), cases in which the mother was the parent who was subject to involvement in the criminal justice system, and cases in which the released parent had returned to the family home or resided elsewhere. We planned to monitor the inclusion of cases that indicated additional challenges in the children's lives – mental health issues, substance misuse and domestic violence – and to take action to secure such cases if they remained unrepresented in the sample.

Table 1: Organisations approached during recruitment

Type of organisation	Number approached	Examples of services
NHS	9	Substance/addiction, parenting team, CAMHS
Prison	7	Prison, family contact officer, parenting, social work
School	5	School, family support, psychological support
Social Work	18	Children/family service, kinship carer, criminal justice team
Voluntary Sector	60	Mentoring, family support, mental health, employability, substance misuse
Other	10	Community partnership, youth team, legal support, recovery service, church group, domestic violence
TOTAL	109	

The planned approach to recruitment was that NHS Greater Glasgow and Clyde, together with its partners, would facilitate access to eligible families, professionals and service providers. Families Outside has considerable experience with this in Scotland, with family support coordinators linked to every prison and (then) Community Justice Authority. Links with local authority social work teams (including Glasgow City) and with Police

Scotland were also strong, and Families Outside also works alongside Vox Liminis to support KIN, an arts collective of young people aged 14-25 who have experience of a family member's imprisonment. It was expected that all of this should facilitate identification of eligible children and young people. Table 1 details the number and type of organisations that were approached as part of the recruitment to the study.

Difficulties with Recruitment and the Core Study Sample

The target total sample was 40 families within Glasgow City. However, this was not achieved. Despite varied and sustained recruitment activities including visits to establishments, posters, team briefings, advertisements and word of mouth; multiple research ethics committee approval applications; apparent willingness by individuals to support the initiative; and driving by the commissioning partnership; few introductions were made, and some of these included parents who declined to take part. Fourteen cases from 10 families were recruited. The children and young people were aged 8-24 years, a young adult beyond the planned age range being included because of clear memory of the experience.

The breakdown of parents involved in the criminal justice system was five mothers and nine fathers. Of these, three had been in court but found not guilty, two were serving a community order, six were serving custodial sentences, and three had been released from custody. It was clear that the sample represented cases mostly of high level offences and sentences. In a sense, this was a skewed sample, yet it is unusual to access such cases in research and this was a remarkable opportunity for learning, and the cases in which either no conviction was made or a community sentence was served showed no noticeable difference in most aspects of what we report.

Data Collection

Interviews

Data collection with family members was undertaken in the home or in a location identified by Families Outside as preferred by the family. Data collection with professionals was undertaken at mutually agreed locations. It was important to begin with the thoughts of the children and young people before eliciting those of the adults who were involved. A raft

of age-appropriate methods was available to engage children and young person in the process of establishing their perspective. Such a mosaic approach⁶³ has been used effectively with children (especially young children)⁶⁴ to facilitate participation of those with limited communication ability and for other reasons, but our experience is that older children also value such alternative means of participation. In practice, all chose to take part in an informal, recorded interview. Some young people preferred to be interviewed alone while others (younger children) elected to be interviewed with a parent.

The focus was drawn to their experience at the stated point of involvement with the criminal justice system; their reactions, understanding, support and what carried them through the experience. Consideration of internal (eg: personal strengths and fears), external (effect of friends, family, services), and environmental (co-existing challenges, concurrent life events) factors was encouraged. Audio-recorded focused interviews were undertaken with parents and professionals; participants being asked to think about the impact on the child, themselves as carers or service providers, and on the family unit. A parent took part in interview in nine of the cases, while professionals were available to be interviewed in five of the cases.

Consultation Events

The family consultation event was held at the Riverside Museum in Glasgow. The original plan was for a World Café⁶⁵ styled approach to identifying preferred solutions followed by the opportunity for children and young people to make talking heads videos and to construct a click-voting survey for both adults and children to complete. However, there were too few attendees to make this possible. Instead, structured but informal discussions were led by the research team on issues that had arisen from the interviews and directed towards suggestions for improvements. Participants

⁶³ Clarke A (2004) The mosaic approach and research with young children. In Lewis V, Kellet V, Robinson C, Fraser S, Ding S (Eds) *The reality of research with children and young people*. The Open University. London 142-157.

⁶⁴ Livesley J, Long T (2012) Children's experiences as hospital in-patients: voice, competence and

work. Messages for nursing from a critical ethnographic study. *International Journal of Nursing Studies* 50(10) 1242-1303. doi: 10.1016/j.ijnurstu.2012.12.005

⁶⁵ <http://www.theworldcafe.com/>

were able to write thoughts and comments on tablecloths, adding to the contributions of others, and often including pictures and diagrams. This was followed by relaxed, free-ranging and creative discussion in a mobile research laboratory, led by the families themselves, and observed by the researchers.

Once analysis of the families' contributions had been completed, an event was held for practitioners from all involved agencies to consider the findings from the families and to start the process of moving towards solutions. This also included attendance by the Children and Young People's Commissioner in Scotland and a presentation (and continued participation) by a mother and her daughters who had been affected by the imprisonment of the father. The emphasis was not on implementing recommendations but on thinking about what could be done in local services to make small but welcome

improvements. There was free movement around four stations, though most participants remained within the same group. Four questions were posed.

- What will we do to support the supporters?
- What will we do to reduce the impact of stigma on children?
- What will we do to improve transitions and adolescents' experiences?
- What will we do to protect childhoods?

To emphasise the primacy of the families' perspectives, the event was entitled "Listening to families: finding solutions within the justice system". Additional facilities were available for individual contributions by informal interview, small group discussion, and more talking head video recording. Delegate organisations are detailed in Table 2.

Table 2: Organisations represented at the Practitioners Event

Drink Wise Age Well	Includem
East Dunbartonshire Council	Inverclyde Council
East Renfrewshire Council	NHSGG&C
Elpis Centre Glasgow	Renfrewshire Council
Families Outside	Renfrewshire Council – Education
FASS	SDF
GHA	SFAD
Glasgow City Council - Education	SPS
Glasgow City Council - Social Work	Strathclyde University
Glasgow Kelvin College	The Croft Glasgow
Glasgow University	Volunteer Glasgow

Table 3: Organisations represented at the Managers Event

Community Justice Glasgow	Glasgow HSCP
East Dunbartonshire Council	NHSGG&C
East Renfrewshire Council	Police Scotland
East Renfrewshire Council - Social Work	Renfrewshire Council
Families Outside	Renfrewshire Council - Social Work
Glasgow Housing Association	Sacro
Glasgow City Council	SPS
Glasgow City Council - Education	The Wise Group
Glasgow City Council - Social Work	

A final consultation event was held with senior managers of services. At this event, findings from the families were supplemented by the

outcomes from the practitioner event and presented to the delegates. The focus was placed on ensuring that action was

implemented, that agencies would determine to pursue such change as was possible, and that this would be pursued as a joint endeavour for the sake of the welfare of the

Data Analysis

Recorded interview data was sent for professional transcription by a company which offers a “medical confidentiality” level of service. Data was sorted and reviewed by cases first before moving on to deriving themes. Interview data was subjected to framework analysis,^{66,67} with the initial frame set at a joint meeting of the researchers to consider important and recurring issues that had become evident during the course of data collection. Since most of the interview data related to consideration of the experience and problems reported by families, these formed

children and young people. A similar format was adopted as for the practitioner event. (Table 3)

the first part of the analysis. As suggested - often partial - solutions began to be proposed these were related to the framework of problems and experiences already established. In order to protect participants' confidentiality, no service users were included in the process of data analysis.

Research Ethics and Governance

A risk-management approach was adopted to address ethical issues.⁶⁸ Formal approval was secured from the University of Salford Research Ethics Committee (HSR1617-22).

⁶⁶ Ritchie J, Lewis J (2003) *Qualitative research practice: a guide for social science students and researchers*. London: Sage.

⁶⁷ Smith J, Firth J (2011) Qualitative data analysis: the framework approach. *Nurse Researcher* 18(2) 52-62.

⁶⁸ Long T, Johnson M (2007) (Editors) *Research ethics in the real world: issues and solutions for health and social care*. Elsevier. ISBN 0-443-10065-9

4 LEARNING FROM THE FAMILIES

Multiple disadvantage & complex needs

Families often spoke of living with complex needs and multiple disadvantage, including but not restricted to physical and mental ill-health, violence and abuse in the home, and historic involvement in the criminal justice system. There was normalisation of chaotic lifestyles, with a history of disrupted lives, complex family relationships, domestic violence, substance misuse and neglect. All had come to be accepted.

Abuse and violence

Many of the families who participated in this research told of experiencing or witnessing emotional, physical or sexual abuse as a child. Four of the families explicitly told of domestic violence in the home, with some of the young people also telling of experiences of abuse and/or neglect in the home and two parents telling of experiencing abuse themselves as children.

One young person told of how her mother was often violent when in drink, including toward different partners throughout her life.

She would drink, she'd be violent. She had, like, partners... She had, like, people coming in and out of her life all the time, and she would be so aggressive to them (Case 1, young person, mother previously served prison sentence).

A different young person also told of having memories of domestic violence between her parents. The same young person went on to tell of violence between her mother and a different partner.

I remember things from when I was a wee lassie, like the domestic violence and all that. I still remember how violent he was, how nasty he was (Case 9, young person, mother in prison).

My mum was already on bail for battering her boyfriend.

A mother of two child participants told of a long history of domestic violence with her husband and how this had resulted in her husband receiving a custodial sentence.

When the domestic abuse was going on, I had to fight for my kids. It was horrendous (Case 2 - mother of children with father in prison).

The father in a different case also told of how his recent involvement with the criminal justice system was owing to a domestic incident in which he had attacked his partner.

Everything was fine. I started to have a couple of drinks and I just forgot to take my medicine. If I forget to take my medicine and I'm drinking then I start going mental (Case 5, father serving a community sentence).

Some of the young people also told of experiences of abuse and neglect in the home. One recounted consistent abuse from her mother who was frequently violent toward the child. Telling of one particular incident, she remembered.

She had attacked me one night... just like tearing up my room, pulling my hair... I was asleep at this point, and she just comes in and she started trying to grab me... and I had bruises all over my lips. And then she got the pillow from the other side and tried to force it over my face (Case 1 – young person).

Another explained about neglect and subsequent removal from the home into local authority care.

We never got the right nutrients, so I'm glad social work took me into care. I was sitting with milk in a Tommee Tippee cup or something like that, and I'd opened it and I'd spilt it, I poured it all out, just being pure dirty (Case 9 – young person).

She then told of how she had then been abused by her foster carers.

Mum had put us in care, and then we've always had carers that couldn't even look after us, that used to just abuse me and my sister (Case 9 – young person).

Two parents of children with a parent involved in the criminal justice system also told of experiencing abuse themselves by a family member.

I was abused by my brother in law for 30 years (Case 2 - mother).

I was abused. I was raped by my grandfather on a regular basis from the ages of four to ten (Case 12 - mother of three children with father in prison).

Mental and physical health issues

Families also described multiple disadvantage including mental and physical health issues for the involved parent, their children and the children's carers. Many families also spoke of one or both parents having issues with substance misuse or indicated consistent use of alcohol or other substances. Five of the families included parents having existing mental health issues. Two (unrelated) young people discussed their mother's long-term mental health issues.

She's got a lot of mental health as well. She's got, like, personality disorder, anxiety, depression (Case 1 – young person).

My mum had her own issues, and then she's just never dealt with them (Case 9 – young person).

Two mothers who participated in the research, one a parent of children with a father in prison and one who had received a custodial sentence herself, spoke of having mental health issues.

"I've got post-traumatic stress through my brother dying" (Case 8 - mother recently served a prison sentence).

A further mother recounted that her children's father who was currently serving a prison sentence and had long-term mental health concerns.

Before he went to prison, right, he couldn't cope with life. I think the mental health, they really need to work a lot on their mental health (Case 4 – mother of three children with father in prison).

Many families also spoke of one of the parents having issues with substance misuse or indicated consistent use of alcohol or other substances. One child described her mother having a long-term issue with both alcohol and drugs, while another referred to the addictions of both her parents.

She'd always had like substance abuse problems (Case 1 – young person).

My mum and dad drinking: every day (Case 9 – young person).

Several other parents, including two fathers and a mother, indicated regular use of substances.

I'm drinking then I start going mental, you know what I mean? (Case 5 – father).

I obviously smoke hash. I've smoked it for thirty years (Case 6 - father).

Since that cannabis they found, and my wee brother died, and I was smoking it (Case 8 – mother).

There was widespread acceptance of the relative normality of substance misuse in participants' communities, with several respondents referring directly to this. The offences for which parents were or had been involved in the criminal justice system frequently related to or were complicated by drug use. Drugs charges were central in the cases of two fathers and one mother who were serving prison sentences.

A parent reflected (rather chaotically as was often the case) on the unexpected realization that their own substance use had influenced a son and his friends to engage in the same behaviour.

Because a lot of drugs... I didn't realise they were taking so much. I didn't realise they were doing drugs to start off with, but then it came out there were shoplifting convictions and all sorts of things. The normal drug-taking pattern was coming alive. And I thought, right, we need to just... anything that we are faced with, we cut that back. Just stop it. Change. Because they are confident enough that they can change, their life is their oyster. When [son] first went to Life Link, I never thought he would come back. He is dead genuine, and he believes that everybody is as honest with him as he is with them (Case 2 – mother).

These indicators of substance misuse continuing to exert a negative impact on parental behaviour and children's lives are addressed in the most recent Scottish strategy

to improve health by preventing and reducing alcohol and drug use.⁶⁹

Complex health needs

Families were also managing complex physical health issues, disabilities and/or additional needs, including chronic conditions such as diabetes, epilepsy, autism and hearing impairment. Some of the participants also spoke of the mental health needs of the children with a parent involved in the CJS. This manifested in many ways including but not restricted to behavioural problems and self-harm, which were often exacerbated by their parents' involvement with the CJS with limited support available. One father report having developed type 1 diabetes while a mother suffered from seizures and also had a hearing impairment that required her to wear hearing aids.

Families also reported the additional needs of their children. A child talked about the additional needs of her brother.

He does have a lot of behavioural issues that you can clearly see. Like, he gets angry at little things, and he's dyslexic as well, so I think he just finds

understanding quite difficult (Case 1 – young person).

A mother whose son's mental health needs required CAHMS support complained that;

We've been having a really, really hard time with him since primary one. [He] has always been a really hard child. He's got anxiety problems. He's got sensory overload. He just cannot cope with too many people around about him (Case 4 – mother).

One boy declared that he was autistic, while a girl told of her own mental health problems involving self-harm and disabling anxiety. A mother bemoaned her son's need to wear hearing aids for partial deafness which resulted in stigmatisation.

Summary

Overall, the story was one of multiple challenges and the need for significant support. A holistic family-centred approach that attends to the needs of the whole family was often called for, while the researchers and some professionals noted the need, too, for greater resilience in the light of inadequate support.

⁶⁹ Scottish Government (2018) *Improving Scotland's health. Rights, respect and recovery.* <https://www.gov.scot/binaries/content/documents/govscot/publications/publication/2018/11/rights->

[respect-recovery/documents/00543437-pdf/00543437-pdf/govscot%3Adocument](https://www.gov.scot/binaries/content/documents/govscot/publications/publication/2018/11/rights-respect-recovery/documents/00543437-pdf/00543437-pdf/govscot%3Adocument)

Changed lives: lives on hold

Families emphasised significant changes to their daily lives, relationships, roles and responsibilities. Children told of taking on new responsibilities and of their childhoods being compromised. Many families spoke of the impact of parental involvement in the criminal justice system on their familial relationships, including parental separation, disrupted relationships between child and parent involved with the CJS owing to limited contact, distance and stress, whilst for some this was the opportunity to repair relationships in the absence, for example, of domestic violence.

Disrupted lives

For some families, there was a sense that their lives were totally disrupted, having to move home, changing school, and sustaining altered caring arrangements. Many of the families told of the practical changes and disruptions to their family life, including changes to living arrangements – this caused more stress and disruption to the families as a whole and increased sense of guilt in the parent.

I had to go and live with my gran.... and after that I just kind of lived by myself (Case 1 – young person).

I moved out of the house [owing to my mother's imprisonment]. I went and stayed with my pal, because my big sister moved in and I don't like my big sister (Case 8 – young person).

Another young person had moved out and was living with her boyfriend, but she had since moved back into the family home to support her mother and younger siblings owing to her father's imprisonment. One father recounted that social services became involved because of his involvement with the criminal justice system, and so his daughter was cared for by his sister during and since his imprisonment. One mother of child participants also told of changes to living arrangements and how this resulted in further disruptions.

My kids lost their house, lost their dad, got ripped out of school (Case 12 - mother).

Families also expressed a sense of their lives being 'put on hold' and living with a sense of limbo until the case had been resolved or

sentenced finished. Even a child's birthday celebrations could not be enjoyed.

Everything's been put on hold. I got my dream job, and because my mental health was deteriorating, I said 'I don't feel as if I'm ready to go back whatsoever until all this is over with my dad and we know what's happening (Case 12 – young person).

He was the whole rock. He held everybody, and with him not being here it's been hellish. It's been absolute torture (Case 12 – young person).

I don't really want to celebrate my birthday. It feels awkward. Dad's not here and ... I've got a feeling that I shouldn't be celebrating without him (Case 13 - child with father in prison).

A father spoke with resignation of how being on bail for an extended period of time (three years) was a constant source of stress and anxiety that impacted on his ability to participate in and plan for life activities. He had become increasingly isolated due to the fear of breaching the conditions of his license'

I've appeared in court about nine times now, and I pleaded guilty a year ago, so I don't know what much more I can do. Your mind starts to have the chance to think, and you think about things and you think, and then you depress yourself, and then you get real depressed and then you try not to think it. I'm isolating myself and staying in. I used to play football. I don't do that now. No, I just stay in the house, because I know anything that happens, anything at all, it might not even be my fault, it could be somebody else who causes bother in my group, the Police turn up, 'Oh, you're on bail' (Case 6 - father).

Owing to a perceived sense of stigma, other families also described becoming increasingly isolated. A child and a mother from different families reported similar experiences.

Mum wouldn't go out. She shut herself off. She was scared to go out in case anybody says anything (Case 12 – young person).

I went for about a year, totally isolated, thinking, I don't even want to step outside that door (Case 2 – mother).

Changed roles

A common concern was that of changing family roles and responsibilities, with children absorbing some parental responsibilities. Young people often perceived a sense of having to take on more adult like roles such as caring for younger siblings, doing more household chores or absorbing emotional care for their parents. This caused additional strain and worry to the child, but also increased the sense of guilt in the parent. Whilst most children referred to these new roles with pride and were happy to be supporting their families, there was also a sense of frustration and grief for their lost childhoods. For some children there was a sense that they had had to grow up quickly, and this had changed the way they were as adults.

We're all serving a sentence too. We've been thrown into a different way of life than what we should have been (Case 10 – young person with father in prison).

Growing up, it was: you need to do [sister's] homework with her, you need to teach her this, you need to make an effort. Sometimes, I'm still a bit bitter that I didn't get to be a kid (Case 10 – young person).

I'd say a lot of things are more difficult now. Like there is no one there to pick up the slack when I can't be bothered. If I can't be bothered to make dinner, no-one else is going to make it for me. If I can't be bothered to go to school one day, there's no-one to be there and be, like, 'Oh [name], go to school!' (Case 1 – young person).

Transition experiences as children reach 18 years

There was universal criticism of the lack of transition arrangements for children as they

approached the age of 18, with common experiences of less support being received as the child became older. Major changes occurred, for example, as they became adult prison visitors. Support tended to stop - including social work, personal, transport and financial. Participants were especially adamant that a proactive approach should be adopted to prepare children for this and to ensure that they are able to continue without sudden major obstacles.

Systemic change for children

Systemic change was demanded by the families. Attitudinal change to children was needed, so that services for them would be non-judgemental, child-centred and sensitive to their innocence. It was held that the system should reach out to them even before the first visit, soon after the point of arrest, and in a personal, strengths-based approach. Fostering healthy relationships with the police, social workers, and varied officers of the criminal justice system should be an aim, with a view to providing support over the long term.

Parents thought that every child should have a plan of support, updated as time goes on. The child should feel that they have a network of support, with a key case worker. They should be enabled to cope with issues at school, at home and during visits. They complained that many families “fall under the radar” and never attract support, but that this should never be the case for children. With children having to take on new roles and tasks, care breaks and respite should be available – in the same way as is finally, though gradually, being made available for young carers.⁷⁰ Explicit acknowledgement and reward should be part of this, together with support for young people to pursue their own agendas and aspirations. Early intervention is essential to minimise potential damage. It was recognised that funding and central support was needed to make such changes possible, and that policy would need to make such changes mandatory.

⁷⁰ <https://www.nhs.uk/conditions/social-care-and-support-guide/support-and-benefits-for-carers/being-a-young-carer-your-rights/>

Secrets, honesty and communication

There was often confusion, deceit, honesty and complicity about what, how much and how to share information with children about their parents' involvement with the CJS. If not told, children found out by other means, but they thought carefully about who to tell.

Honesty as the best policy

Some families had been honest and made children aware about their parent's involvement in the criminal justice system from the beginning. When honesty had characterised the explanation, this was valued.

People were open in the first time in her life, to be honest. It just made her... it made her better (Case 11 – mother of children with father in prison).

One mother told of her child being fully aware of his father's imprisonment. Similarly, another mother had been honest with her children prior to being sentenced.

He knows everything. He knows everything from start to finish (Case 4 – mother).

I didn't lie, I said ... 'I am not guilty, so I know the verdict will be honest'. So, I don't have any fears (Case 8 – mother).

A teenage boy was fully aware of his father's court case, while a girl from another family had been made aware of her father's imprisonment. Children spoke of feeling better equipped to deal with the situation when they were more aware of what was going on.

My dad was clear with me when it happened. He would just tell me what happened ... the truth (Case 6 – young person).

I came home from school and my big sister said we need to talk and then we sat down. And she said, 'your dad's been put into jail' (Case 14 – child with father in prison).

For other families, disclosure was not a choice, and children were made aware owing to media coverage of the case and the nature of the offence.

It was in the paper, so everybody knew (Case 8 – young person).

We just got busted, drug busted. It was the worst thing ever (Case 8 – young person).

Keeping the truth from a child

Whilst some families adopted a strategy of being open and honest with their children, others aimed to conceal parents' involvement with the criminal justice system from their children. One child explained that he was told that his father was 'away working' whilst in custody. One mother reported concealing their father's imprisonment from her children in order to protect them.

He [son] did ask, he asked all the time, 'Where's my dad?' And it was the usual, 'Oh, he's working away'. It was just lies, after lies, but to protect him. It wasn't malicious (Case 10 – mother).

You kind of try and shield them from what they don't need to know (Case 4 – mother).

Some children knew that their parent was in prison but had never been given any more information or had a conversation about the situation. One young woman whose parent had served two custodial sentences had received no information at all.

I didn't get told anything. I've never been told. I don't get told by the police or anything (Case 1 – young person).

When a parent's involvement with the criminal justice system was concealed from children, they often found out themselves. One young person who was separated from their parent prior to them being sentenced to custody had found out from the local television news. The young person told us of feeling shocked and telling of how they did their own research in order to find out what had happened. 'I Googled it all and I read about everything'. They believed that the concealment had been made with good intentions but felt strongly that they should have been informed. 'Obviously, they should have told me sooner' (Case 9 – young person).

Another young man recounted how he became aware of his father's imprisonment.

I think it was when I was on the phone with my dad when I was nine, maybe. And it said this call is from a Scottish

prison. And I was just like... 'Mum, is Dad in prison?' (Case 11 - child).

For some, even though they had not been explicitly told about their parent's imprisonment, they became aware through visiting the prison.

I always think it's funny. My mum still tried to lie and keep it from me, and I was showing up to somewhere with a fence and fingerprint scanners and dogs, you know. I think all kids do know (Case 10 – young person).

Another mother had struggled to conceal their father's imprisonment from her children owing to visiting the prison.

I just said to them their daddy was at work, and I took them to the prison. But when we walked in the door it was like, 'Mum, we're in a prison. Why are we in a prison?' So, then it was that conversation had to be said (Case 4 – mother).

There were accounts of hearing informally from a grandparent or from friends: sometimes accidentally and sometimes maliciously whether the information was true or false. One family's young daughter found out about her father's imprisonment from a family member whilst the older child told of disclosure being a process.

Our wee cousin, when she was only three to four, she told [daughter] her dad was prison. 'Your dad is in the jail' (Case 10 – young person).

It was a process: the older I got, the more I found that I was trusted to be told (Case 10 – young person).

It was found that some parents would disagree between themselves on the best approach to take. One young person told of his mother aiming to conceal his father's involvement with the criminal justice system whilst father was open and honest. In such situations, the child would often be complicit in playing along with each parent's perspective in order to protect each of them individually.

Well, my mum really didn't tell me, but I already knew because my dad would tell me, obviously, because my dad and me chill (Case 4 - child).

Some families told of children asking questions to which they felt ill-equipped to respond. One young person remembered that when he asked his mother questions, she would respond; 'Ask your dad' yet when he asked his father he felt that he wasn't told *'the real story'* (Case 4 - child). The lack of information left some children feeling uncertain and confused. Despite this, some children were frightened of asking questions and seeking information as they wanted to protect their parents. One mother explained that she tried to support her son to find answers to his questions because of his reluctance to speak to his father about the situation.

He [son] was asking me, and I'd say to him, 'I don't know. The best person you could ask is your dad.' But he felt as if he asked his dad then he would make him feel guilty or put him in a position that he did not like (Case 4 – mother).

Although seeking varying degrees of detail, most young people preferred to hear the facts. One young person with a father in prison (Case 10) expressed that *'I think that we're lied to so much'*. Most wanted to receive information of the situation from their parents. However, parents often expressed a sense of being overwhelmed with how to approach speaking to their children about this.

I was just kind of 'how do I do this? I cannot do this to them, I cannot do it to them' ..., They're so worked up in their own emotions, you're like where...where do you start? (Case 4 – mother).

Voluntary organisations such as Families Outside were highlighted as being especially supportive in helping parents to speak to their children about such situations. Some parents also expressed a lack of support from professionals in how to go about explaining details to their children. One father who had served a custodial sentence remembered receiving conflicting advice.

One of the social workers that was involved, she stopped me and said: 'You can't lie to the wain'. I said: 'I cannot tell her, except only tell her the truth'. And the other social worker said: 'No, I disagree'. And they started disagreeing with each other (Case 5 – father).

Secrets and disclosure

Children and wider families often do not tell anyone else about their situations. Many children had concealed their parent's involvement with the criminal justice system from others.

I don't tell anyone... I just think it's my business (Case 4 - child).

I didn't tell anybody (Case 5 - child).

Especially in primary school and the start of high school, I wouldn't tell anyone (Case 10 – young person).

One mother also explained that she knew of other families who insisted that their children must conceal their parent's involvement with the criminal justice system, warning them...

You're not allowed to tell anybody your dad's in there: do not dare tell the school! (Case 10 – mother).

Whilst some children told of not wanting others to know because of a perceived sense of shame, some referred to not speaking to anyone about the situation in order to avoid having to think about it. When children disclosed information to others, they thought carefully about who to tell.

Close friends knew. But I wouldn't talk about it, because for me at the time, if I spoke about it, it was real (Case 10 – young person).

I just told my cousin, that was it, because I tell him everything (Case 6 – young person).

Often, young people felt themselves to have no-one to talk to who would understand. Peers at school might be thought to come from a different sort of family (with “*really good jobs, living in a really nice area*”). Consequently, perhaps only one or two especially close and trusted friends would be told, and often then only with limited detail. Divulging the existence of a CJS connection could easily lead to bullying and threats of violence. Even trusted friends might not be told about the criminal justice issues. To maintain the secrecy of the situation, friends would not be invited to visit the house, and this would risk the loss of friendships. That it was better to keep the matter secret and tell no-one was the conclusion arrived in several cases. Most children and young people had no outlet and no-one to trust. They bore the burden in silence.

I don't talk about it... I didn't tell anybody. It's the best way of dealing with it (Case 5 – child).

One good adult

For several of the children and young people, a trusted teacher or other member of staff at school was an important outlet - someone who would understand, recognise that the child was not the guilty party, would listen and then try to smooth the way for the young person. Again, a careful process of vetting and selection might be entailed before disclosure would be made. Experiences of expressions of support that were not matched by action were recounted as well as resounding successes.

Support for the supporters

No-one to talk to

Perhaps the most vociferously argued issue by parents was the almost complete lack of support for those who supported the children and young people affected by having a parent involved in the criminal justice system. This was clear during interviews but was made most starkly obvious during the free-roaming family-led discussion in the mobile research laboratory at the families' event.

A general undercurrent of the discussions was that there was no outlet for parents who, despite their own difficulties, were, of necessity, the main and sometimes sole source of support for the children. In the open discussion at the families' event, mothers insisted that nobody was listening to them. One participant stated that the interview for the research had been the first time that she felt that she had been listened to and she spoke of the need of other women in her situation.

I see these women and families who are just passing at visits. Everybody's feeling the same way. They're dying for somebody to talk to, but there's nobody there.

They need somebody in there who can identify that person, know that she needs help, look her in the eye and say 'I've been where you are and so have my kids' (Case 10 – mother).

One older step-daughter observed that the family received no support when the imprisoned father lost his appeal against his sentence for a sex offence. She contrasted the support received by children who have been abused to the lack of support provided to children of a sex offender to cope with the trauma they have suffered.

We got nothing. We got absolutely nothing. We have just each other. 'Deal with it, your man's a paedo. Deal with it. Your dad's a paedo.' (Case 12 – young person).

There was a general theme about support not being offered if a parent appeared to be coping. This mirrored what some young people said about lack of support in school when the assumption was made that no help was needed.

Distrust of statutory services and the value of non-statutory agencies

Families often felt angry with statutory professionals such as social workers and police officers, and they were reluctant to seek help from them.

I don't want to rely on anybody, because I know what happens (Case 2 – mother).

Social workers were considered to be a poor source of support by one father as *'they only think the worst'*. Even a visitor support group in a prison did not feel accessible and the staff uniform made them appear similar to prison staff rather than being independent from them. (The independent support providers at the prison did not wear uniforms, and families may have confused them with the prison's family contact officers.)

The criticism of statutory support was contrasted by positivity about non-statutory services which offered practical, non-judgemental support. "Blether groups" and specific organisations focused on supporting families of prisoners such as Families Outside were often cited, and their workers were highly valued as much because they made no judgements as for the practical support that was offered.

Sometimes when she [support worker] comes in I just burst out crying. Just to have that support there and, do you know what, I can tell her anything, do you know what I mean? (Case 4 – mother).

For some parents the support that they sought related more to direct, professional help for their children's needs. Stepping Stones was an example of what was seen as a crucial source of non-statutory support with children's behaviour and moods.

The key role of supporting parents in helping their own children

Once a parent became involved in the criminal justice system, the remaining parent would usually become the primary and sometimes sole source of support for others in the family. Having to be both parents to their children and the lack of support in doing this were serious problems for parents who thought that they could be helped to be more effective.

Imprisoned parents were missed for specific reasons such as explaining puberty to their son. There was recognition that sometimes children would open up more about their feelings to others beyond the family such as NGO workers or school mentors, and this support was highly valued. This availability of support for children through their difficulties was one means of offering support for their supporters, too. It helped parents to cope with their increased responsibilities. Better opportunities for meaningful contact in prison visits would support families to cope. Parents suggested, for example, that private rooms might be made available for visits if bad news needed to be shared, and mobile phones might be allowed in airplane mode so that pictures of recent activities could be shared on visits. Given the risk to security of mobile phones in prison, other cheap technology which is not Wi-Fi enabled could be used to achieve this.

Peer support as an untapped resource

Families wanted peer-led support by those with the same lived experience. They also called for services to be developed by those with lived experience, based on existing

strengths of families. There was a suggestion that mindfulness training would be useful to assist parents to remain positive and to be more able to support their children. Carers thought that an offer of support when a parent was already in prison was too late. They wanted earlier support from the time of arrest as well as support during court proceedings.

There were heated feelings that the potential for support for families by other families was not being exploited. With a little resource to enable networking and communication, a great deal could be achieved in supporting children (and parents) who are struggling, with the support available from others who truly understand the experience and the problems that are being faced. Without becoming another centrally-organised and controlled initiative, it was put forward that a family forum which would facilitate local connections and advise families new to involvement with the criminal justice system could be especially effective. This should be service-user led, supported by professional services, and should include the means of signposting to local support.

School as support

Participants experienced varied support from schools. For some children and young people, it was a horrendous part of their already challenging life, but there were also some good examples of discreet support from heads of school and pastoral care. Schools could be both a haven and a place where bullying occurred. Children suffered from stigmatisation, felt exposed and vulnerable, and so determined that the best course was to keep the matter of their parent's trouble secret. One participant recounted her experience at school.

I remember I went into school and everybody already knew without me saying. My carer felt I was going to hit the teacher and said, 'You'd better fucking look after her, her mum's in jail' and all that. And the whole school knew, and I started to get bullied because my mum was in jail, and I was the only person out of the whole school whose mum was in prison. And I was only the young person in the whole school that was in care. So, it was pure painful, but that's when I started not going to school (Case 9 - Child).

Other children, by contrast, did not know how to articulate the fact they had an imprisoned parent, and so they kept the whole matter secret.

Being alone with a secret

Accounts of varied support from school were offered in different cases. Since some young people appeared not to have any particular problems, schools did not ask what support they needed or notice that they were under pressure. One girl at school in an affluent area reported that the school had failed to recognise the difficulty that she was in. Her situation felt worse as she was surrounded by peers who were apparently without any such issues in their lives, yet she did not feel able to alert the school staff to her problems. She felt that she was penalised for coping.

I don't think they have dealt with something like that [parental imprisonment] before so they don't understand. I was breaking down every day and, like, couldn't talk to people. I just secluded myself in a room. Then I'd be seen as a problem, and they'd be like 'Oh my god,

something's wrong'. But because I get up every day and I go to school, and I do well in school and I have hope for the future, they are, like, 'Oh, she's fine' (Case 1 – child).

The same teenager went on to report further similar experiences.

A good few times teachers get me into trouble for the smallest thing and I would literally just burst out in tears and I'd have to leave the class because I couldn't cope with the fact that they were telling me I was doing something wrong at that point. But obviously they didn't understand that it wasn't just that, it was everything else.

There was one time that I was crying my eyes out in front of one of the pastoral teachers, and he literally just sat there and waited for me to stop crying.

Young people reported feeling safer with a small group of friends at school. One commented that only his head teacher knew about the issues, and he wanted to keep it that way as it was his own business and he did not want the whole school to know. He referred to everyone else at the school as 'nosey people' (Case 4 – child). Over time, he explained, he had learned how to keep his situation secret at school.

Practical problems

Children wanted more recognition of how the standards of their behaviour and school work might fall as a result of their parent being involved with the criminal justice system, and for this not to be construed simply as wilful bad behaviour. The level of disruption in their lives and the consequent impact on school attainment was felt not to be understood by many teachers. This was seen to link to teachers needing to be aware of the problem without unnecessary dissemination of personal information more widely. Young people wanted more allowance to be made in examinations for those affected by parental imprisonment. One young person felt particularly strongly that the system did not cater for young people sitting examinations with on-going difficult life circumstances.

[They don't understand about people] *who've just been going through shit the whole year. It's only people who were ill on the day who got helped* (Case 1 – young person).

In this case the student eventually received help to have her grades increased to take account of her extreme life situation. There were other circumstances that posed challenges to students. For example, there was a plea for school teachers to be more sensitive around events such as making cards for Father's Day and Mother's Day.

Other problems further disrupted school attendance. Families could get transport help to prison visits only during the day, requiring the missing of a whole school day if children were to visit. Court cases might be adjourned multiple times, and some children reported missing school every time the parent went to court. Even if the pastoral care offered by the school was outstanding, there could still be too much distraction to concentrate on school work.

I wasn't even being bad ... just too busy thinking about what was going on (Case 6 – young person).

Another good adult

Choosing someone to trust was a difficult matter for children and young people. They seemed to be clear on the potential impact either of initiating discussion with the right person or of divulging personal and potentially damaging information to the wrong person. They sought a special person of their own choice: a champion to sort problems out without everyone needing to know everything about the case. They needed an easily accessible, sensitive and discrete route to mentoring and other support. Pastoral support that was routinely available could be polluted by being linked to poor behaviour, so it was not usually accessed for emotional support. It was too 'scary'.

When the desired confidential relationship could be achieved positive outcomes resulted. Accounts were offered of effective school support, for example a head teacher putting the child in touch with an external mentoring service. The results were the establishing of new friendships, improved behaviour, and less involvement in fighting. However, the effects of the offence rippled out into her school to the point she had to use a separate entrance to

other pupils. The school was clearly being supportive, but it provided no sanctuary. Police and school did not communicate well in the face of these difficulties. In another case the headteacher spoke on behalf of a family in court, a move which was sincerely appreciated and which probably impacted positively on outcomes for the family.

School as a positive space for hope and aspiration

Schools were also identified as a positive space for children, somewhere to escape from the more challenging aspects of life, where they could maintain a positive sense of identity and achievement, and which could provide them with hope and aspiration. It was, for some, the one thing that was right.

I'm, like, the second smartest in my school (Case 4 – child).

And then for my Highers, which are really important, like get you into uni grades, I got two As and three Bs... I'm applying for medicine this year (Case 1 – young person).

The students sought positive support and stability. They wanted to be able to be themselves and not labelled by their parent's sentence. Stigma and labelling were unrelenting problems. There were heartening stories, too. One young man reduced his class to tears when he told them about his father being in prison. This included even those who had bullied him previously, and this spurred him on to help other children with parents in prison.

Solutions: proactive, sensitive staff; training and awareness-raising

Parents felt that a significant part of the solution to the problems encountered would be training and awareness-raising among school staff and even whole communities in order to ameliorate the experience for children at school. They expected school staff to be proactive in seeking to support students who could be in need even if this was not expressed explicitly. Given that a wide variety of staff members might be the one chosen by children to whom to divulge their concerns, the training needed to be school-wide in nature. Schools could also be tied in more effectively to multi-agency networks so that families could have school support as part of a broader network of support.

Children and young people sought mostly a sensitive, thoughtful and confidential approach from teachers, being able to choose a key person to champion their case with other

staff, and having reasonable adjustments made to allow for their heightened levels of stress and distraction.

Humanising the Criminal Justice System

Community, Injustice and Re-victimisation

For some families, the nature of the parent's offence contributed to stigma, bullying, victimisation and isolation. Families expressed concerns for their safety and expressed a wish for more protection. In other cases, ongoing disputes within the local community produced similar concerns for safety and resulted in disruption to living arrangements and children's relationships with peers. Families felt vulnerable and reported experiences of stigma, bullying and victimisation by CJS agencies and the community.

I'm scared for my mum when she gets out. A lot of people are after her for what she has done. She plans to move away when she gets out, leaving me back here as usual (Case 9 – child).

Mum got shouted at in the street. [Brother] was spat on and chased: "Your dad's a rapist!" We have no protection (Case 12 – young person).

Some families had a long history of contact with the police due to a series of previous accusations or repeated victimisation experiences. When contact was frequent and on-going, families reported a sense that they were being unfairly targeted or were trapped in a never-ending cycle. Some expressed dissatisfaction with the handling of inquiries, and others commented on the impact of regular searches on their reputation and psychological wellbeing.

It just felt as if it kept repeating itself. As soon as you start to get better, the police would be there at your back door again. The police were not hearing our side of the story. I felt intimidated, as if I'd done something wrong (Case 3 – child).

It's pure embarrassing. I hate it. I'm out with my work, I'm training to be a youth worker, and the wee ones are looking across, and I'm supposed to be a role model, and I'm getting shoes and that took off me (Case 8 – child).

Police & Arrest

Children who witnessed the arrest of their parent(s) reported the experience to be shocking and frightening, and concerns were raised about lack of communication and

childcare arrangements whilst parents were detained in police custody.

I hate going to sleep now, because as soon as you hear a noise you think that somebody's going to batter your door in (Case 8 – child).

In the case of one young person, the police had attended a series of domestic abuse incidents between her mother and her partners. She felt that the police had dismissed the incidents as trivial and had failed to recognise the seriousness of the situation.

They'd been all like 'Oh, it's just a domestic abuse thing'. They were just like 'Oh, I remember coming out to this house before' (Case 1 – child).

Other families also expressed opinions that the police had failed to connect information or had neglected to make appropriate referrals to other agencies.

They don't take the whole picture into a part of the jigsaw. They never passed them on for putting social work in to see if there is any support they need. They never notified the school of any of this, and yet the community cop has a meeting here once a month (Case 2 – mother).

These families commonly reported a lack of trust in the police.

I don't trust them. I wouldn't phone them if I did have a problem. I wouldn't personally, and I've always told my mum I wouldn't. But obviously there's stuff that needs to be done, but it's not... You can't just ignore it. Say if the window gets smashed or the motor gets smashed up, you have to phone the police to report it so it gets fixed. But I just don't see the point in phoning them any more (Case 3 – child).

In other families, parents had been arrested for the first time, and this was accompanied by feelings of shock and disbelief. Some children and young people were able to recall one or both of their parents being arrested, but others had more blurred recollections, and there was some suggestion that they might have blocked the experience from their memory.

I remember the day before, the day after, everything else ... all I can remember is looking out the window because I heard people shouting and stuff. When people tell me what happened, I kind of get that, but I just completely don't have a clue what I've seen because I just completely forgot about it (Case 10 – young person).

Arrests often occurred in the early hours of the morning whilst families were either asleep or getting ready for school and work. The circumstances surrounding the arrest were usually chaotic, and children experienced a combination of panic and worry about what was happening to their parent.

I didn't know what it was. It was just a big bang, and I heard the door and people screaming.

We were up in our beds... and we heard my mum screaming and panicking. I come rushing down the stairs, thinking my mum's fell down the stairs. And I come running down and I go, 'Mum, what's wrong? What's wrong?' And I just see these two women and I go, 'Pardon my cheek, but who are you?' And Mum says, 'They're social workers'. I said, 'What's happened? Where's Dad? What's wrong with Dad? Is he hurt?' And then I just panicked and I started running up the stairs (Case 13 – child).

[Daughter] relates handcuffs to prison, because you don't go in the street, so she thought I was going to prison. And I kept saying it is fine, don't worry about it, I told you it will be OK (Case 2 – mother).

For some of these families, the close proximity of family and friends meant that alternative childcare could be arranged quickly and children did not need to witness the situation unfold. However, this provided little opportunity for proper explanation, and some children reported difficulties absorbing the information provided. Another child remained in the home with her older sibling but expressed regret that she had overheard distressing information during the arrest.

I didn't really pay attention to what they were saying. (Young person at an event)

Parents who were arrested over the weekend or the Christmas period indicated that they were detained in police custody for an extended period until bail could be granted, thus necessitating alternative childcare over a number of days. Parents described feelings of shame and embarrassment at their arrest of their children's parent, but their main concern was for the welfare of their children.

I felt like a bad person, a bad mother (Case 11 – mother).

I felt as if people looked at me like a criminal (Case 2 – mother).

But I wasn't worried about my partner, not in a bad way, it was just my son was my priority (Case 10 – mother).

Families also expressed worries about the wellbeing of the parent held in police custody. This was particularly acute in one case in which the father had a serious medical condition but was reportedly denied contact with his family due to the domestic nature of the offence.

In a different case, the mother was arrested alongside her teenage daughters. The police response was perceived to be out of proportion to the situation, and both the mother and one of the children described their horror of the intrusive searches.

There was about 25 police in my house - all for just three women (Case 8 – mother).

And they were just picking all the clothes up from the wardrobe and just throwing them around. It was like a bombsite. It was horrible (Case 8 – young person).

The mother also expressed feelings of regret that she had been unable to protect her children. However, the family reported that they had not been permitted contact with each other during their time in custody, which did little to alleviate concerns about one another's welfare.

I just hated it. I couldn't shelter them from it. I've sheltered them all their life (Case 8 – mother).

Bail, Courts & Sentencing

When parents were bailed pending court hearings, families described their lives as being in limbo, and reported feelings of worry and uncertainty regarding the future. The

period immediately preceding court appearances was a time of increased tension and stress, which could impact negatively on family relationships. Although some family members preferred not to attend court to avoid the emotional turmoil, for those who did, hearing the evidence and witnessing their parent being sentenced was an incredibly distressing experience. Some reported a sense of vulnerability at the court and expressed concerns that relatives of the accused received comparatively less compassion and support than victims and their relatives.

At the time of the interviews, one father had been on bail for almost three years and described this as “*a sentence in itself*” (Case 6 – father). He estimated that during this time he had attended court on nine separate occasions, only for the trial to be further postponed. A number of factors were perceived to contribute to these delays including evidential delays, inconsistent pleas between co-defendants, and lack of communication between agencies. For this family, life was described as being on hold, and there was a great deal of uncertainty regarding the future. The father reported “*I can't plan anything*” (for example, family holidays), and explained how his situation hindered attempts to seek employment.

How can I go take a job and say I need to get away to go to court every three weeks? (Case 6 – father).

Both father and son longed for a conclusion to the case so that they could move forward with their lives. However, the father was sceptical that this would be achieved soon and expressed a sense of helplessness about bringing closure to the situation.

It's not done yet. It's just still there. I just want to get this out of the way so I know if you're going to be alright or not (Case 6 - child).

The father also expressed worries about the consequences of getting into trouble whilst on bail, and he described “*isolating*” himself to avoid precarious situations. This had a negative impact on his lifestyle and self-esteem. Periods of inactivity also allowed the opportunity to dwell on the present situation and to worry about the potential outcomes of the case, including the consequences for the family if he was sentenced to prison.

I used to go and play five-a-side on a Friday. I don't do that now. So, I feel like a fat, lazy alcoholic guy who never goes out of the house.

This has hung over my head and hung over his head. My mam's got Parkinson's, and I'm going, 'Right, if I get jail, what happens to my house?' Because they can take my house. My son was only 14 at the time this started, so he wouldn't have been able to keep the house. My ma wouldn't be able to watch over him, so who's going to do it? My sister works, she's got two wee ones.

For this family, the period immediately preceding court appearances was a time of increased stress and tensions, and this impacted adversely on the relationships between father and son.

I'm at court next week, so I start taking it out on everybody round about me.

The family also recalled saying goodbye on multiple occasions, causing the son repeated emotional turmoil.

It's been quite bad on him, because he sees it every time. The time comes when I'm due in court that day: he doesn't want to go to school in case I'm not here when he comes home. Then he'd be greeting in the morning, and you're waiting to go to court, and then as soon as I come out of court, I tell him 'It's not going to be done today, I'm not going to be sentenced'. So, this has been going on for three years, tormenting him, wondering when Dad goes to court, is he coming back?

In a case with two children, both parents were charged at the same time, and the mother described feeling pressured to enter a guilty plea in exchange for her charges being dropped. She explained how this was a very difficult decision as it meant admitting to an offence that she had not committed and providing evidence against her partner in exchange for being able to remain at home to care for her children.

They said to me 'Listen, you can walk away from here today if you say that your partner set out to do what he done'. And I said 'But he didn't, that's lying. That means [my partner] will probably get twenty-odd years'. I said

'Listen, if it comes to a choice between my children and him, of course it's my children every time'. It went on for days and days, and she was hammering me and stuff. And I was like, 'I can't plead guilty, that's the rest of my life saying that I actually physically done something to somebody'. My hands were tied. I was forced to go in and plead guilty to this crime, on my children's lives, that I never done (Case 10 – mother).

Most parents told of not wanting their children to attend court in order to protect them from the distress of witnessing their parent being sentenced.

He'd have a nervous breakdown in the courtroom. And I'd see that and I'd crack up (Case 6 – father).

However, for those who did, this was a particularly traumatic experience.

I was adamant we're getting him back, we're getting him back. All I heard was [the victim's family] screaming and moaning and cheering and everything. Basically, having a party. And I just seeing him going down those stairs... I've been through a lot myself, I've been through a miscarriage, I've lost all my family apart from my mum, but I'll never forget the feeling of just watching him go down those stairs. And he's telling me keep my chin up (Case 12 – young person).

Some families described feeling vulnerable and expressed concerns that the courts offered insufficient compassion and protection to the family of the accused. In light of this, families recommended that offenders' relatives should be offered similar assistance to victims and their families.

We're sitting out here in the corridor and the victim's family are parading up and down, and they have these secure rooms, but they're out here giving us all of this, and we're just sitting here (Case 12 – mother).

My mum was shivering to walk, she actually found out before, because friends of the victim's family shouted 'We got that paedo. He got two years. We got that paedo'. So, she heard before I even had the chance to get hold of her and say 'look, this is the

thing'. So, I got a hold of her, I told her, and then we just sat there in silence (Case 12 – young person).

Families expressed a wide range of reactions to the sentences awarded. For some, the verdict was met with feelings of shock and disbelief. Others reported feelings of anger and injustice, particularly when they thought that the sentence was out of proportion to the offence or when they believed the wrong verdict had been reached.

They said they'd need to use her as an example (Case 8 – young person).

It's like a big joke. I'm still waiting for Ashton Kutcher to jump out and go 'you've been bumped'. I've lost all faith in the justice system. It's like that whole innocent until proven guilty, not so, if you're accused of something, you're guilty. An innocent man getting taken away from his family. And for him to get taken away, and then for the appeal to get rejected and nobody listens to us. It's like we fight and we say 'he never done it' but nobody listens (Case 12 – young person).

The family in another case criticised the judge for not taking into consideration their mother's caregiving responsibilities when awarding a custodial sentence. In other cases, however, it was felt that childcare responsibilities were inappropriately used as mitigating circumstances despite a history of neglect.

Yeah, but when she was coming out she wasn't looking after those children. But her lawyer was playing that as her defence: 'Oh, she'll need to be out because she has children to look after'. And I don't think he ever mentioned the ages of the children and the fact that they'd lived without their mum before, but that's what he tried to use each time, and each time it worked. 'Cause she never got a sentence: she'd just be let off (Case 1 – young person).

Families also expressed a wish for more information following sentencing, particularly regarding opportunities for contact with parents awarded custodial sentences.

Families need to get told what's going to happen. We didn't have a clue when my dad was going to phone, or what's going to happen. I just got told there's a phone call, basically. We're standing

in the dark going what the hell? It doesn't matter how many times you've been through it with your brother, your male relative, you should always get told. Remember the process, remember how it goes and break it down (Case 12 – young person).

Prison Sentence

Visits

Families reported mixed experiences of prison visits. For some children and young people, visits were a particularly important and valued opportunity for contact with their imprisoned parent. Even so, excitement at the prospect of seeing their parent had to be balanced against feelings of fear and discomfort elicited by the prison environment.

Because they're horrible: it's brilliant seeing them, actually just seeing them, but it's like the vibes in the room are depressing. It's upsetting and not nice (Case 12 – young person).

They are destroying the whole emotion of looking forward to seeing your parent, because you are so looking forward to seeing this person, but you know what's coming when you get to the prison and it's just, I don't want to be here. And it's terrible (Case 11 – mother).

I've seen other people in that visiting room getting angry with each other. I've been to one normal visit and it scared the living shit out of me, and I'm not someone who gets scared easily. It's the simple fact that they're all in a room, and you don't know what they're in for (Case 9 – young person).

Often, one of the most distressing aspects of a visit was saying goodbye and the accompanying sense that they were leaving their parent behind. For some children, this could overshadow an otherwise positive visit and discourage them from returning. There was also evidence that some children struggled to cope with their emotions following a visit.

I don't really like them, they're horrible. It's horrible to see him turning the corner, that final bye (Case 12 – young person).

And when we're told, 'Right, time's up guys', I just don't want to let go of my dad. And I'm saying 'Can you not just

ignore them and come out with us?' When I go and visit my dad after that, I just don't feel like talking to him. My Mum asks me, 'How was the visit?' and I just put my head down and don't talk to anybody. I just sit there in the back of the bus. If I'm lucky enough, I have headphones with me, and I'll plug my headphones in my phone and just listen to my music (Case 13 – child).

Other young people, including those who had troubled relationships with their parent or had spent most of their childhood in Local Authority care, reported altogether less positive experiences of visiting.

The way my mum acted, it was as if she didn't care, she was not sorry she was in there. It was like it was one big joke to her, sort of thing (Case 9 – young person).

At times [young person] has walked out the visiting room. She has been really distressed on the way back in the car, and do you know, even just taking her for a cup of tea or a wee trip to McDonald's just to calm her down before taking her back has helped. If she was on her own, what would she do? You know: would she have self-harmed, would she have went and potentially used alcohol or something else? (Case 9 - Professional).

The first ever visit to prison could be a particularly daunting experience, especially when relationships between children and their imprisoned parent were fractured. Some children managed to adjust to the situation over time, but others were less able to do so, and visited less frequently as a consequence.

They go OK now because I'm more used to it, but at first, it was quite sad (Case 4 – child).

At that point Mum was in Prison, and it was a really daunting experience for [young person]. One, because she'd never been in a prison before. Two, because she had not seen her mum for a long, long time. And I think it was quite a daunting experience for Mum as well, to be honest (Case 9 - professional).

Some kids can't cope with the visits, which makes it a lot harder because they would love to see their dad every

single day. He cannot cope, full stop. He can't cope with going to the family visits because there's so many people. The last time we went he kind of flipped off (Case 4 – mother).

It was evident that some young people would require on-going support if they were to continue accessing visits.

I think she'd had maybe two contacts last year, and they were facilitated by staff from [a support centre]. But what's happening now is that she's absolutely desperate to see her mum. She's 18 now so she can do that by herself, but she will always kind of need support with that. To be honest, I think she would be really quite intimidated going up there herself and having time with her mum on her own because she's never done it before, and she is still looking for support to do that (Case 9 - professional).

Even some families that had enjoyed positive relationships prior to prison reported that they would benefit from help to facilitate visits.

It feels as if we've not got a relationship anymore, do you know what I mean? It's like obviously we were together every single day, kind of thing, when we had the kids. But then he's gone in there, and it's like he does not want visits. He cannot cope with us. He does not want it. But then, see, if [imprisoned father] finds out about the visits, he'll cancel them, so I think there needs to be work done on his end as well so that it doesn't affect the kids here (Case 4 – mother).

One of the most frequently raised issues was a lack of privacy on 'normal' visits. This was partly due to the close proximity of other prisoners and their families, but also a sense that they were being closely observed by the officers. This meant that the visiting environment was tense and communication between prisoners and their families was "awkward". The desire for privacy was particularly acute when upsetting news needed to be shared.

You're sitting like a statue (Case 8 - mother).

But the visits are just horrible, because they're so cramped and you don't want to talk about things. When I went

through that miscarriage, my dad was distraught, he was absolutely distraught he was not here. And on that visit, I felt as if they were extra close, because I had people there. I do believe when something goes wrong, or something happens, you should have a wee private room just to go in. You should have space (Case 12 – young person).

Families also expressed dissatisfaction with rules limiting physical contact on 'normal' visits. These restrictions could be particularly difficult for younger children to comprehend, and even some parents struggled to see the logic.

There's got to be twenty screws to a room around them, staring at them, making sure you're not touching. But how's that right? Because my wee niece going to visit my mum, which is her granny, and she goes up to visit my mum and she's not even allowed to touch my mum. She's allowed to get a hug and then she gets a hug when she leaves. That's not right (Case 9 – young person).

I think, especially enhanced prisoners, if they're trusted enough to be let out in the community and whatever, why are they not trusted enough to have peace and quiet at a visit with their families? (Case 10 – mother).

Although some prisons provided play areas for younger children, these were not accessible to imprisoned parents on 'normal' visits, and thus opportunity for interaction between parent and child was limited.

You actually go into a visit room and just sit, and I cannot move with her, so it was a bit awkward with her because she was just coming up for three at the time. She wants to run about and go and play with stuff, and she's asking me to go with her but I can't (Parent at an event).

Older children and teenagers reported that few (if any) activities were provided for their age group. In the absence of meaningful activities, families reported that there was little alternative but to sit and chat. Families indicated that this was not typical of everyday parent-child interactions, and it could be difficult to maintain conversation for the

duration of visits. Some parents highlighted that this unnatural style of engagement was not conducive to maintaining or strengthening bonds, and expressed frustrations that their children were denied the opportunity to build a relationship with their imprisoned parent.

To be honest, sitting at a school table with four people staring at each other, what are you going to talk about? You are sitting there and you are thinking, I spoke to you on the phone last night, you don't have that sort of conversation at home (Case 11 - child).

[Child name] hasn't had the relationship with her dad. See her dad is a hands-on, bubbly type of dad that plays with them. He throws them a bit and goes and plays outside with them, and things like that, but she's not had that (Case 4 – mother).

Some young people expressed a wish for opportunities to spend time outside, play football or watch films with their imprisoned parent, highlighting that this would give a sense of “normality” and “break the atmosphere”. In addition, the opportunity to bring photographs, drawings or certificates to visits was suggested as a means of sharing interests and achievements, and also a way to allow the parent to maintain a degree of involvement in family life.

Just because they've been flung inside doesn't mean that the world stops (Case 12 – young person).

It was clear that so-called *bonding, private, children's, or soft-play* visits were preferable to 'normal' visits as they afforded extra privacy and there were fewer restrictions on physical interaction. For one young person, these visits provided an important opportunity to build positive relationships in a way that would not be possible on 'normal' visits.

It's the wee things that count. People always say it's the big things, but it's not, honestly. I've been in care for fifteen years now and when I went to visit my mum, she was sitting plaiting my hair, and that's one thing my mum had never done, ever. So that meant so much to me, and my mum actually just giving me hugs the whole time through the visit, just sitting there hugging me and telling me daft stories about what I did when I was wee.

Because there was good memories, but obviously I don't remember them. All I remember is the bad shit (Case 9 – young person).

However, these types of visits were reportedly unavailable in some prisons, and were often limited to sentenced prisoners and certain age groups of children. There was also some suggestion that these special visits were offered inconsistently, with trusted prisoners and those on parenting courses receiving preferential treatment.

I know [named prison] is 0-5 years, like the play visits and stuff, and then after that they're just in limbo. She used to love those. That was her weekly day out, going to play at the soft play area and run about with her dad. And then it just stopped (Case 11 – mother).

They pick and choose who should get to have the child visit room. Passmen work predominantly for the officers, and their names will go to the top of the list. I don't think that's fair (Mother at an event).

Some families perceived prison staff to be unfriendly and expressed a wish for more compassionate treatment.

It was bad. Because I didn't even have an in-date passport, and getting into the prison, I was questioned. And they were so judgemental, the people that worked there, at the front desk of the prison, and they were just quite arsey (Case 1 – young person).

Even when you are going in, I have noticed it as well. We are treated more like a prisoner than the actual prisoners are. Like walking in, most of them speak to you like, your name gets shouted and you are told to queue, all orderly. And I'm like, I didn't even do the fricking crime, mate. Why am I getting shouted at? (Case 10 – young person).

Some families also described the searches at visits as being degrading and embarrassing, and they expressed a wish for more privacy. There was also some suggestion that under-16s were being searched inappropriately, but families reported that they were too afraid to speak out for fear of their visit being refused.

She [daughter] stood embarrassed. Her eyes were all filling up. She was red. It wouldn't take much to put a wee screen around. You don't see that. If somebody's patting you down like that, your kids know you're not in the airport. You're in a prison. It's degrading, it's embarrassing and it's... You just feel so rotten (Case 11 – mother).

They know I am not old enough to be searched, but they would be, like, open your mouth and empty your pockets. It's a bit shit, but we have to do it (Case 11 - child).

A number of practical obstacles to arranging visits were highlighted by families. For some children, it could be difficult to find a suitable adult relative or available professional to accompany them to visits.

If I want to go and visit, how am I going to get there? What worker has time to take me? (Case 9 – young person).

Other challenges included difficulties associated with booking visits, and visiting times that did not coincide with family routines and school.

Sometimes you can't get them on the reception desk. You need to leave a message. They maybe don't phone back for a few days. At that point you're kind of like, 'OK, I need to know what's happening here to make arrangements to get to prison'. There's also been an occasion where I have emailed the social work department within the prison and stated, 'I can't get through on the phone, this is when we're looking to book a visit for this day, can this be facilitated?' And they've gotten back to me and said, 'Yes,' and when I took [young person] up to the prison they were, like, 'We're not expecting you' (Case 9 - professional).

It isn't ideal because visits are five to seven, so by the time you're getting home it's late. My kids are usually in their bed for six. [Child's] routine goes out the window then, [Child's] upside down, you're life's upside down. Just now, we're getting a visit every four weeks. They're at half ten in the morning, which means you're taking kids out of school, but if we don't go for

the visits they don't get to see their dad (Case 4 – mother).

Phone Contact

Phone calls were an important source of contact between visits, but families expressed dissatisfaction that the timing of calls was determined by the prison regime and this did not necessarily coincide with times of need. The possibility that calls would be listened to produced reluctance to discuss sensitive or personal issues.

Some families received regular telephone calls from their imprisoned parent, and these were reported to be a valuable source of contact in-between visits. Phone calls were also thought to be a useful method of re-establishing bonds with estranged parents before “*throwing a young person straight into prison visits*” (Professional). Even so, telephone calls could be upsetting, and some families reported that conversations were difficult to sustain, especially for younger children. Families discussed strategies could help to overcome some of these challenges.

And when we get a phone call off him I'm like, 'Hi Dad!' and then my voice is half breaking. 'What's wrong?' he says. 'I've got the cold'. And he goes, 'You've got the cold again?' and I say, 'Aye, I've got the cold, I've been walking about with no jacket' (Case 13 – child).

The good thing about it is he phones every day, continuously phones, but it's not the same. They've not got that relationship. But [name of child] sits and reads him stories and sings him songs, and tells him everything about school and things like that (Case 4 – mother).

Other children reported less frequent telephone contact, including one who indicated that she had not spoken to her mother in nearly six weeks. Another expressed a longing for more regular contact, and the accompanying professional suggested that there needs to be a system whereby families are able to initiate telephone contact (rather than waiting for their imprisoned parent to phone them).

Of course, I would love to speak to my mum, even if it was for five minutes, just to appreciate that five minutes of telling my mum that I'm doing alright, that she will be alright and that we love

each other. That's all I would want (Case 9 – young person).

She's spoken to her a few times on the phone and she's kind of continually making excuses that she's not been well enough. [Young person] has been writing to her mum recently and she's not getting any response from her. It's quite sad. I think mum only gets one phone call a week, and if she needs to use that on something else, she's not going to be able to speak to her daughter (Case 9 - professional).

Families also highlighted that the timing of phone calls was determined by the prison regime. This was not necessarily convenient for families' routines and meant that children were unable to speak to their imprisoned parent spontaneously at times of need, for example, when upset.

She always missed it, and if I phoned in the morning she would say it's time for school (Case 8 – mother).

Even so, family members were particularly conscious that telephone calls might be listened to, and as with the visits, expressed dissatisfaction with the lack of privacy. For some children and young people, this meant that they were hesitant to discuss more sensitive issues.

You can never really talk, you can never really have a private conversation. It's like a lack of trust because you don't know what to say because you don't know who's hearing your conversation (Case 9 – young person).

He came out of school last year and he's, like, 'Mum, I have to ask you about puberty'. And I'm like, 'Oh, right. OK. That's a conversation you should be having with your dad'. But then, he knows somebody's sitting in listening on the phone, so he feels he cannot ask his dad because somebody will be sitting laughing (Case 4 – mother).

However, one child told of his strategy at resisting the oppressive presence of potential prison officers listening to his phone call with his father.

I always leave a comment for the guy that might be listening... I either tell him to stop stalking people unless it's

important or something like that... I'm telling them to stop listening to my phone calls (Case 4 – child).

Home Leave

The conduct of home visits was criticised, with handcuffs and manacles being kept in place. This destroys the impact of the exercise. Staff during visits were reported to be aggressive and threatening.

For families that had experienced home leave, the issues raised were not dissimilar to those experienced on prison visits, including the absence of meaningful activity and a lack of privacy.

[We're] just sitting, and there is nothing really to do (Case 11 – child).

'Cause there is stuff you want to say to your dad, but you can't relax. I want to tell my dad about things, just something funny, but I don't want [the security officers] knowing that (Case 11 – child).

Two young people recognised that home leave was intended to prepare imprisoned parents for release and to support family reunification. However, they described these experiences as "it's so awkward, it's so weird" (Case 11 – child) and saw them as a poor proxy for everyday family life.

I think me and her both know that it is kind of just make believe, because it is meant to be there to help him come back and home life and stuff. I am just sat there thinking 'well, when he is back to home life there won't be three people just sat on a couch' (Case 10 – young person).

In relation to one case, the professional similarly described home leaves as 'unnatural'. The young person, however, reported more positive perceptions and described these occasions as more 'natural' and 'homely' than prison visits. The young person in this case received limited contact from her imprisoned mother and expressed a wish to be better informed about forthcoming home leave.

I am the third party. I always get told last when my mum is getting out. It's been pure hard knowing when she's getting out, and I'm asking my family 'When's my mum getting out?' And it's like, 'I'm not telling you' because they

don't want me getting my hopes up. They could tell me, 'Your mum's getting out next Tuesday' and then next Tuesday could come and something could happen (Case 9 – young person).

Community Orders

In one particular case, the family was grateful that previous good behaviour and the shock of being diagnosed with a serious medical condition had been taken into consideration during sentencing. They also expressed relief that a community sentence had been awarded due to concerns about the provision of appropriate healthcare in prison. The father spoke positively about maintaining independence in his role as a parent and

welcomed the opportunity to maintain an active involvement in his daughter's life.

Plus, it means I'm close. I can take her to school (Case 5 – father).

Despite the domestic abuse incident that occurred between the parents, the imposition of a community sentence appeared more conducive to rebuilding family relationships.

Well, we're not divorced or anything; we just live separately but we still do everything together as a family (Case 2 – mother).

I would also say that his relationship with his partner reignited during the period that he was on the order (Case 7 - professional).

SUMMARY OF ISSUES AND IDEAS RAISED BY FAMILIES

A. Improving the visiting experience for children

Children reported the visiting experience to be humiliating, degrading and psychologically harmful to them. Searching was found to be intrusive, for example, and while the need for security was acknowledged, measures were perceived to be disproportionate.

It was held that more informal, relaxed visits would help to normalise the situation for the child, humanising the experience, and allowing for parent-child bonding. The possibility of normal activities was proposed - playing football together, outdoor activities with the imprisoned parent, and more intimate family activities such as making food together or brushing each other's hair. Currently, human contact is minimised.

The conduct of home visits was criticised, with handcuffs and manacles being kept in place. This destroys the impact of the exercise. Staff during remand visits were reported to be aggressive and threatening.

B. Transition experiences as children reach 18 years

There was universal criticism of the lack of transition arrangements for children as they approached the age of 18. The only change currently is that less support is received as the child becomes older. Major changes occurred as they became adult visitors. Support tended to stop - including social work, personal, transport and financial. A proactive approach should be adopted to prepare children for this and to ensure that they are able to continue without sudden major obstacles.

C. Systemic change for children

Systemic change was demanded by the families. Attitudinal change to children was needed so that services for them would be

non-judgemental, child-centred and sensitive to their innocence. It was held that the system should reach out to them even before the first visit, soon after the point of arrest, and in a personal, strengths-based approach. Fostering healthy relationships with the police, social workers, and varied officers of the criminal justice system should be an aim, with a view to providing support over the long term.

Every child should have a plan of support (Child Plan), updated as time goes on. The child should feel that they have a network of support, with a key case worker. They should be enabled to cope with issues at school, at home and during visits. Many families "fall under the radar" and never attract support. This should never be the case for children.

It was recognised that funding and central support was needed to make such changes possible and that policy would need to make such changes mandatory.

D. Families supporting each other

There were heated feelings that the potential for support for families by other families was not being exploited. With a little resource to enable networking and communication, a great deal could be achieved in supporting children (and parents) who were struggling, with the support available from others who truly understood the experience and problems being faced.

Without becoming another centrally-organised and controlled initiative, it was put forward that a family forum which would facilitate local connections and advise families new to involvement with the criminal justice system could be especially effective. This should be service-user led, supported by professional services, and should include the means of signposting to local support.

5 LEARNING FROM THE PRACTITIONERS AND MANAGERS

POLLING OF DELEGATES

The active part of the event was opened by a presentation of findings from interviews and consultations with the families. Delegates had the opportunity to exchange ideas at cabaret-style tables, writing comments and ideas on tablecloths. Using Sli.do technology as a polling system, delegates were asked to volunteer comments on three issues posed as questions as a means of feeding back and summarising discussions.

- Why is it so hard to access families?
- What are your first thoughts and reflections?
- What constructive connections have you made today?

1. Why is it so hard to access families?

Thirty-seven responses were made. These could be divided between those relating to intra-family issues and those relating to intra-service issues.

Issues About Families

Stigma, fear and embarrassment formed a core of concern in seven responses. Delegates reported that families feared being exposed and the stigma and embarrassment associated with this. Remaining anonymous was a protective mechanism adopted to guard against these threats. To avoid these threats to their security and dignity, they wanted to remain anonymous.

Lack of trust and previous negative experiences also featured prominently in seven responses. Practitioners were aware of families' lack of trust in statutory services, often due to previous or current experiences. There was fear of engaging with services and a lack of belief in the system. They thought that families would see an invitation to take part in research as another risk and something else that would go wrong.

Concern about outcomes for families who take part in research was reported by many. They felt that families were suspicious of what would be done with the data and about what information would be shared and with whom. Practitioners thought that families were not convinced about potential benefits for them from participation, believing that nothing would change for the better for them and that there

was, therefore, no point in volunteering. The lack of support after participation was criticised. Worse than this, there were suggestions of exploitation of families through research.

Often once a family member takes part in one piece of research their names are passed around researchers and they are wrung dry because they were willing to take part. This is bad for the family member as they have to relive their experience over and over, and bad for the research as it keeps the sample group small.

The effects of poverty, exclusion and chaos were also implicated. It was said that the timing of invitations to participate in research can be difficult when some families are consumed by their situation. They already live chaotic, complicated, difficult lives, with so much going on that there is nothing left to give for research. The specific effects of severe mental health illness on parents and families was noted as a particular barrier.

Issues About Services

Services under pressure was a recurring issues, relating both to statutory and Third Sector agencies. Non-statutory organisations that gain trust and build relationships were known to exist but they were often fighting to survive. Social work services were held to be continually under pressure and short staffed, while children's mental health services were said to be under unrelenting stress. Linked to this, there was inadequate access to children's advocacy services, and access to families for research was difficult through other agencies such as residential units. Sadly, some found the cause to be simply apathy.

The need to protect children and families from exposure and exploitation was highlighted. The vulnerability of children and their need to be protected were emphasised. Just as was reported for families, those working in agencies also could be distrustful of research, mirroring concern about unwarranted dissemination of data and wary of the potential consequences for the families and for services. This resulted from the fear of worsening stigma and re-traumatising families.

We are careful not to expose or exploit the young people we work with so are cautious about recruiting subjects for research.

System failures and gaps in services were identified as reasons for difficulty in recruitment. While some held that the problem was the absence of any locus of responsibility, others blamed a more organic risk-averse system. It was suggested that legislation designed to protect children can often make sharing information impossible. One delegate asked how the value of research should be communicated, while another acknowledged that "Often we don't want to hear what they want!"

2. What are your first thoughts and reflections?

Twenty-nine responses were made about first thoughts on the research findings. Some started with affirmations of these findings correlating well with their experience: that they made sense and reinforced practitioners' daily experiences. Delegates were not surprised that accessing the young people had been problematic.

The need to treat each family as being unique was emphasised. The impact of sibling imprisonment was noted as exerting equally significant impact as parental imprisonment. There were thoughts, too, about remembering to support grandparents who take over care of the children when a mother is imprisoned – practically, emotionally and financially. Conflict over the separate need of parents and their children was identified, together with the vital requirement for more peer support for adults and children.

It was recognised that children in the situation of parental involvement with the criminal justice system need to be recognised as part of a vulnerable group by all agencies. Children miss out on so much of their childhood when a parent is in prison. They are often catapulted into adulthood, with more responsibilities, caring roles, and financial roles. There was a first-hand account from a teenage girl about how she had to contribute financially to the household that was struggling. There was also a discussion of the things that children miss out on: going to the cinema with their friends,

parties, activities and groups. There should be increased financial support for families, learning from the work done with young carers, and planned activities that enable 'children to be children'. Despite this, one delegate was inspired by families which '*seemed to immediately grasp how a range of interventions across the system will work together to make change happen*'. Many delegates discussed the need for harmonisation of families with knowledge of available services.

It was accepted that prison authorities were posed with an especially difficult task in responding positively to the demands of the families. Maintaining security while instigating a more compassionate engagement with prisoners' children would prove to be challenging. However, having prison officers trained in mental health issues to aid their understanding of traumatic effects on the family attached to the prisoner might be more amenable to success.

There were thoughts about mixed messages being put out by agencies about the perceived value of research. A distinction was made between a focus on improving families' resilience or coping strategies and a focus on challenging the flaws in the system. Either way, it was accepted emphatically that the long-term impact could be devastating if not addressed. A further problem was raised that some agencies which could help are often ignorant of families' circumstances and therefore a chance to act is missed. Solutions were suggested of signposting families to services at every available opportunity. Families will not necessarily come into contact with all criminal justice agencies in the traditional manner, and so information needs to be available at the point of arrest, courts, prison and community sentence, as well as at other services with which families might come into contact such as health visitors or GP surgeries. It was acknowledged that there used to be a database of support services (the Directory of Interventions) that could help to signpost both family members and professionals who provide support.

Despite the acknowledged problems, there was a strong undercurrent of determination to make a difference for families. The responsibility of everyone involved with families to work in partnership to tackle these

issues was stated, together with many resolutions to do better as professionals and to achieve better outcomes for children. *'We have known the issues for years and are still researching it. Let's start making a difference'* The need for 'massive change' was accepted, recognising that some bespoke services can work, but questioning whether the whole system is sufficiently flexible to allow this to happen. This was part of a wider discussion in which, for example, social work risk assessments were questioned as being too rigid and risk-averse, with insufficient consideration of what might be in the best interests of the child. Participants struggled with solutions to these especially difficult issues, referring to the impossibility of changing some issues. However, there was also a consideration that perhaps more training would encourage a little more flexibility and thinking outside the box for some practitioners, provided that this was mirrored by support from senior management.

Delegates were seeking guidance on how the findings should impact on their own practice, how individuals should engage with the process, and how the movement and enthusiasm would filter down to other layers of services. The main concern in this was the lack of support for the research from some statutory services and how this could be overcome internally within the regulations. Humanising prison visits and increasing the negotiated aspect of these was a crucial factor in this. Delegates knew that somehow there needed to be more flexibility in times of visits, more events and activities that enable children and their parents to participate in normal activities that enable the parent to fulfil their parenting role. Negotiation involved recognising that not all children want to visit the prison every week, and they often miss out on parts of their lives to visit. Currently, some families lack choices and have no childcare facility while they visit the prison, and support in relation to childcare may be needed.

A further two issues had delegates thinking further about problems and solutions. The first related to how stigma could be tackled. Many children were known to suffer from stress, to have lost contact with their friends and become hopelessly isolated due to stigma (and lack of understanding), lack of time because of prison-visiting, and the need to move house to escape persecution by their

local community. Part of the solution might be to raise awareness and to try to normalise imprisonment as something that happens to families, perhaps including it as an issue to be discussed as part of school curriculum. Peer-support was seen as an obvious avenue to explore. Linking approaches to adverse childhood experiences (ACE) to efforts to support children was proposed. Applying the Getting it Right for Every Child (GIRFEC) pathway for children and young people affected by parental involvement in the criminal justice system might be effective, potentially through health visitors or schools. There was a call for 'no child to be left behind'. This may have been a reference to the policy of that name in England, though this does not apply in Scotland. Regardless, the notion that it was not acceptable for even a few children to receive inadequate support was clearly expressed.

The second issue was the distrust among some families of statutory services, with young people are sometimes being told not to speak to anyone about the family circumstances, consequently leaving them unsupported. The need might be to address parental desire and ability to be honest with children and to help their children to deal with the situation. The burden of keeping secrets and feeling that there is no-one in whom to confide must be addressed so that such children are not hidden from supportive services. It was recognised that in such circumstances it is asking a great deal of children and young people to reveal details about themselves in research studies. In any case, children's views are often ignored, or the children are too protected to be allowed the opportunity to give their views.

3. What constructive connections have you made today?

There was overwhelming endorsement of the benefits of having the opportunity to gather together in a multi-professional, multi-agency event, to reflect on current practices and to learn (and sometimes re-learn) about what other agencies offer. There was a general call for more such events for practitioners. The discussion in multi-disciplinary groups had promoted joined-up thinking about perennial and new problems, and the inclusion of research to facilitate the best practices was

valued. Making contact with specific organisations and being updated on a range of projects and initiatives were reported as important outcomes.

More understanding had been gained about the effects on children and young people of having a member of the family in the criminal justice system. Understanding of existing processes of support was also boosted, together with greater awareness of shared values across family services, homelessness services and the justice system.

Greater understanding was expressed of the pressures faced by all agencies. There was more clarity about the impact of community budget cuts by the central government with staff left inadequately supported and suffering burnout and compassion fatigue. The lack of mental health training for prison officers was a revelation to some. The notion of 'lives on hold' had clearly exerted a major impact on delegates.

Being inspired by the commitment of the Children's Commissioner to this issue was explicitly reported, together with appreciation of the support of such figures if anything is to change. It was recognised, too, that governmental support for any resulting initiatives will be essential. Delegates found strength within themselves, too: *'We are compassionate leaders, the system needs us!'*

SUMMARY

There was acceptance of the reports from the children and families, even though these messages were difficult to hear at times, and acknowledgement of the families' views as an integral part of the collective knowledge on the issues in question. The need to continue to seek these views was stated so that a continuous process of positive change could be informed and encouraged. Having affected family members present at events exerted an influence on discussions and drove home understanding of the impact on families when services and approaches are less than helpful.

Delegates were clear that the driver for change must be the child's welfare. Recognising that this rather than the needs or desires of the parent involved with the criminal justice system was the focus of the project helped to inspire thoughts of how to ameliorate the burdens felt by the children and young people. Delegates looked to those in senior positions of authority to find ways for novel and untested solutions to be made possible. The need for active support at governmental and regional levels was affirmed.

Despite the inherent challenges, there was obvious determination to do better in some way, and creative thought on how to communicate and cooperate better across services was part of this. Being made aware of the issues that caused the families the most difficulty led to some suggestions of quite minor changes that might exert a significant impact on the families. For example, when the impact of stigma was discussed, the suggestion arose that allowing some flexibility in the working times during community service to allow a parent to pick their child up from school could reduce the stigma attached to parental absence, reduce gossip about the family's trouble, and help to normalise the family's day and parent-child relationships, all without detracting from the intended impact of the community order.

There was recognition of the need for varied approaches to address constraints within institutions and agencies, often imposed by physical structure and statutory processes. For example, how to provide a more humane experience for child visitors while maintaining security in a prison, and how to provide services or opportunities where the physical environment limits such activities taxed delegates. However, many changes that might be made could be small yet appreciated by children, and different models to address the identified problems would be needed in different scenarios. The practitioners and managers present accepted that this was a challenge to be faced and overcome, and what might be possible in one locality might not work in another, but learning from others' success could still stimulate alternative, locally-tailored solutions.

6 MESSAGES FROM THE STUDY

- 4) Despite the commitment from senior managers in the partnership and some enthusiastic support from local service managers and practitioners, the endeavour was characterised sharply by reticence among most service providers to identify children and families who might be approached to participate and then by persistent placement of barriers actively or passively to allow access to the families. This is a common feature in research with children, often resulting from misguided determination to protect children from further trauma (misguided because it results in a situation of double jeopardy - individuals who are most in need of improved life chances are doubly disadvantaged by the lack of research evidence to guide reform).

While some families chose not to participate, others were eager to do so and had a great deal to say, and safeguards were in place to ensure their wellbeing. Other factors are usually involved, too: jealous guarding of 'our families' together with thoughts of restricted competence in others, fear of criticism of individuals or services, and also protection of perceived fields of expertise.

Part of the solution to this will likely be awareness-raising, training in supporting young people's decision-making and managing safe participation in research, and the engendering of a culture of improvement through research.

- 5) Sources of support and the lack of support were vital aspects of the concerns of children, young people and parents. The general lack of support with some problems or in specific personal circumstances was widely reported, and the absence of help for those who supported the children to cope was a particular feature of this. Three sources of solutions were identified by the participants.

Schools were seen both as a place of stress and threat and as a haven and an opportunity for 'one good adult' to exert a lasting positive impact. Feelings of vulnerability and isolation could be overcome if the right member of staff could be identified and responded positively with sensitivity. Children found an outlet and a means to achieve something positive in their life despite all other stressors. Schools need to act proactively to identify the need, avoiding assumptions of coping when a child is hiding in isolation, and adopting a sensitive approach to outbursts or periods of particular distress.

The families were distrustful of statutory services (though there were examples of individuals excelling in understanding and support), but they had found enormous value in non-statutory, independent and Third Sector support. They sought more emphasis on central funding for support through these avenues.

The third source of support was held by parents, particularly, to be a largely untapped but potentially especially effective resource. They sought the development and central assistance of peer-support groups: parent-to-parent and young people-led groups. A means for affected families to be put in touch with such groups is needed.

- 6) The most emphatic message from the young people was the need to humanise their experience - from arrest of a parent to the years after their release. They felt themselves to be victimised by the authorities and by the community, and this led to massive disruption in their lives: the loss of their childhood. They sought more child-friendly prison visiting, with the ability to engage in physical contact with the parent and to undertake meaningful activity together. They wanted police officers, prison officers and others to acknowledge their innocence and their

needs as a child, and they recognised the need for a more structured and supportive transition during the time of adolescence and coming of age. Their

comments also suggest the need for community-based interventions to educate others about the impact on children of victimisation.

AFTERWORD

Throughout this report, the children tell us that they want their experience to be 'humanised'. From the arrest of their parent through to their release, the children say they simply want to be recognised as children, supported as children and valued as children.

Fundamentally, this is about ensuring that their human rights are respected, protected and fulfilled. And this is why the UN Convention on the Rights of the Child (UNCRC) must be at the centre of everything we do. The UNCRC recognises every child's right to regular contact with their parents unless separation is in the child's best interests. Importantly, it sets out broader human rights for children, including the right to be listened to when decisions are being made, the right to privacy and the right not to face discrimination.

Recognising its central role in improving the experience of children of prisoners, the Council of Europe has agreed policy guidelines drawing from the UNCRC. These guidelines are clear that children of prisoners have committed no crime and should not be treated as being in conflict with the law as a result of the actions - or alleged actions - of

their parents. The guidelines are clear about the child's right to - and need for - an emotional and continuing relationship with their imprisoned parent. The guidelines set out the essential role that awareness-raising and social integration plays in promoting the culture change needed to ensure that children of prisoners stop facing stigma and discrimination.

Whilst international conventions and policy guidelines are remote from the lives of children involved in this study, they should be seen as central to addressing many of the challenges they identify. The Scottish Government has committed to incorporate the UNCRC by early 2021, making children's human rights binding in law.

This will mean that the experiences of children of prisoners must be listened to and taken into account across all policy, practice and legislation and their human rights upheld. Incorporation of the UNCRC provides the tool we need to take forward the learning from this report and ensure children's rights are respected, and that children feel 'humanised' throughout the entire experience of their parent's imprisonment.

Juliet Harris

Director: Together (Scottish Alliance for Children's Rights)

Appendix A: Profile of the Research Team

FAMILIES OUTSIDE

Prof Nancy Loucks OBE: Chief Executive of Families Outside and Visiting Professor at the Centre for Law, Crime and Justice, University of Strathclyde

Nancy is the Chief Executive of Families Outside,⁷¹ a Scottish voluntary organisation that works solely on behalf of families affected by imprisonment. Prior to this she worked as an Independent Criminologist, receiving her M.Phil and Ph.D from the Institute of Criminology at the University of Cambridge, and in 2012 was appointed as Visiting Professor at the University of Strathclyde's Centre for Law, Crime and Justice. Nancy was awarded an OBE in the 2016 New Year's Honours List for services to Education and Human Rights. She co-chairs the Justice & Care work stream for the Independent Care Review for Scotland; is Secretary General to the Board of Children of Prisoners Europe; and is on the inaugural Board of the International Coalition for Children of Incarcerated Parents (INCCIP).

Dr Briege Nugent

Briege is an independent research consultant and Honorary Research Fellow at the University of Salford. Over the past 13 years she has worked for the government, private, academic and Third sectors. Briege's research interests are in poverty, homelessness, social services, families and relationships, communities, social exclusion and criminal justice. Recently completed projects include research funded by Scottish Health Action on Alcohol Problems (SHAAP) into the causes of alcohol mortality; a review of refuge accommodation for women and children in Lanarkshire (funded by Women's Aid), a study of *Centrestage's* dignified food provision (with Oliver Escobar and funded by What Works Scotland), a review of *Street Soccer Scotland*, a homeless support service and *Radiant and Brighter*, a service for refugees (Scottish Government Social Innovation Partnership).

UNIVERSITY OF SALFORD

Dr Tony Long: Professor of Child & Family Health

Professor Long is the Director of CYP@Salford⁷² and has managed many realist and impact evaluations involving cultural change in services and revisions of ways of working. These have provided the evidence for change and then measured the impact of change in approaches to persistently multi-service dependent families through family intervention projects and the UK Troubled Families initiative. A series of 13 evaluation studies with varied children's social services departments between 2006 and 2012 helped organisations to design the most effective and often innovative responses to vulnerable children, including parallel working with parents and children in substance-misusing families, and a four-year, UK-wide longitudinal evaluation of services for

neglected children. He was recently engaged in co-design with children and young people of a psycho-social child sexual abuse assessment model for use by professionals. His remaining work is with NHS consultants to improve the impact of services for children and families, from cancer survivorship to decision-making in paediatric EDs and responses to sudden death in childhood.

Dr Kelly Lockwood: Lecturer in Criminology

Kelly Lockwood is a criminologist at the University of Salford. Kelly's research experience and expertise centre on parenting and the criminal justice system and she has been involved in several research projects in this area, including the COPING project (University of Huddersfield)- a pan-European project examining the mental health, wellbeing

⁷¹ <http://www.familiesoutside.org.uk/>

⁷²

<http://www.salford.ac.uk/research/care/research-groups/cyp@salford>

and resilience among children of imprisoned parents and evaluation of contact facilities in a women's prison. Kelly has a strong commitment to participatory approaches that contribute to the well-being of women, children and families. Kelly has also worked as a service manager at a women's centre, working to support women released from prison or on a probation order. Kelly therefore has

extensive experience working with women with often chaotic and complex lives and supporting women and their children with a range of issues, including mental health, substance misuse, domestic violence, asylum, and women living apart from their children. Within this role Kelly was also lead for co-production of services.

UNIVERSITY OF HUDDERSFIELD

Kathryn Sharratt: Lecturer in Criminology

After graduating with a first class degree in psychology, Kathryn was employed by the prison service conducting quality of life investigations in relation to how prisoners experienced their imprisonment. She undertook this work for several years, during which time she visited the majority of the prison establishments in England and Wales. She has been employed at the University since 2010. She played a key role in the large-scale COPING Project led by the University of Huddersfield, both as a researcher interviewing many children with parents in prison as well as their parents and carers. Kathryn also coordinated the NVivo and SPSS databases. Kathryn currently works as a lecturer in criminology but continues to be involved in a diverse range of projects. Most recently she has gained national acclaim for devised well-received quality assessment tools for the Barnardo's i-HOP website, which provides information for professionals working with families affected by offending.

Ben Raikes: Senior Lecturer in Social Work

Ben is a qualified social worker and has worked as a probation officer in Greater Manchester, a family court welfare officer, and manager of the NCH family mediation service (Greater Manchester). He has acquired government funding to provide parenting groups and mediation for imprisoned mothers at Styal Prison. He worked on the European Commission-funded COPING project which explored the impact of imprisonment on families and what assists children to remain resilient in the UK, Germany, Sweden and Romania. Ben's research activity continues to be focussed on the impact of imprisonment on families. He has previously evaluated the overnight stay provision at HMP Askham Grange women's prison with Dr Kelly Lockwood. He is also currently engaged in developing an international coalition of organisations championing the rights of children with a parent in prison with colleagues across the world.

ADVISERS TO THE PROJECT

Dr Barry Percy-Smith, Professor of Childhood Youth and Participatory Practice, University of Huddersfield, is an experienced participatory practitioner, skilled workshop facilitator and action researcher with extensive experience of supporting participatory evaluation, reflective inquiry, organisational development and service improvement in public sector organisations, and has an international reputation in the field of child and youth participation. He has an extensive portfolio of research and evaluation projects including major commissions for national programmes such as Flying Start & Cymorth and Communities First in Wales and Local

evaluation of children's fund as well as European projects (H2020; DG Justice) and work for international bodies such as UNICEF and World Bank concerning reducing violence against children.

Dr Sue McAndrew, Professor of Mental Health and Young People, University of Salford [Research in young people's mental health and resilience].

Michael Murphy, Senior Lecturer in Social Work, University of Salford [Service responses to children of parents with substance misuse behaviour].



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