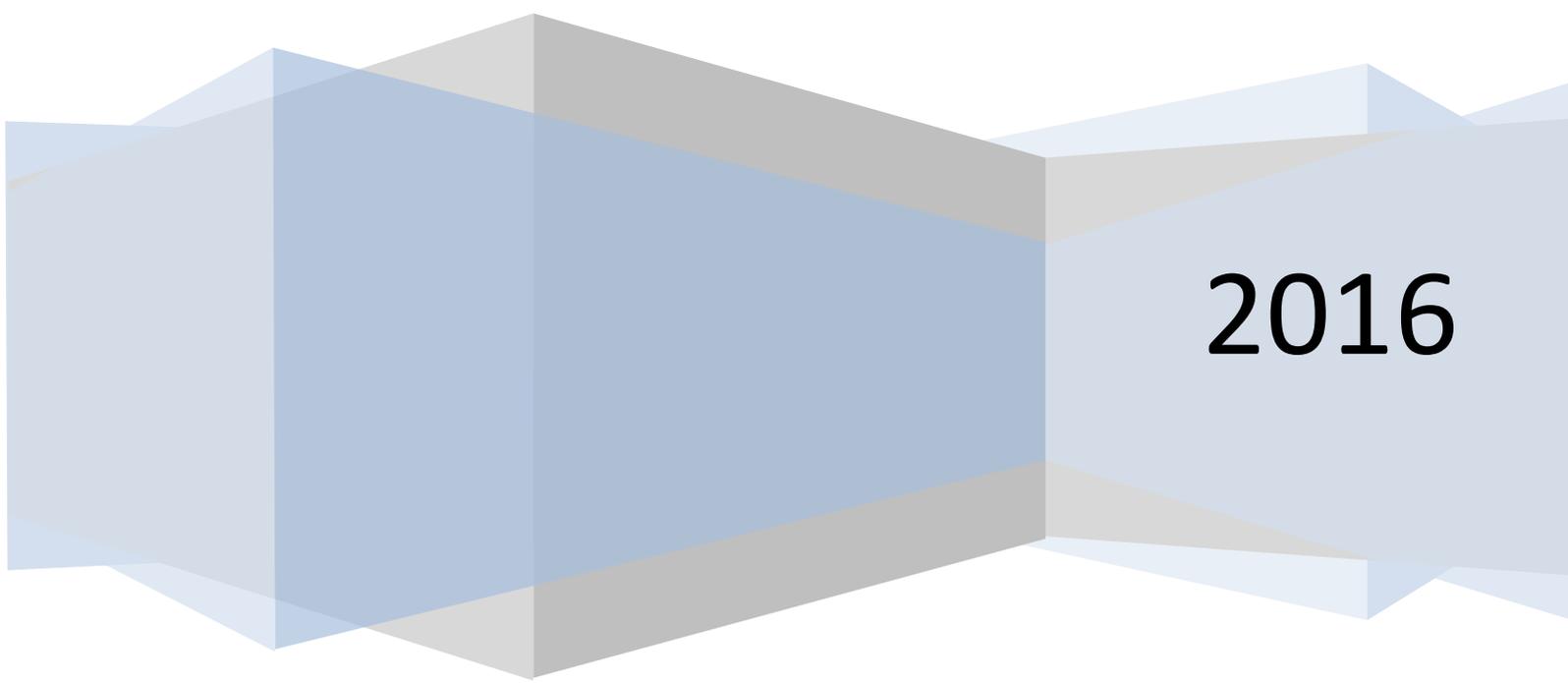




Children on the Edge

Children affected by maternal imprisonment



2016

Children on the Edge

Introduction

Re-Unite was established by Commonweal Housing in 2007 to provide housing and support on the point of release for women leaving prison to reunite them swiftly with their children. Re-Unite is a standardised approach used by a network of organisations to secure appropriate housing for women who are in contact with the criminal justice system; and whose children are in the care of the local authority, or other family members, but where there is a realistic chance that she will regain the care of her children.

It is estimated that over 17,000 children are separated from their mothers by parental imprisonment and only 5% of these children will remain in their family home. The evidence to date suggests that children affected by maternal imprisonment are exposed to family breakup, financial hardship, stigma and secrecy - leading to adverse outcomes. Despite this, the long term impact and real consequences for children does not appear to be routinely considered in sentencing; and few studies have focussed on children directly. This shortage of information could reflect the lack of community and government interest in this vulnerable group of children, leaving them 'on the edge' of society and national policy agendas.

The literature search identifies key issues and concerns in order to:

- (i) Develop an understanding of the impact of maternal imprisonment on children's emotional and physical wellbeing.
- (ii) Examine the critical gaps in services impacting on children during the arrest, sentencing, imprisonment and release phases of the mother's journey within the criminal justice system; and highlight areas of good practice.

This review is supported by interviews with a small cohort of children affected by maternal imprisonment in order to better understand their views, feelings and experiences of separation from their mothers through imprisonment.

The recommendations come from a children's rights perspective, and through these recommendations it is intended that this social injustice will be corrected and these vulnerable children will be brought in from 'the edge' of government policies and local services through the development of an informed and co-ordinated range of child centred services and support to ensure positive outcomes.

Acknowledgment: *Many thanks go to the children/young people who took part in the consultation. They were amazing in the way they shared their experiences and were so generous in giving up time to take part in the study.*

Sue Payne, Re-Unite Development Worker

A productive partnership

Women's Breakout is the only organisation that exists to shape national and local approaches to working with women who present with vulnerabilities and complex needs, including those impacted by the criminal justice system. We are a dynamic and robust national umbrella organisation, holding a unique position in providing a collective voice for those working to support this cohort of women and using their expert knowledge and experiences to bring strategic change for the benefit of these women.

We represent 58 organisations and our vision is to see holistic, gender specific approaches for women and girls with complex needs integrated into local mainstream provision; thereby contributing to a significant improvement in the health and well being of women and their families and a reduction in the number of women coming into contact with the criminal justice system.

In 2014 we partnered with Anawim Women's Centre to host the Re-Unite network and identify the on-going challenges for women and their children when separation has occurred as a result of maternal imprisonment. The Re-Unite network members provided valuable contributions to our understanding of the woman's perspective, but we also wanted to highlight the social injustice that occurs for children when their mother is imprisoned. This report is part of our collaborative effort, and while the study is small in scale, it illustrates the need to take full account of the impact of maternal imprisonment on children.

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Executive Summary

Impact of maternal imprisonment on children

'Children affected by parental imprisonment are some of the most vulnerable; their voices go unheard and their needs frequently unmet.....Sudden changes in their family circumstances are known to have an adverse effect on these children's life chances.' (Barnados Report 2014)

Because there have been few empirical studies on the effects of maternal imprisonment there is an unanswered question about the real outcomes for children when their mother goes to prison.

Parental incarceration can cause strong reactions in children that can develop into unhappiness, annoyance, anxiety, loss, an increase of risks to development, and disruption in the mother child relationship. Imprisonment, therefore, can produce severe negative consequences for children. Some siblings are separated when a parent (particularly a mother) is incarcerated; and many children suffer from instability and insecurity, self-blame, rejection, guilt and feelings of deception.

Children frequently feel loss and uncertainty stemming from the emotional and economic change. Where there is no one to take care of a child after the arrest of a parent, the child's world often changes beyond comprehension – they may need to stay with relatives for a considerable time, or be taken into care by social services; their social networks are affected; their school life may change. In extreme circumstances, children maybe left completely on their own for a time and uncertain what is going to happen to them.

Visiting arrangements can be practically challenging and upsetting, but lack of privacy and restrictions on physical contact during prison visits increase the difficulty in maintaining parent child relationships.

And of course every child is different and every child's experience is unique.

Support for children and families

The imprisonment of a parent leaves a tremendous mark on a child's life, and if the child doesn't have appropriate levels of support, it will prove very difficult for the child to get by.

In order to consider support for children affected by maternal imprisonment it is important to have an understanding of resilience and protective factors - resilient children are more capable of confronting stress, managing change and indecision and recuperate more quickly and thoroughly from disturbing incidents and some protective factors help recovery from a traumatic impact and promotion of resilience.

Professionals whose actions or behaviours have an impact on these children's lives can give them a better start by considering their needs asking them about what might work for them. There is now a broad consensus on the need for a distinct approach to women in the criminal justice system, but as yet insufficient regard is paid to their caring responsibilities. While some judges and magistrates take into consideration the needs of children before deciding on a sentence, this is still an exception rather than established procedure.

At present there are no systems for routinely identifying children who are affected by parental imprisonment.

The Re-Unite study on the outcomes for children affected maternal imprisonment

Data collection for the study was in three parts:

- Analysis from the Re-Unite Quarterly Monitoring Returns
- Outcomes data
- Consultation with some children affected by maternal imprisonment

(i) Analysis of information from recent Re-Unite monitoring

The information gathered from the Re-Unite monitoring returns mainly focussed on the outcomes for mothers, but there was information about children in terms of the re-unification/contact with mother and also Children's Service involvement.

(ii) Outcomes data

The Re-Unite Study drew on information from two projects with either a dedicated children's worker or a worker experienced in working with children and these projects responded to the request for data. They reported:

- Three children had Social Services involvement, one child was on a child protection plan and two were supported through the Common Assessment Framework (CAF).
- Two children were born in prison and remained in the care of their mother. Five children had visited their mothers in prison, but for all of these children and young people the contact had been sporadic and intermittent.
- Half of the children had to change school when their mother received a custodial sentence.
- Whilst this is a very small cohort of children the outcomes for the children were reported in the main to be fully met, with a much smaller number of outcomes reported as being partially met. These partially met outcomes were in the main around emotional and behaviour outcomes, educational attainment and appropriate accommodation. There were no reports of any outcomes not being met.

(iii) The consultation with children affected by maternal imprisonment

Three children who had been affected by maternal imprisonment were interviewed. All three children and young people had been reunified with their mothers, two within the past 12 months.

Two of the children/young people consulted were part of the Re-Unite project, one was not supported through Re-Unite.

Although this is a very small cohort it provided some insight into the impact on them of maternal imprisonment and returning to live with their mothers following her release.

It is important to acknowledge that whilst some key themes emerged from their feedback their experiences were unique to them. It was interesting to note that the key issues for the 6 year old were very different to the two older respondents and it is worth referring to the developmental

stage model in understanding the impact of maternal imprisonment which is referred to in the main body of this report.

Summary of themes emerging from this study

1. The importance of minimising disruption for the child or young person by maintaining as much consistency as possible e.g. having stable, high quality and consistent care arrangements, remaining at the same school, retaining friends etc.
2. The importance of a trusted adult to talk to for emotional and practical support.
3. The key role of the school in providing emotional support and practical help.
4. The importance of maintaining and supporting the relationship with carers where an attachment has developed or a caring relationship has been established after re-unification with mum.
5. The child/young person should be involved in and consulted about the plans, delivery and review for their care and support.
6. The importance of having a trusted friend who can maintain confidentiality about their mother's imprisonment; not burdening their friends with their problems; and the importance of having time with friends as an escape.
7. Preparing and supporting a child/young person for their initial visits to see mum in prison.
8. Following re-unification there may be a period of adjusting and re-establishing their relationship with their mother.

Recommendations

This study identifies that not enough is known about the impact of maternal imprisonment on children, and so first and foremost we recommend that a larger study is undertaken with children whose mother has been imprisoned. However, we do have enough information to identify a set of recommendations that identify further areas for development. These are as follows:

1. As part of a court report there should be a child impact statement which would assist judges and magistrates to assess and know the impact their decisions are likely to have on dependent children when a primary caregiver is sentenced. Judges and magistrates should be obliged to consider non-custodial sentences for offenders with primary care responsibilities and provide an explanation for their decision for imposing a custodial sentence.

Recommendation 1: Introduction of Child Impact statements and consideration of non-custodial sentences for primary caregivers.

2. Children affected by parental imprisonment are a poorly recognised, but nonetheless vulnerable, group. However, currently there is no systematic attempt to identify these children. Such uncertainty about a large group of vulnerable children means that services and support they could benefit from may not always be available. Without reliable figures, children of prisoners are not included in national or local planning. The Government needs to develop a policy and agree a process to identify prisoners' children, so that effective and consistent support services can be planned and offered across the UK.

Recommendation 2: Identification of all children affected by parental imprisonment.

3. Agencies that work directly or indirectly with offenders and their families require training and awareness-raising to ensure that children affected by parental imprisonment are treated sensitively and that assistance is available for prisoners in maintaining healthy relationships with their children. For example:
 - Awareness-raising campaigns and training for those working with children and families to ensure they address a parent's imprisonment as a key issue in assessing the child's needs and what they can do to help. Children's services, healthcare services, schools and other childcare agencies frequently come into contact with those prisoners' children who are most at risk, yet the impact of a parent's imprisonment may be the unacknowledged cause of other problems, and needs to be put higher up on the agenda. Schools are a key agency in providing both practical and emotional support for children affected by maternal imprisonment.
 - Police officers should be trained and given protocols about how to behave when children are present – and to enquire as a matter of routine as to whether the arrested person has children in the house or elsewhere.
 - Judges and magistrates training on the impact of parental imprisonment on children and alternatives to custody for offenders who are primary carers of dependent children.

- Training sessions for prison officers should include material on child-focused approaches within the prison, basic child development knowledge, and child's rights information, the impact of imprisonment on children and the particular needs of children.

Recommendation 3: Training or awareness-raising is required for anyone who comes into contact with, or influences decisions concerning children affected by parental imprisonment.

4. All children, families/caregivers who are affected by maternal imprisonment should be provided with timely information as well as practical and emotional support:
 - Ideally this information and support should be provided prior to the mothers imprisonment if there is an indication that a custodial sentence is likely, otherwise it should be provided within the first week of maternal imprisonment and should include one to one ongoing support for children/young people and families following an assessment of their strengths and needs, to ensure the child/young person is provided with a safe, secure and nurturing environment.
 - Children/young people should have honest and sensitive information about the circumstances of their imprisoned parent, which is age-appropriate and understanding of the nature of the offence. Children/young people should be guided in how best to share information about the imprisoned parent with friends, family and others.
 - Information and advice on benefits, housing, debt etc. as well as information on financial support for prison visiting.
 - Information on other agencies which can help and how to access them and help with childcare if required.

The involvement of the imprisoned parent in the planning and support of their child should be encouraged where this is in the interest of the child. This will not only promote the parent child bond but is a key factor in supporting resilience in children. Further, there needs to be recognition that children/young people themselves should be at the heart of the work and be consulted and involved. They should be actively engaged in the assessment and planning processes to ensure their voices are heard, their needs are met and their ability to cope is enhanced.

Recommendation 4: Development and resourcing of a family support strategy to meet the needs of children affected by maternal imprisonment delivered by a UK network of women's centres and children's NGOs

5. Children/young people need to be supported and encouraged to maintain contact with their mother where this is in the child's best interest. This should take place within the first week of imprisonment where possible.

For the initial prison visit the child/young person should have information about the prison and their mothers' accommodation, which is appropriate to the child's age and stage of development. Where possible this should include a tour and/or photographs of the prison. Prison staff or NGO staff could offer information and emotional support to children and families visiting the prison and allay any anxieties they may have.

Prison security search procedures should be more child-friendly to reduce the stress they cause children visiting their parents; and prison visits should be family friendly and in child centred environments with age appropriate toys and space to play with parents. This will promote longer and meaningful contact between parent and child to build up the child's resilience.

Increase in special family visits should be permitted in all prisons which positively encourage and promote the child and parent relationship. These visits should not be linked to prison incentive or earned privileges schemes, but exist as a right of the child and helping the child cope with the situation. There should be flexibility in the visiting hours for children and families particularly for those travelling long distances.

Other ways to maintain contact should be encouraged and facilitated such as telephone calls, audio or video recordings of a book by their parent to allow the child to hear their parents tell them a story or increases use of Skype.

When there is no one to accompany the child on a prison visit there should be a trained volunteer who could transport and accompany the child to the prison setting. The volunteer could provide support for the child and the imprisoned parent to foster emotional communication and enhance the parent child interaction.

Recommendation 5: Where it is in a child's best interest there should be a range of support to promote the child's contact with the imprisoned parent, including more child friendly visiting arrangements and spaces in prisons.

6. To ensure positive outcomes for babies and young children who live with their mothers in mother and baby units within the criminal justice custodial system the following conditions should be met:
 - A non-prison-like environment
 - An open scheme
 - Professional supervision and specially trained staff
 - Community life with clear rules and distribution of daily tasks
 - A reintegration plan and work and training for mothers
 - Regular attendance of children in day care centres and preschool establishments
 - Regular contact with the father and other members of the family

Decisions to admit women and children into these mother-child houses and the evaluation of the child's best interests require supervision by specialised services. Particular consideration needs to be given as to when the best time to separate mother and child will be and how this can best be managed. The financing of these mother-child houses should be shared between the penal system and childcare services. (Women prisoners and children living with imprisoned mothers, 2014, p. 131)

Recommendation 6: Women prisoners and children living with imprisoned mothers should be accommodated in specific mother-child houses, separated from the main prison.

7. Group work and other opportunities should be provided for children affected by parental imprisonment to meet together and be able to share their feelings and experiences in a supportive environment. These opportunities could be within prison settings or in community based settings facilitated by organisations working with children and families of imprisoned parents.

Recommendation 7: Opportunities for children to meet other children of prisoners to enable them to share and support each other and reduce any feelings of stigma and shame.

8. Prisoners who are also parents need access to a range of services from one to one support, counselling, group work, courses and parenting programmes which will re-affirm their sense of parenthood. Prison based parenting programmes which aim to help parents cope with the practical and emotional issues of being a parent in prison and increases their understanding of key stages of childhood and adolescence, would assist parents to listen and respond to their children, and importantly prepares participants to cope with parenting on release.

Parents need to be able to remain aware of what is happening in their children's lives, to be consulted on decisions concerning their child and to be able to exercise parental authority. This will empower the imprisoned parents, assist in maintaining family ties, and support the resettlement process (Children of Imprisoned Parents, 2011, p. 20).

Recommendation 8: Development of a range of support initiatives for women prisoners who are parents to re-affirm their sense of parenthood and enhance their parenting skills.

9. There is a need for more support in planning for a mother's release. Families need the opportunity to identify differing expectations related to child custody, and to establish the conditions which put children's needs first in the decision making process. Children's views need to be sought and children should be actively involved in developing plans for their own care and support. Pre-release planning also provides opportunities to identify a range of local organisations that could provide comprehensive support.

The family group conferencing model, which places a strong emphasis on helping families to identify common goals and on developing child- and family-centred action plans should be considered.

Recommendation 9: The development of clear pre-release plans for mothers.

10. Following the mother's release there needs to be a range of support and service provision put in place, such as:
 - One to one continued support for children and caregivers for a minimum of one year post release.
 - Child focussed transition planning and support for children being reunified with their mother, particularly in terms of re establishing mother and child's/young person's relationship.

- Support for the child/young person to maintain important relationships and attachments developed in their mother's absence.
- Ongoing support for meaningful contact between mothers and children who are not re-united where this is in the child's best interest.
- Bespoke courses and access to support for mothers to strengthen their parenting and coping abilities.
- Support for mothers to reduce the risk of further offences or breaches in post release criminal justice orders and conditions.
- Support to access family accommodation if re unification with mother is planned including support to maintain tenancy.

Recommendation 10: Continued post release support for children and families provided through the network of women's centres/services and children's NGOs.

11. There is very little directly relevant study material to draw on and the consultation component of this study was from a very small cohort of children/young people. However, it did support the findings of other wider reaching studies and highlight some areas of concern and unmet need.

Recommendation 11: A more extensive consultation with children affected by maternal imprisonment should be undertaken and the findings of this consultation should influence the development of policy and services to address this area of unmet need.

Overview of children in the UK affected by parental imprisonment

The numbers

Estimates of children affected by parental imprisonment is all we have, as no one routinely monitors the parental status of prisoners in the UK. Nor do they systematically identify children of prisoners, where they live or if they are accessing any services. Where this information is collected, it is patchy and not always shared. However, in Wales the Care and Support Act (Wales) April 2016 for the first time will identify and address the needs of children affected by parental imprisonment in Wales.

The Ministry of Justice Prison Population 2015 statistics record that 54% of all prisoners have a child less than 18 years of age¹. Wilks-Wiffen S. (2011) reported that approximately 200,000 children in England and Wales had a parent in prison at some point in 2009². This is over three times the number of children in care (65,565), over five times the number on the child protection register (36,610³) and more than double the number of children who were affected by divorce in 2009⁴.

The number of women entering prison nearly trebled between 1993 and 2005⁵. This increase has started to reverse but there are still 3,826 women in prison (excluding NOMs and IRCS) in March 2016.⁶ A major study found two thirds (66%) of women in prison are mothers of children under 18 years of age. A third (34%) of these women had children under the age of 5 years of age and a further 40% had children aged 5-10 years of age⁷. More recently the MOJ has estimated that between 24% and 31% of all women offenders have one or more dependent children. This is based on matching data from the Police National Computer with the Department of Work and Pensions Benefits data and identifying female offenders who made child benefit claims at the time of their disposal (caution or conviction) in 2012.⁸

It is estimated that more than 17,240 children were separated from their mothers by imprisonment in 2010⁹. For children who are affected by maternal imprisonment,

- Only 5% will remain in their family home¹⁰.
- 9% are cared for by their father in their mother's absence¹¹.
- 40% will be cared for by a grandparent or female relative¹².

¹ Table A1.2, Ministry of Justice (2015) Offender management statistics. Prison population 2015. London: Ministry of Justice

² Wilks-Wiffen S. (2011). Voice of a child. London: Howard League for Penal reform

³ Ministry of Justice (2012). Prisoners' childhoods and family backgrounds, London: Ministry of Justice

⁴ Bromley Briefings, May 2015

⁵ Table A1.2, Ministry of Justice (2015) Offender management statistics. Prison population 2015. London: Ministry of Justice

⁶ March 2016. Ministry of Justice(2016) Offender Management statistics March 2016. London Ministry of Justice. <https://www.gov.uk/government/collections/offender-management-statistics-quarterly>

⁷ Liebling, A. and Maruna, S. (200%) The effects of imprisonment Devon: Willan

⁸ <https://www.gov.uk/government/statistics/female-offenders-and-child-dependents>

⁹ Wilks-Wiffen S. (2011). Voice of a child. London: Howard League for Penal reform

¹⁰ Caddle, D and Crisp, D. (1997) Mothers in Prison HO Research and Statistics Directorate Findings No.38 London: TSO

¹¹ Baroness Corston (2007) A review of Women with Particular Responsibilities in the Criminal Justice system. London: Home Office

- 12% will go into the care¹³.

In a survey of 1,400 women serving a first sentence in Holloway Prison, 42 did not know who was looking after their children¹⁴. In a study conducted at HMP Styal, 61% of women interviewed had partners, however one third of these partners were currently also in prison. The same study showed that children had been taken away from 70% of the mothers and that the remainder were with family¹⁵. In other studies we see that only half of the women who had lived with or were in contact with their children prior to imprisonment had received a visit since going into prison¹⁶; and women on average were held 60 miles away from their home of court address¹⁷.

The effects

'When examined from a child rights perspective, the painful situation of children with imprisoned parents highlights an injustice: the parent(s) is (are) deprived of freedom and the child is punished as a result of this punishment, since they in turn are deprived of their parent(s) in prison¹⁸.' (Children of Imprisoned Parents: A European Perspective on Good Practice, 2014, p.9).

For many years there has been an ongoing debate about the criminal Justice system and the consequences of imprisonment. Jarvis (2007) states that the first recorded study of prisoners and their families was conducted in England in 1965, and attributes numerous adverse effects and poor outcomes to parental imprisonment. However, as a consequence of the minimal recognition of the effects and because of the few empirical studies (Hagan and Dinovitzer, 1999), over 50 years later there still is little awareness of the real outcomes for children when a parent, and more specifically a mother, goes to prison.

'Children affected by parental imprisonment are some of the most vulnerable; their voices go unheard and their needs frequently unmet Sudden changes in their family circumstances are known to have an adverse effect on these children's life chances.' (Barnardos Report, 2014).

The UN convention on the Rights of the Child (UN CRC) states that no child should be discriminated against because of the situation or status of their parents (Article 2). Yet children of prisoners often feel ashamed, unsupported and 'different' because their parents are in prison. They may experience difficulties in school, as well as bullying and harassment from their peers or the community where they live. They are at risk of developing emotional difficulties that will impact on their well being and development and their future. For many, parental imprisonment will bring about material changes in their lives or deepen pre existing poverty. From the moment of their parents' arrest their lives may change beyond recognition, especially if this is their first experience of parental detention and they

¹² Mothers in Prison, Home Office Research and Statistics Directorate, 1997

¹³ Research by Revolving Doors report in Cabinet office Social Exclusion taskforce (2009). Short study on Women Offenders. London: MOJ

¹⁴ Research by Revolving Doors report in Cabinet office Social Exclusion taskforce (2009). Short study on Women Offenders. London: MOJ

¹⁵ Hamilton, S. and Fitzpatrick, R. (2006) Working with Complexity: meeting the resettlement needs of women at HMP Styal, London: Revolving Door Agency

¹⁶ Social Exclusion Unit (2002) Reducing Reoffending by ex-prisoners London: Social Exclusion Unit

¹⁷ Women in Prison (2013). State of the Estate: Women in prison report on the women's custodial estate 2011-12. London: WiP

¹⁸ Jean Zermatten, Director of the International Institute for the Rights of the Child (IDE), Sion, Switzerland, Chairperson of the UN Committee for the Rights of the Child (2011–2013)

will often live in fear and be anxious and worried about their parents. Children of imprisoned parents often bear the consequences of their parents' actions in a way that no child should be expected to bear; they become *'the invisible victims of crime and the penal system'* (Children of Imprisoned parents report, 2011, p. 6).

Little is known about the long-term effects on the families who have a family member in jail (Loucks, 2004; Seymour & Hairston, 1998) or about the effects on parent child relationships (Landreth & Lobaugh, 1998) and, more importantly, what the real consequences on children are (Boswell, 2002; Cunningham, 2001; Gabel, 1992a; Landreth & Lobaugh, 1998). This lack of knowledge about the impact on children is partly because few studies have examined children directly (Jarvis, 2007; Johnston, 1995a; Gabel, 1992b), and because of the few high-quality studies in this area (Seymour & Hairston, 1998). Those that have been developed are often based on small or regional samples, and for that reason the results cannot be applied universally (Gabel, 1992b; Gaudin & Sutphen, 1993; Robertson, 2007) or they are based on self-reporting by imprisoned parents or caregivers (Gabel, 1992b; Gaudin & Sutphen, 1993; Johnston, 1995a). We know, however, that numerous problems arise from having more children affected by the imprisonment of a parent.

The impact of parental imprisonment on children is not easy to understand, because the outcomes could also be related to other issues, such as parent-child separation, the crime committed, the time preceding the arrest, instability and poor care at home (Travis, Solomon & Waul, 2001). The consequences will also depend on the age of the child, duration of the separation, the number and quality of previous separations, the family/community support, and stigma from the community (Gaudin & Sutphen, 1993; Seymour, 1998; The Osborne Association, 1993). This shortage of information could reflect the lack of educational and community interest in the impact of parental imprisonment on children (Murray & Farrington, 2008).

The evidence to date suggests that children whose parents are imprisoned are exposed to triple jeopardy through break-up of the family, financial hardship, stigma and secrecy, leading to adverse social and educational repercussions (Coping Final Report: Children of Prisoners, p. 23).

The imprisonment, or even arrest, of a parent usually provokes **strong reactions** in their children. These vary greatly and may include sadness, anger, worry and a sense of loss; they also vary between different children: 'Some children are used to parents who were not around much before their incarceration. Some children have parents who are unpredictable because of depression or drugs or alcohol. Other children's parents were actively involved with them before they went to jail or prison¹⁹.' Even within a single family the response is not uniform: "Although prisoners' families often experience similar stresses ... [they] are not a homogenous group. Even within cultural and penal contexts, prison effects on family members are likely to differ according to prior relationships, offence types, social support systems and other socio-demographic factors" (Joseph Murray, 2005, p. 445).

The imprisonment of a parent leaves a tremendous mark on a child's life, and if the child doesn't have appropriate levels of support, it will prove very difficult for the child to get by. Robertson (2007) describes these children as the **'beyond victims'**.

¹⁹ Children of Prisoners Library (2003) What Do Children of Prisoners and their Caregivers Need? (Families and Corrections Network)

The impact of the incarcerated parents on the children is not a single process, but a continuing one (Parke & Clark-Stewart, 2002), and the long-term impact depends on which parent is arrested (Simmons, 2003). If the mother is arrested, and she is the primary or sole carer, then the probability of disruption on the children's lives is higher. This not only relates to the **change of the carer**, but also to the changing of home, friends, school and sometimes separation from siblings (ibid). Another consequence is the fact that grandparents as carers (usually grandmothers) may be old and/or ill and with restricted economic resources. These grandmothers have to deal at the same time with the emotional and social problems of having a son or daughter in jail along with supporting children of separated parents (ibid.). Often children of prisoners are discriminated against and stigmatised as a result of parental imprisonment (Ann Cunningham, 2001, p. 37) and relationships with other family members frequently suffer.

Characteristics common to prisoner 'lone' families such as debt and low income status, create **financial strains** that place the family under even greater pressure as they cope with the re-adjustment of a parent in prison. Financial pressures may affect previous commitments to children's activities and daily routine such as pocket money, clubs or treats. Research (Hudson, 2006) also shows that the impact of imprisonment on children can be worse when it is their mother who is imprisoned.

Some children become withdrawn, are affected by *'increased health problems and regressive behaviour such as bed-wetting'* (Ann Cunningham, 2001, p. 37), suffer worsening performance and attendance rates at school or display increased aggression, antisocial or criminal tendencies (Dervla King (undated), p. 11).

It should be noted that in some cases the incarceration of a parent is beneficial for the child(ren), especially if the parent is negligent, abusive or even aggressive, but the extent of this is not known and even in these circumstances parental incarceration could bring many more negative consequences and difficulties for the children than they are already experiencing (Hagan & Dinovitzer, 1999).

All of the literature describes multiple consequences of having a parent incarcerated, especially in terms of emotional health and wellbeing (Johnston, 1995a and 1995b). At an emotional level a variety of feelings is experienced, including shame, confusion, anger and worry. Stigma and fear of stigma from being associated with having a close family member in prison can create anxiety and stress. Children often experience or fear bullying or exclusion because of their situation. They may also worry about who will take care of them, how their parent is coping in prison, will they have to move house or school, what if anything they should tell their friends and what will the future hold for them. These feelings are particularly acute after their parent has been arrested and detained as it is a new experience for them, and confusion and stress are heightened among families who are visiting relatives in prisons for the first time.

Emotional, social and behavioural reactions can include (King, 2002, p. 56) 'Acting Up' with caregivers as a result of the parent's absence; shyness with parents during visit; depression. Parental incarceration can cause strong reactions in children that can develop into unhappiness, annoyance, anxiety, loss (Robertson, 2007), an increase of risks to development (Dallaire, 2007; Myers et al., 1999; Thompson & Harm, 2000), and disruption in the mother child relationship (Thompson & Harm, 2000). Some siblings are separated when a parent (particularly a mother) is incarcerated (King,

1994); and many children suffer from instability and insecurity, self-blame (Payne, 1997), rejection, guilt and feelings of deception (Miller, 2002).

Murray and Farrington (2008) add that if the parents do not demonstrate appropriate behaviours and are therefore not good role models, there is a very strong risk of negative consequences in the child's life. These effects could include: disruptive tendencies, criminal behaviour, mental health problems, substance misuse, reduced school achievement and unemployment.

Fritsch and Burkhead (1981) also found problems with the behaviour of children of incarcerated parents. In this investigation, they asked the parents if the behaviour of their children was different after their arrest, and two-thirds of the prisoners said they had noticed behaviour problems in their child. Men who were interviewed described behavioural problems such as obedience issues in school, absenteeism and criminal behaviour. The majority of the women said their children had developed symptoms of being left behind, being frightened and a decline in school results (*ibid.*). The authors concluded that the children of incarcerated mothers tend to present more internalising problems, whereas the boys of incarcerated fathers were more likely to exhibit externalising behaviour (*ibid.*).

Johnston (1992) studied the impact of parental arrest, particularly on the child's development, through observations during school. Three factors were more frequent in these children, namely parent-child separation, ongoing traumatic stress, and an inadequate quality of care (Johnston, 1992). Another study developed in Northern Ireland found that 63% of the children of prisoners had coping difficulties (McEvoy et al., 1999), while research elsewhere noted that these children presented behavioural problems in school (Sack, 1977; Loucks, 2004), poor performance (Friedman & Esselstyn, 1965), stigma and embarrassment (Loucks, 2004; Cunningham, 2001; Lloyd, 1995).

Others authors add that parental incarceration produces in children fright, apprehension, melancholy, regressive behaviour and physical and health problems (Wright & Seymour, 2000).

Cunningham (2001) noted that some children can also think that they have done something wrong to cause their parent's absence. This way of thinking could contribute to feelings of fury, embarrassment, blame and loneliness (*ibid.*).

Johnston (1995a) found that the normal development of children could be affected by the detention of a parent. The consequence of that could be further violent conduct, learning problems and maladaptive and anti-social behaviour. Defiance and behavioural misconduct are also outcomes related to having a parent in jail (Wilmer, Marks & Pogue, 1966).

Parke and Clark-Stewart (2002) proposed that to fully comprehend the impact on children, it is very important to distinguish between the short and long-term effects of parental imprisonment. The short-term effects will be the direct consequences of the arrest episode and subsequent separation, while the long-term effects could be positive and negative feelings arising during the period of incarceration (*ibid.*). This is further explored later in this report.

The Re-Unite study on the outcomes for children affected by maternal imprisonment

The data collection for the study was from three sources:

- (i) Analysis of information from the Re-Unite monitoring returns
- (ii) Outcomes data
- (iii) Consultation with children affected by maternal imprisonment

(i) Analysis of information from the Re-Unite monitoring returns

The information from the Re-Unite monitoring returns mainly focussed on the outcomes for the mothers, but there was information about children in terms of the re-unification/contact with mother and Children's Service involvement.

From the Re-Unite monitoring, half of the children involved in the Re-Unite projects had some social care involvement and about half were re-united with their mothers. However, it was interesting to see the variation between the projects with some Re-Unite projects having lower levels of reunification than others. The feedback from the projects identified that some projects were working with mothers whose children were in the care system and adopted and would not be re-united with their children. The concern about changes in the care planning processes for children were resulting in a shorter time frames for children be placed for adoption or other forms of permanent placements.

(ii) Outcomes data

The Re-Unite Study was a very small study to identify outcomes for children who had been affected by maternal imprisonment. Of the twelve replication partners in the Re-Unite Network, only two were able to employ experienced children's workers, and one of these had a dedicated children's worker. The information for this study came from those two projects.

The outcomes were developed from outcomes frameworks which are used widely throughout the UK for identifying key indicators to measure children's wellbeing.

The workers completed the outcomes from their own knowledge of the child and the family or from feedback from the mother/carer.

In the more detailed outcomes forms that were developed for this study the information for eleven children from 2 projects has been analysed. Five were female and six were male.

Children's Services involvement:

Care order	0
Child Protection Plan	1
Child In Need	0
Common Assessment Framework	2
No Involvement	7

Visits with mum in prison:

Two children were born in prison and remained in the care of their mother.

Five children had visited their mothers in prison, but for all of these children and young people the contact had been sporadic and intermittent.

Changes in school

Half of the children had to change school when their mother received a custodial sentence.

Aggregation of the results of the outcomes returns

Safe: the child or young person	Fully met	Partially met	Not met
Is free of exposure to physical abuse and violence within the home or the threat of it (<i>i.e. hitting, shaking, kicking, throwing, scalding</i>)	9		
Is free from exposure to persistent emotional abuse within the home (<i>i.e. is not constantly criticised, ignored, humiliated, exposed to domestic abuse within the family</i>)	7	2	
Is free from exposure to sexual abuse or exploitation (<i>i.e. is not subjected to indecent assault, underage or non consensual sexual intercourse, inappropriate sexual behaviour or language, sexual grooming via the internet</i>)	9		
Is free from physical neglect by parent/carers (<i>i.e. through providing adequate food, shelter and clothing, ensuring good hygiene or ensuring access to appropriate medical care and dental care</i>)	9		
Is not at risk because if avoidable physical dangers and health hazards within the home	9		
Is not at risk because if avoidable physical dangers and health hazards outside the home	9		

Healthy: the child or young person	Fully met	Partially met	Not met	N/A
Attends health care services and medical screenings when necessary	9			
Is registered with a dentist and receives regular check-ups	7			2
Receives sufficient and appropriate nutrition	9			
Lives in appropriate accommodation	7	2		

Along with parent/carers is complaint with treatment for any illnesses, disease, chronic conditions and impairments	5			4
Receives appropriate care and guidance from parents/carers	8			
Receives appropriate treatment care and support to manage disabilities of chronic conditions				9
Has a lifestyle that does not present a threat to current or future health and well-being (<i>i.e. is not misusing alcohol, nicotine, drugs or other harmful substances, behaves in sexually appropriate ways for their age and stage of development</i>).	7			2

Nurtured: The child or young person	Fully met	Partially met	Not met	N/A
Has a strong loving attachment with mother/primary carer	8	1		
Experiences consistent love and emotional warmth within the family	8	1		
Feels love and trusted	9			
Feels safe at home	9			
Has emotional and developmental needs which are not neglected	8	1		
Has someone they can turn to, trust rely on when anxious or disturbed	6	1		2
Talks to others about his or her feelings in age appropriate ways	7			2
Copes with the normal stresses of everyday life without undue or persistent anxiety, depression, withdrawal or aggression	5	2		2
Has the resilience to cope with adverse circumstances at home (<i>e.g. parental separation, bereavement, parent/ carer psychiatric disorder, long term health condition or impairment</i>)	6	1		2

Achieving: the child or young person	Fully met	Partially met	Not met	N/A
Is a successful learner, confident individual, responsible citizen and effective contributor	6	1		2
Is showing motivation and being supported to attend and participate in learning at preschool and then school	6			3
Is meeting or exceeding appropriate levels of educational attainment across the curriculum	6	1		2
Is progressing towards agreed learning targets with additional support	3			6
Expresses a sense of achievement from what they are learning.	6			2
Is developing aptitude in one or more non-academic activities	3	2		3
Is generally optimistic about what he or she can achieve	5	2		2
Aspires to go on to further education and or skilled employment	3			4
Is in employment, education or training	2			6

Responsible: the child or young person	Fully met	Partially met	Not met	N/A
Attends school regularly	6	1		2
Is aware of school's rules and generally abides with them	7			2
Exercises some degree of self control over their emotions and behaviour	7			2
Behaves in ways that are appropriate for their age and stage of development	7			2
Recognises when they are behaving badly and respond positively to correction	6	1		2
Has appropriate levels of self care and life skills	7			2
Has appropriate levels of independency and autonomy	7			2

Is not involved in bullying or discrimination against others	7			2
Does not engage in anti- social or criminal activity	6	1		2

Respected and included: the child or young person	Fully met	Partially met	Not met	N/A
Does not experience discrimination, labelling or stereotyping by peers or adults at school or in the community on the grounds of age, gender, ethnicity, religion, culture, disabilities, learning difficulties, where they come from or live	7			2
Receives regular praise and encouragement	6	1		2
Has a well developed sense of self esteem and self respect	6	1		2
Has a well developed sense of identity and belonging with which they feel comfortable	6	1		2
Is mostly happy and satisfied with life, smiles and laughs a lot	7			2
Feels that parents/carers, friends and the professional with whom they come into regular contact with will support through challenges and difficulties	7			2
Feels that parents/carers, friends and the professional with whom they come into regular contact with will support them to fulfil their potential	7			2
Feels listened to and taken seriously by parent/carers	7			2

Analysis

Whilst this is a very small cohort of children the outcomes for the children were reported in the main to be fully met, with a much smaller number of outcomes reported as being partially met. These partially met outcomes were in the main around emotional and behaviour outcomes, educational attainment and appropriate accommodation. There were no reports of any outcomes not being met.

(iii) The consultation with children affected by maternal imprisonment

Three children who had been affected by maternal imprisonment were interviewed. All three children and young people had been reunited with their mothers, two within the past 12 months. Two of the children/young people consulted were part of the Re-Unite project, one was not supported through Re-Unite.

Although this is a very small cohort they gave insight into the impact on them of their mother’s imprisonment and the return to living with their mothers following her release.

It is important to acknowledge that whilst some key themes emerged from their feedback their experiences were unique to them. It was interesting to note that the key issues for the 6 year old were very different to the two older respondents and it is worth referring to the developmental stage model in the next section to consider this.

Background Information

	A	B	C
Gender	Female	Male (i)	Male (ii)
Current age	11	6	16
Age when mum went to prison	7/8	2	6/7
Living/care arrangements when mum imprisoned	Went to live with maternal grandmother	Went to live with maternal grandmother	Multiple carers: With relatives & foster home
Education	Remained at same school	Changed schools 3 times	Remained at same school
Contact with mum in prison	Some contact	Some contact	Some contact
Children’s services involvement	No involvement	No involvement	Involvement pre mums imprisonment and continued whilst mum in prison and post release.

Key Points from consultation with children and young people

1. Feelings and concerns when mum went to prison

The disruption was particularly pronounced for the youngest, child B., who at the age of 2 moved to live with his Nan, whom he didn't really know. *'First I was a little a bit shy and then when I met her I got a bit happier and then I liked staying there.'*

Young person A. was close to her Nan and often spent time at her Nan's home. She thought she was only going to be spending a few days with Nan, *'yeah I was meant to be for a couple of nights, that's when my Nan said I would be staying for a while'*. Her Nan initially kept her mother's imprisonment a secret and said she had gone on holiday, but she had to eventually tell A that her mum was in prison, as her case had attracted media attention. A. stated that when she found out her Mum had gone to prison *'I was a bit scared and a bit upset at the time, cos I didn't really know what to do or what to say to my Nan or anything.'* I was a bit scared and a bit shocked as well. When asked what she was scared of she said *'I don't know really. Cos everything really.'*

Young person C. had experienced many moves in carers and homes prior to his mum's imprisonment. When he was placed in a foster home he recalled *'Everything was getting mixed up staying at my aunties, staying everywhere. Loads of moving around, it was really nice settling.'* He stated that he was only 6/7 years old when his mum initially went to prison. When asked how he felt, he explained he was worried what people would think *'people knowing what I was worried about.'* He could not remember how he found out about his mothers prison sentence and crime *'I did not know why she had gone in. I can't remember what people told me.'*

2. Who supported you?

For A. - she told her best friend and her year three teacher, as she felt close to her. Her year three teacher provided support *'...my teacher kept asking me if I was alright cos she knew I would not be very comfortable cos after that I would not speak much in class.'*

Ms C. the school 'social worker' provided her with support until she left school to move onto her secondary school. She stated that Ms C. was really helpful and would take her out of class for groups. She described Ms C.'s help *'sometimes it's listening, sometimes it's actually writing things down.'*

Child's B.s' Nan was his support and he became very settled living with his Nan and attending nursery and the primary school. When asked who he trusted and who he talks to if upset he stated, most of his family.

Young person C. stated that it was his sister (who was also in the same foster home) *'Me and my sister talk to each other about everything.'* His best friend's mum was a big support for him, as she became aware of what was happening in his life and he was able to talk to her about his situation. *'...she was always there if you need some clothes she would help, she was really helpful.'* C. also found his secondary school were an important source of support. *'My secondary school were involved in my life, so they gave me a lot of support like if I needed to talk to anyone, anybody's there. If I needed any school equipment or any of that stuff they would help me out.'*

3. Stigma about having a mum in prison

Young person A. stated that the only people she told about her mum being in prison was her best friend and her year 3 teacher. She trusted her best friend to keep it a secret which she did.

For C., whilst his best friend's mother was a great source of emotional and practical support, he felt that he didn't want to share some things with his best friend. *'He knew what was going on, but not as much as his mum. I didn't really want to share that much with him in case, cos it might make him not like me. He wouldn't understand it. I felt like keep it as friends and when he gets older he will come out with more understanding. We were only 10 or 13 we're just playing computer games.'*

4. What interventions were not viewed as helpful

One young person had Children's Services involvement and attended Child and Adolescent Health Services. He stated he wasn't clear the purpose of the weekly sessions and gained nothing from this intervention as he felt he could not establish a relationship with the psychologist. However, he attended these sessions for six months, as he felt he had no say as to whether he attended or not, as his views weren't sought.

He also felt that when he decided to move back to live with his mother his social worker provided no support especially practical support to obtain a bed and other furniture he required. *'The Social Worker thought, yeah that's fine if mum stable. Even though mum did help me out I reckon the social worker could have done a lot more.'*

5. Contact and visit with mum while in prison.

Young person A. visited her mum on two occasions. *'At first it was scary cos there were lots of people in reception waiting, but then I actually got used to being there and how big it was as well.'* She recalls how difficult it was to speak to her mum on her first visit. *'It was the first time I went to see her (mum). I didn't know what to say to her. I didn't know what to say as I felt uncomfortable, so I just sat next to her and my Nan. The second time I went I knew what to say. I talked about what I was doing whilst she was there. I went to play in the area of the prison and met a few friends.'*

Child B. did visit his mum in prison a few times but he remembers when she had a few days leave every month. When asked did he see his mum he responded *'yeah it was like my dad and we just meet and went to a bouncy castle and there is one picture of me with her at my granny's.'*

6. Re-unification with mother

Young Person A. continued to live with her Nan when her mother was released, so that she could complete her year 6 at her junior school. She has now completed year 6 and has recently moved to live with her mum. She stated, it was nice being back living with her mum and whilst moving to her new school (secondary school) will be difficult, she has a couple of friends who will be also starting at the same school and another friend is starting at a school close by so she can maintain contact with her. She continues to see her Nan.

Child B. found the return to live with his mum more distressing as he was settled at his Nan's. *'It was like I was going to miss my granny, like crying and then I settled down here again'* (in his new home with his mum). *'And then I settled in both together.'* He spent a long time recalling

the names of his friends from the nursery and primary schools he attended when he lived with his Nan. When asked how it felt starting a new school and making friends he answered *'Mm... a bit shy and then I got used to it.'*

His mum stated that since they had moved to their new family home he has become unsettled at times and had become very attached to certain things such as his bed and other items of furniture from their previous flat and would state how he missed them and get upset. When B was asked, 'what was the most difficult thing when he moved back to live with his mum he stated *'The hardest thing is trying to look after C... (the dog). The hardest things is like carrying bags and the hardest thing is doing jobs.'* However, he liked having his own bedroom, having a pet and having his own TV and watching his DVDs. B. continues to go and stay with his Nan on a regular basis.

Young person C. made his own mind up to move back to live with his mum. *'The Social workers at first never said, move back with mum, they thought I was living at my aunties. I really wanted to go with my mum so I went back. I went back to my mum's with just my clothes, there was no bed for me. I really wanted to because I missed her.'* When I asked him how he found living with his mum he responded - *'Umm I felt that she didn't have much power over me because she hadn't been there for the past few years so I don't think she could discipline me that much. But like at first she was really kind and helpful and stuff like that so it wasn't really mother and son. After some time we would argue just like a normal mother and son. Like if I asked my mum for that she would give it to me, so my mum wanted to help as much as possible I think. But now like each month goes by it gets into a routine like.'*

He is still able to go and stay at his best friend's house whose mother still provides him with support when he requires it and C.'s mum if OK with this.

7. Plans for the future

Young person A. hopes to be a forensic scientist or a singer. She started singing at school in the groups she attended run by Mrs C. the school 'social worker'. She developed such confidence in her singing that she gained a big part in her school's musical 'Cinderella'.

Child B. stated his mum wanted him to join a singing club but he is not sure, but stated he wasn't going to ballet classes. Playing with his trains, balls and singing makes him smile and feel happy.

Young person C. plans to go to College to study construction skills and next year get an apprenticeship and make his career around this.

Summary of themes emerging from this small study:

1. The importance of minimising disruption for the child or young person by maintaining as much consistency as possible e.g. having stable, high quality and consistent care arrangements, remaining at the same school, retaining friends etc.
2. The importance of a trusted adult to talk to for emotional and practical support.
3. The key role of the school in providing emotional support and practical help.
4. The importance of maintaining and supporting the relationship with carers where an attachment has developed or a caring relationship has been established after re-unification with mum.

5. The child/young person should be involved in and consulted about the plans, delivery and review for their care and support.
6. The importance of having a trusted friend who can maintain confidentiality about their mother's imprisonment; not burdening their friends with their problems; and the importance of having time with friends as an escape.
7. Preparing and supporting a child/young person for their initial visits to see mum in prison.
8. Following re-unification there may be a period of adjusting and re-establishing their relationship with their mother.

Understanding the impact on children

Short term effects

In Scotland, Peart and Asquith (1992) emphasised that the experience of having a parent under arrest is very disturbing. Children frequently feel loss and uncertainty stemming from the emotional and economic change (ibid.).

One in five children witness the arrest of the parent (Johnson, 2011). Arrests can be traumatic for a child because they are usually unexpected, they can be confrontational or violent, and they may be unexplained to the child (Murray, 2007). Seeing parents arrested by police may be confusing or frightening for children (Mazza, 2002). In addition, because their parents are no longer available to protect them, feelings of helplessness can surface for children, which can lead to anxiety or lack of engagement while in school.

More than a half of the children who observe the arrest are less than seven years old and the arrested mother is the primary carer (Parke & Clark-Stewart, 2002). Children who witnessed a mother's arrest frequently presented symptoms such as nightmares and flashbacks related to the arrest episode (Kampfner, 1995). If the arrest occurs while children are at school, they may arrive home to find an empty home, which can be also very traumatic (Simmons, 2003).

Where there is no one to take care of a child after the arrest of a parent, the child's world often changes beyond comprehension- they may need to stay with relatives for a considerable time, or be taken into care by Social Services; their social networks are affected; their school life may change. In extreme circumstances, children maybe left on their own for a time and experience uncertainty about what is going to happen to them.

After the arrest, children often feel fear, anger, loss, guilt, resentment, depression, and withdrawal (Lee, 2005), as well as experiencing sleeping problems, declining academic results, school absenteeism, hostility and disturbed behaviour (Woldoff & Washington, 2008; Murray & Farrington, 2008).

Children of incarcerated parents are six times more likely to develop aggressive behaviour and to potentially follow in their parents' footsteps (Arditti, Lambert-Schute & Joest, 2003; Lee, 2005). Furthermore, the children sometimes felt other people treated them differently, such as teachers and peers (Braman, 2004).

Long term effects

When a parent is in prison, the normal everyday attachment is inevitably broken and the issue becomes how to maintain the psychological bonds. The concept of attachment refers to the quality of the bond between a parent (primary caregiver) and child. At its most obvious, parental imprisonment threatens a child's sense of attachment security. This is in keeping with attachment theory (Bowlby 1969, 1980) which states that young children require dependable, accepting and intimate contact with their parents for stable emotional development. According to Bowlby, secure attachment bonds promote positive child development and behaviour, whereas insecure attachment can negatively impact on psychosocial functioning in adulthood (e.g. Bretherton & Munholland, 2008; Fonagy et al., 1997). The idea that parent child separation is harmful for children

(Fritsch & Burkhead, 1981; Kampfner, 1995 in Murray & Farrington, 2006; Moerk, 1973; Poehlmann, 2005; Richards, 1992; Mackintosh et al., 2006) may be especially significant for children of prisoners, because of the way that separation can often occur. Earlier secure attachments can be disrupted when a parent who was trusted is suddenly taken away to prison. The child could develop anxiety, withdrawal, embarrassment, blame, increased propensity to exhibit anger, violent behaviour, and opposition (Parke & Clark-Stewart, 2002), as well as reduced cognitive capacities, poor relationships (Sroufe, 1988) and emotional and/or psychological problems (Baunach, 1985). Some children also present psychosomatic disorders, such as eating problems, and younger child can also begin to externalise their problems (Parke & Clark-Stewart, 2002).

For children, facing the long term confusion over whether the imprisoned parent is in or out of the family means children of prisoners cannot grieve straightforwardly over the absent parent. The consequent uncertainty and feeling of stigma can lead to post-traumatic stress and taking the problems inside themselves, internalising behaviour and depression, or externalising, antisocial behaviour. Ambiguous loss refers to loss where a loved person is physically absent but psychologically present, like divorce, immigration or imprisonment: ambiguous loss is the most stressful kind of loss, because the normal funeral rites are absent and so is mourning that allows normal grief leading to acceptance and closure.

How children cope and can be resilient when faced with this confusion and loss involves their finding meaning in the separation and discovering hope: *'There is no closure in these cases, the challenge is in how to live with the ambiguity'* (Children of Imprisoned parents: European Perspective on Good Practice, 2014).

Children visiting their parents can find prison unfamiliar and intimidating and this can be exacerbated by strict visiting rules, such as those related to searches or waiting times. Younger children may be particularly distressed when confronted by their parent's imprisonment. (COPING report: Children of Prisoners, undated). A lack of privacy and restrictions on physical contact during prison visits increase the difficulty in maintaining parent child relationship²⁰.

Relationship breakdown between a prisoner and those acting as the primary carer for a child may prevent him or her from being taken to visit an incarcerated parent. Children in care in particular may find visits difficult due to a lack of accompanying adults. Forty-three per cent of sentenced prisoners reported having lost contact with their family since entering prison²¹.

Given all the psychological difficulties of confusion, loss and shame, it is not surprising that some children's behaviour changes. Some children become withdrawn and depressed, others externalise their behaviour. In some prison play areas, children have been seen to choose toys more suited to younger children as a form of regression to safety. Some children have nightmares or start bedwetting. In younger children, tantrums can be more frequent. As children become older they may find it hard to concentrate at school, and they may behave antisocially, and sometimes this involves offending behaviour. Some studies have focussed extensively on the risk of intergenerational crime, or whether parental imprisonment increases the risk for children to grow up to commit crimes.

²⁰ Eurochips (2006) Children of imprisoned parents: European perspectives on good practice. Eurochips, Montrouge

²¹ Every night you cry The realities of having a parent in prison. Barnardos. October 2009

Murray and Farrington (2008) found that children might be more affected by parental imprisonment if it is a mother who is in jail and if the prison sentence is for a long period of time. Children often present emotional and psychological consequences of having a mother in jail, such as the trauma of separation and stigma (Seymour, 1998; Simmons, 2000). Problems with destabilisation and disruption are frequent in children of incarcerated mothers (Centre for Children and Families in the Justice System, 2003). Many children of incarcerated mothers are more likely to experience increased levels of poverty, problems in school and less academic success (Child Welfare League of America, 2005). The separation of the carer, poverty and low academic achievement are risk factors that lead to the children having a higher probability of developing psychopathology (Broidy et al., 2003; Sameroff et al., 2003) and participating in criminal behaviour (Broidy et al., 2003; Sameroff et al., 2003; Centre for Children and Families in the Justice System, 2003).

Many children with a parent in jail have to deal with two opposing feelings: the first one is that they may miss their parents; the other is dealing with the social stigma. Stigma is, indeed, a phenomenon from which the children of prisoners suffered (Robertson et al., 2012; Steinhoff & Berman, 2012). Parental imprisonment can lead to children being labelled as different, as having an undesirable characteristic and being in a category of *'them'* as opposed to *'us'*. The stigma of having a parent in prison can cause children of prisoners to be labelled and rejected by peers, while children may feel they are different from others and withdraw from social contacts. They do not attract sympathy from others and can be stigmatised by prison staff, school staff and parents of their friends. Fear of stigma can stop children telling others about the situation, which can mean that their problems are often hidden. Children want to be integrated and not stigmatised or ostracised: if families move to a new area, the parents may want a 'fresh start' and not to tell anyone about the imprisonment. The main emotion connected to stigma is shame and being stigmatised can have negative mental health effects, related to loss of status and discrimination. Reported instances of bullying were higher in the UK sample than for the other three countries and were infrequent in Sweden (COPING Report undated, p. 70).

Children with a parent in prison unlike 'other contexts of loss such as death or illness, loss of a family member because of incarceration seldom elicits sympathy and support from others' and the 'stigma and feelings of isolation associated with being the family of a prisoner, of being contaminated in some way by the deeds of the offender, is central to many of the difficulties that children and families face. This may also be compounded by community perceptions that prisoner parents are intrinsically bad parents ... inmate mothers are not only seen to offend against society, but also against their role as mothers' (Ann Cunningham, 2001, pp. 36-37).

These attitudes can be especially hard to cope with given that for many families, losing a parent to imprisonment causes similar feelings of grief to those experienced when a particular event may be especially difficult for children: many visitors to prisons are *'made to feel like criminals themselves just for visiting a gaol'* (Ann Cunningham, 2001, p. 37) and children who have to miss other activities (such as school) in order to visit parents may feel uncomfortable telling those around them (such as classmates and teachers) what they are doing. The negative reactions of others can have long-term effects for the child's self-confidence and well-being *'It's hard to find a sense of value if everybody*

tells you you're not worth anything²²' as one child put it, with the shame and stigma remaining long after the parent is released.

The way children deal with these attitudes varies from child to child. Some turn inwards, not even talking with other family members about the imprisonment (Anne Dannerbeck (undated), pp. 16-17) Some may tell only a few people, such as a close friend, leading a 'double life' the rest of the time by pretending that the parent is somewhere else²³.

Others may become angry and defiant about the imprisonment, acting aggressively towards anyone they perceive as insulting them or their imprisoned parent (John Hagan, 1996, p. 28). In some situations, children may derive social cachet from their association with criminality: one imprisoned youth explained that he was a good student in elementary school until he realised that getting arrested brought him 'fame' among his peers. *'I got more love for doing bad than for doing good. It seemed like everybody applauded my dirty work'*²⁴. Children from minority groups are at risk of being doubly stigmatised, because of their parent's imprisonment and because of their membership of a minority. Additionally, they may be ostracised within their own (minority) community, meaning that they feel unable to turn to anyone for support.

This is not always the case: in communities which experience high rates of arrest and imprisonment (such as minority communities, which tend to experience disproportionate levels of imprisonment) the stigma associated with imprisonment can disappear altogether as it becomes something *'normal for people like us'*²⁵. This has implications for the deterrent aspect of punishment.

Members of Children of Prisoners Europe identified that some children may have a veneer of high self-esteem despite the imprisonment; this may depend on different cultural ways of coping with stress by appearing more or less confident. Most Children of Prisoners Europe network members feel they have not found high self-esteem in their experience with children of prisoners, however, many can understand both the parent's and the child's need to appear to be coping well with the imprisonment and therefore not to acknowledge any difficulties with self-esteem. This semblance of resilience can be viewed as a kind of resistance or defence mechanism, a coping strategy (Children of Imprisoned Parents, 2014).

Impact on different developmental stages

Most research on the impact of parental imprisonment on children has either focussed on a specific age group (usually adolescents) or grouped all children together for discussion and analysis. Based upon a knowledge of child development, Johnston (1995) developed a framework predicting the impact of maternal incarceration on their children by age i.e. infants will have different experiences than teenagers, so interventions should be differently targeted (see Appendix One). Whilst each

²² Child quoted at San Francisco Children of Incarcerated Parents Partnership website <http://www.sfcipp.org/right7.html> (accessed March 2007)

²³ K.H. (2007) 'Scholarship frees prisoners' children from social captivity' in The Sunday Times Online http://www.sundaytimes.lk/070114/Plus/014_pls.html (accessed February 2007)

²⁴ Rachel Gottlieb (2006) 'The Kids Do Time, Too' in The Hartford Courant, November 12, 2006 http://articles.courant.com/2006-11-12/news/0611120514_1_metal-detector-prisoners-razor-wire/2 (accessed March 2007)

²⁵ Rachel Gottlieb (2006) 'The Kids Do Time, Too' in The Hartford Courant, November 12, 2006

child is unique and many individual attributes will affect their development (e.g., learning, disabilities, cognitive impairment, nutrition, birth traumas etc.).

This child development model of impact of parental imprisonment on a child is useful for practitioners who are working with affected children and families to provide appropriate and effective services and support.

Table 1: The table below reproduces a framework developed at the centre for incarcerated parent on the Possible Developmental Effects of Parental Crime, Arrest and Incarceration in children

Developmental Stage	Developmental Characteristics	Developmental Tasks	Influencing Factors	Effects
Infancy (0-2)	Limited perception, mobility & experience; Total dependency	Development of attachment and trust	Parent-child separation	Impaired parent-to-child bonding
Early Childhood (2-6)	Increased perception and mobility; improved memory; greater exposure to environment; ability to imagine	Sense of autonomy and independence; sense of initiative	Parent-child separation Trauma	Inappropriate separation anxiety; other developmental regression. Impaired development of initiative Acute traumatic stress reactions; survivor guilt
Middle Childhood (7-10)	Increased independence from care givers; increased ability to reason Importance of peers	Sense of industry; ability to work productively	Parent-child separation Enduring trauma	Developmental regressions; poor self concept Acute traumatic stress reactions. Trauma-reactive behaviours. Impaired ability to overcome future trauma
Early Adolescence (11-14)	Organisation of behaviour in pursuit of distant goals; puberty; increased aggression	Ability to work productively with others, control emotions	Parent-child separation Enduring trauma	Rejection of limits on behaviour Patterning of trauma - reactive behaviours
Late adolescence (15-18)	Emotional crisis & confusion; adult sexual development & sexuality; formal abstract thinking; increased	Achievement of cohesive identity; resolution of conflicts with family and society; ability to engage in	Parent-child separation Enduring trauma	Premature termination of the dependence relationship between parent and child Characteristic legal socialisation;

	independence	adult work and relationships		intergeneration crime , incarceration
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Source: Johnston (1995 p. 68)

The use of the developmental stage model in understanding the impact of maternal imprisonment on their children is further developed from the Centre for Children and Families in the Justice System in Ontario, Canada. (Research of a sample of 90 children based on their ages (Waiting for Mommy (2003): Giving a Voice to the Hidden Victims of Imprisonment).

The developmental stages used in this research were:

- Infants and toddlers (ages 0-2)
- Pre-schoolers (ages 3-5)
- School aged children (ages 6-12)
- Adolescents (ages 12-18)

The research focussed on the following areas of impact on the child

- practical consequences of maternal absence
- emotional reactions to the absence
- making sense of the absence
- rationalizing the mother’s criminal behaviour

The following tables show the consequences for maternal imprisonment on each developmental stage:

Table 2: Infants and Toddlers

Practical consequences	<ul style="list-style-type: none"> • most live with mother so will lose their primary caregiver • High rate of foster placement • Changes in routines if primary caregiver changes • Breastfeeding may be terminated earlier than expected
Potential emotional reactions	<ul style="list-style-type: none"> • Interruptions in attachment can manifest in distress, un-soothe ability , withdrawal etc.
Understanding mothers criminal behaviour	Not applicable at this age
Factors that elevate risk of future criminal behaviour	<ul style="list-style-type: none"> • Inappropriate (neglectful/abusive) caregivers • Disruptions in attachments • Severe or chronic family stress • Compromised capacity for self -regulation

Practical ways babies are affected by maternal imprisonment can include termination of breast feeding and disruption of routines, which will be unsettling until new routines are established. In this group of children, there is a high rate of changing caregivers, because most babies lived with their mothers prior to imprisonment. A few may remain in their homes with fathers or step-fathers, but where the mother was the primary carer, this situation will still reflect a change for the baby.

At this age, the critical need of babies is for a nurturing caregiver to meet their needs. Ideally, infants experience good care from a constant carer. However, nurturing and high quality care over time is more important than having the same carer. Pollock (2002) notes, separation will be less traumatic for a child of any age with secure attachments to other caregivers rather than only to the mother. The period prior to their mother’s imprisonment may be difficult for some babies if they pick up on their mother’s stress and anxiety in the pre trial or if they are awaiting sentencing hearing.

Moreover, the circumstances that found the women in prison in the research sample might include factors that compromise their parenting. Many mothers acknowledged struggles with substance use that affected their abilities to be the best mothers they could be or their parenting was affected by an abusive partner or ex partner, elevating the risk of child abuse and neglect. Parents may not consistently respond to an infant’s needs which may negatively affect the parent - child bond. Fear and instability may inhibit exploration and play and the play itself may involve imitations of the witnessed aggression (Baker et al., 2002).

Table 3: Pre-schoolers

Practical consequences	<ul style="list-style-type: none"> • Likely to change residences • High rate of Children’s’ Services involvement • Separation from siblings • Need to change schools
Potential emotional reactions	<ul style="list-style-type: none"> • Distressed by disruptions of routines • Sad, lonely, angry, frightened and confused
Understanding of mother’s criminal behaviour	<ul style="list-style-type: none"> • Might blame themselves • Will see the police as bad or mummy as bad
Factors that elevate risk of future criminal behaviour	<ul style="list-style-type: none"> • Inappropriate expression of emotions(e.g., aggressiveness) • Belief that justice system is not fair • Compromise of school readiness

Most pre-schoolers have a basic vocabulary for feelings (sad, love, happy, etc.) and recognise behavioural expressions linked to these emotions. For example, they may recognise that their grandmother is sad because mummy is away. While they lack the cognitive skills to understand complex situations and motives, they feel for and resonate with the emotions of those close to them. For example, they are likely to be distressed if mummy is noticeably upset during arrest, or if mummy telephones from jail and is crying. At this stage, Mummy does not fade from their

awareness because she is not visibly present, nor do the daily routines that have been over seen by their mother. In fact, routines are very important for this age group and they may not adapt quickly nor willingly to changes in food, bedtime, bathing, toys, etc. They experience powerful emotions of sadness, anger, fear, confusion, grief, and loneliness. With limited ability to verbalise these feelings, they may act out, cry, resist comforting, or become despondent.

While this stage is characterised by increased physical independence, one might observe delays or even regressions in areas such as emotional expression, toilet training, clinging to adults or security objects, and needing help with tasks previously mastered. Pre -schoolers may be confused by conflicting messages such as *'Mummy loves you'* when Mummy is clearly gone. Those who know where Mummy is will not be able to grasp the causal relationship between crime and punishment (especially because of the delay between arrest and sentence). At this age, they are focused on the outcome itself rather than the process or rationale that led to the outcome. They may blame the police or the judge for taking mummy away. Or, they may blame mummy for being bad and needing a *'time out,'* which is again difficult to reconcile with the good Mommy they know who does nice things for them. They make sense of their world through concrete thinking, rudimentary categorisations, and extensive generalisations. This age- appropriate way of processing information can lead to distortions such as *'all police are bad,'* that can in turn filter their interpretations of future experiences. (Waiting for Mommy Report, 2003)

Table 4: School-aged children

Practical consequences	<ul style="list-style-type: none"> • Many already live separately from mother • One third had to change schools one third separated from siblings • Lower rate of child protection involvement and foster care, but still high • Might know where mother is, although few visit
Potential emotional reactions	<ul style="list-style-type: none"> • Greater awareness of mother as individual so concerned about her safety • Dissonance about seeing positive aspects to mother's absence • Embarrassment/need for secrecy • Possible reactive depression • Increased sense of vulnerability • May avoid dealing with where mother is • Separation from siblings may increase distress and isolation
Understanding of mother's criminal behaviour	<ul style="list-style-type: none"> • Can view mother as a victim of the 'system' • Concern about fairness of circumstances surrounding prosecution • May excuse or justify mother's behaviour because of her

	<p>'just' intent</p> <ul style="list-style-type: none"> • Will have difficulty separating behaviour (bad) from mother (good)
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At this age, children will become aware of how imprisonment might affect their mothers. Television images of prison may feed into how they imagine their mothers *'behind bars'*. They are just starting to appreciate how their mother's absence is affecting them, emotionally and practically, but they will be focused on the unfair system that took their mother away. Most are not ready to judge her harshly or see her as a flawed person. They can find it difficult to reconcile that their mother, who is a good person, can be in a place so obviously meant for bad people. To think critically about their mother is to think critically about themselves, and they are hurt when people say bad things about their mother. They may strongly defend her and boys especially may take on the role of protector. Girls may begin to adopt the role of caretaker, for her and for any younger siblings.

As with children who face other family adversities such as abuse and parental alcoholism, they may come to see their families as different. Forming friendships and being accepted by peers is becoming important and most children will hide their *'secret'* from everyone. This attitude is a barrier to help seeking, either from adults such as carers or teachers, or from peers. Many are separated from siblings who would be natural allies and sources of support. If news of their mothers' imprisonment gets out – as happens in high-profile cases covered by the media – the self-imposed shame will be overwhelming and add to the feelings of sadness, vulnerability and confusion. Means of dealing with these emotions might include avoidance, numbing and substance use.

The separation will be painful but children of this age may recognise some positive aspects to their mothers' absence. It may free a child from contact with a mother's abusive partner or trigger the move to a nicer house with better food and other amenities. The burden of a mother with a substance abuse problem can weigh heavily on older children especially. Their new carers may distract them with outings and fun activities. Experiencing any pleasure or even relief during their mothers' absence can create a sense of dissonance if they feel they are betraying their mother. (Waiting for Mommy report, 2003)

Table 5: Adolescents

Practical consequences	<ul style="list-style-type: none"> • Likely not first experience of maternal incarceration • Probably knows about mother's incarceration • Unlikely to live with mother • Lowest rate of child protection oversight • High rate of separation from siblings
Potential emotional reactions	<ul style="list-style-type: none"> • Anger at mother/ anger at 'system' • Shame/stigma • Avoidance/denial/blocking • Guilt, self-blame and inappropriate attribution

	<ul style="list-style-type: none"> • Sadness/loss/loneliness • Confusion
Understanding of mother's criminal behaviour	<ul style="list-style-type: none"> • May rationalise her behaviour as necessary • May see mother as victim of circumstances • May see mother as a victim of the 'system'
Factors that elevate risk of future criminal behaviour	<ul style="list-style-type: none"> • Early emancipation/lack of parental supervision • Decay in respect for parental authority of mother and/or system • Anti-social rationalisations for criminal behaviour • Normalisation of imprisonment • Maladaptive coping strategies such as substance use • Early school leaving • Lack of empathy • Anger management deficits

A glimpse into the lives of teenagers is provided by two British studies, one about children visiting mothers at Holloway Prison (Howard League for Penal Reform, 1993) and one of 53 teenagers with a mother, father or sibling in prison (Brown et al., 2002). The principle theme emerging from their comments was that of isolation and fear of public discovery of their secret.

The growing importance of the peer group for adolescents is a significant point here. The embarrassment of having a mother in prison can be keenly felt by young people of this age and can amplify the sense that their family is somehow different. The irony is that many have lost the person to whom they would normally confide their problems. As one 16 year old girl said: *'I would really like to have talked to Mum about boyfriends and that it's not bothered me too much, really. Though I had to stop my dancing – only Mum interested'* (Brown et al., 2002, p. 47).

Another theme was that of caretaking and responsibility for very grown up matters not typically faced by teenagers. While adolescence is a period of transition to increased autonomy, some teenagers with mothers in prison will skip this stage of development and advance to pseudo-adult roles that can include taking care of younger siblings and taking on roles more commonly associated with parenting than with being parented. While some children have to confront this situation when a mother becomes ill or injured, those children would receive sympathy and support and would be more likely to share feelings with friends, seek help, or express an unwillingness to take on a caretaker role. Children of imprisoned women, on the other hand, are not likely to seek assistance or share their burden with peers, as discussed above. Moreover; they may take on adult roles before they are old enough to navigate their way through these added responsibilities. Being left to care for younger siblings is a significant burden and one which may compromise school performance and other important features of a teenager's life such as social activities. The young person may take

great pains to disguise the absence of their mother from the school, authorities or welfare officials. Some of the adolescents interviewed in the U.K. spoke of the responsibility they felt:

'I feel responsible for my brother, I'm getting a flat when I am 17. Social Services will help with grants and stuff, so I won't ever have to go back and live with my mum. If my brother can't stay with our mum, he will come and live with me. I would rather that than have him move around and all over the place 'cos it's not fair' (16 year old female cited in Brown et al., 2002, p. 43).

Equally or more detrimental to the normal development of an adolescent is the role of emotional caretaker for a parent. Some teenagers will shield their mothers from upset and not articulate emotional needs. The urge to vent or express negative feelings may be usurped by their intent to protect and care for their mother's feelings. After her release, they may attempt to minimise any stresses hoping she will stay out of trouble. Taking on the responsibility of keeping a mother out of prison, they can feel to blame if she returns. These comments represent examples of emotional caretaking:

'She mustn't think we don't love her – if we don't keep in touch she will think we don't love her and she will harm herself again.' (13 and 15 year old sisters, cited in Brown et al. 2002, p. 32).

Boys and girls are affected by parental imprisonment, but the way in which they manifest this is different. Boys seem to be more susceptible to stressful alterations than girls, but this evidence is not very clear (Parke & Clark-Stewart, 2002). However, boys are more likely to present external problems such as delinquency (Sack, 1977), and the girls, internal problems such as anxiety and depression (Cummings et al., 2000).

Support

This report focusses on children whose mother was the primary carer prior to her incarceration, and addresses issues from a children's rights based approach and from the child's perspective. It is important to see every child in a family as unique as each child may experience similar situations in different ways (Getting It Right for Every Child, 2008).

Article 3.1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration²⁶.

In order to consider support for children affected by maternal imprisonment it is important to have an understanding of resilience and protective factors. There are many definitions of resilience although all of them share the concept of successful adaptation in people who have experienced an adverse situation (Haz, et al., 2003) or the ability to recover from adversities (Newman and Blackburn, 2002).

Garmezy (1993) defines resilience as the individual ability to adjust properly, positively or feeling competent despite being at serious risk. Newman and Blackburn (2002) provided a definition for resilience in children. They state that resilient children are more capable at confronting stress, managing change and indecision and recuperate more quickly and thoroughly from disturbing incidents.

The existence of protective factors explains why some children cope better with difficult situations (Getting it Right for Every Child, 2008). Newman and Black (2002) suggest that some protective factors help recovery from a traumatic impact and promotion of resilience. They also say the best factor to promote resilience is good family support (ibid.) and this is most powerful where there is appropriate and positive involvement of parents (Osborn, 1990).

Murray and Farrington (2008) identified that children could be protected from the impact of parental arrest if:

- they had security of care that could be provided by other members of their family and
- they received social and economic support and
- lived in a place where there was a better attitude to transgression and imprisonment.

Family resilience can be defined as positive coping of the family before life alterations, pressure stress and adversity. Beside the fact of surviving the adversity, the resilient family also seems to have higher probability of development increasing and being more capable to positively work through future adverse situations (Walsh, 1998). Resilience in a family can be achieved through flexibility, mutual support, guidance and cooperation (Walsh, 2002). For a resilient family, it is also important to develop support interventions, such as parenting education focused in capability and problem resolution (Rutter, 1999).

²⁶ UN Convention on the Rights of the Child Adopted and opened for signature, ratification and accession by General Assembly Resolution 44/25 of 20 November 1989 entry into force 2 September 1990, in accordance with Article 49

This report considers four stages of the mothers' journey where children have rights and need support:

- Arrest and remand
- Sentencing
- Imprisonment
- Pre release and post release

Arrest and Remand

'Evidence from the early study suggests that the welfare of the child is not given sufficient priority by the police and criminal justice agencies.' (Coping Report undated, p. 94) Recognition that professional and others whose actions or behaviours have an impact on these children's lives can give them a better start by considering their needs.

For example the behaviour and language used by the police in searching homes and making an arrest can have a profound impact on the psychological and physical well-being of dependent children witnessing such events.

'Mum was frying meatballs when they came and she was given just three minutes to clear it away and then they handcuffed her. She asked: 'What about Mikkel?' and one of the officers said: 'The 24-hour social services will pick him up'. I didn't know what that was, so I was pretty scared and then I sat all on my own, waiting for them to come. (Mikkel's story re-told by a family therapist, Denmark)' (Children of Imprisoned Parents, 2011, p. 8).

The UN Convention of the Rights of the Child protects the child's right to family life and their right to be safe from any physical or psychological harm. *'It is therefore important that the experience of parental arrest does not violate those rights. While some positive initiatives and practices have been observed, the focus of police action is largely on the arrest of the suspect. Criminal justice considerations more often than not take precedence in actions of the police over family considerations. The law or police guidelines on arrests or the Police Code of Conduct give some guidance as to the behaviour expected of them. It was clear however, that children's experiences of police actions were varied, with some reporting that police officers 'were kind' and others being scared of police and having negative attitudes towards officers'* (Children of Imprisoned Parents, 2011, pp. 8-9).

Arrest of a parent in the presence of a child must respect the child's right to privacy, family life, and their right to be heard. Policies should include the child's perspectives into the home search and arrest procedures.

The Children of Imprisoned parents report (2011) suggest that police officers should be trained specifically in handling situations where an arrest is made in the presence of a child. In Denmark Police training includes positive initiatives for example role-plays used in the Police Academy include situations where police officers have to deal with children affected by their actions.

Families should be given full information about the grounds for arrest; the likely length of the arrested person's stay in police custody and their exact whereabouts; and the procedures for contacting them when at the police station. Families/caregivers need to consider what information

the children should be provided with about their parent's arrest, which is appropriate to their age and understanding. Not informing children or telling them 'half truths' may leave children worried, confused and often even distrusting if they later find out what really occurred.

Where a single parent is arrested and imprisoned on remand, this period is full of uncertainty, stress and anxiety around the situation of children left behind. This can cause immense stress to the family/caregiver and children alike.

'In some instances, in particular in relation to high profile cases, stress connected to the arrest and detention on remand may be compounded by media coverage of the case. At those times, children may be exposed to media interest, or confronted in school or in other settings with information published in newspapers or by broadcast media about their parent's offence' (Coping report, p. 12).

Pre-trial detention created many of the same problems for the children as post-trial imprisonment. It may also have harsher restrictions, such as a ban on parent-child contact if the child is scheduled to appear in the court case or when contact with other family members is restricted, so the child is unable to visit as there is no one to accompany them (Robertson O., 2007).

Restrictions on remand prisoners' contact with their families impact directly on the right of the child to be in *'regular and direct contact with both parents'* (UN CRC, Article 9.3) where it is in the best interest of the child to maintain such contact. *'In this context, the recent changes to the law in Poland, which mean that the child's right to visit is now separate from the parent's right to visits, who may be subject to restrictions on contact with the detained person for legal reasons, are particularly welcomed'* (Children of Imprisoned Parents, p. 13).

In Poland, for example, the Code of Criminal Procedure explicitly states that remand may not be appropriate if the person has sole custody of a child or if he or she is the only person providing financial means to the family. New legislation in Italy affirms the general principle of excluding pre-trial remand in cases involving parents of children under six years of age, and that the court has no say in this (Children of Imprisoned Parents, p. 14).

'From the perspective of the rights of the child to have meaningful contact with their parent, restrictions regarding contact with the parent held on remand should only ever be in place when absolutely necessary. Legal provisions supporting the right of individual children to contact independent from that of their parent should be replicated across all European legal systems' (Children of Imprisoned Parents, p. 13).

'Where the defendant has child-caring responsibilities, the Committee recommends that the principle of the best interest of the child (art.3 [UN Convention on the Rights of the Child]) is carefully and independently considered by competent professionals and taken into account in all decisions related to detention, including remand and sentencing, and decisions concerning the placement of the child²⁷.

Sentencing

'Children and Family impact statement in court - purpose of such statements is for the judge to know the impacts of their decisions are likely to have on an offender's family - this is in accordance with

²⁷ UN Committee on the Rights of the Child (2006) Considerations of reports submitted by States Parties. Concluding observations: Thailand, 17 March 2006, CRC/C/THA/CO/2, p. 48

article 3.1 of the UN Con of the rights of the child. This should be taken into account on a case by case basis, but particularly assess the impact on all minor children whose primary caregiver is sentenced' (Loreiro T. 2009, p. 5).

Loureiro (2009) further states that the serious consequences to children relating to maternal incarceration 'In spite of these consequences being relevant, they are not as relevant to the court as other factors, such as the seriousness of the offence. The sentence is imposed as a punishment to the offender, proportional to the offence, but usually having no regard to the offender's children and family. With this in mind, it is important to consider each case individually, concerning the seriousness of the crime and frequency of the offending as well as the offender's circumstances. The simple fact is that community sentences are less likely to have a detrimental impact upon any dependants, with the exception of those cases in which the family members themselves are the victims.'

There should be much more regard to the needs of children whose mothers are caught up in the criminal justice system and steps taken by all relevant agencies to mitigate the impact (Prison Reform Trust, 2014)²⁸. There needs to be recognition that children themselves need to be at the heart of the work and be consulted and involved.

There will always be cases where the seriousness of the offence, or the refusal of the offender to engage in other outcomes, will mean sending mothers into custody. However, sentencing guidelines are clear: the court must make sure that all other avenues have been explored before resorting to custody. Magistrates should show, through their reasons when pronouncing sentence, that these have been fully considered. Magistrates need to be informed of and confident in the effective community interventions and programmes for women, when they are available in their area, so they are in a position to consider them when appropriate²⁹.

To suggest that the consequences of imprisonment for women and their children should be given particular consideration in sentencing is not a discriminatory approach. It recognises the fact that women are much more likely to be the primary or sole carers of children, and that the impact of maternal separation can be severe and lasting³⁰. Children may find the trial of a parent incomprehensible due to the unfamiliarity of the language and processes used. Research has suggested that all children find the legal processes hard to follow, with younger children having particular difficulty (Joseph Murray, 2007).

There is now a broad consensus on the need for a distinct approach to women in the criminal justice system, but as yet insufficient regard is paid to their caring responsibilities (Minson S. et al., 2015). While practice in Northern Ireland, for example, indicates that in some cases judges take into consideration the needs of children before deciding on a sentence, this is still an exception rather than established procedure (Children of Imprisoned Parents, 2011, p. 15).

²⁸ Prison Reform Trust/Soroptimist UKPAC (2014) Transforming lives: reducing women's imprisonment London: PRT

²⁹ Malcolm Richardson JP National Chairman, Magistrates' Association. Sentencing Mothers Prison Reform Trust, 2015

³⁰ For an overview of research see Sheehan R and Flynn C, Women prisoners and their children, in What Works with Women Offenders, ed Sheehan R, Mcivior and Trotter C, Willan Publishing, UK, 2007

In Denmark and Poland, whilst not explicitly obliging judges to look at the impact on children, the law allows for consideration of family circumstances during sentencing; more detailed research is, however, needed to assess the application of those laws in practice. It is notable that, in 2005, the Children's Council in Denmark recommended that the impact of imprisonment on children;

'[...] should be a significant factor in the choice of punishment. Here, it would be relevant to prioritise sentences which limit the separation between the child and the parent, for example a form of punishment where the parent continues to sleep-over at home³¹.'

Non-custodial sentences are preferable for women with dependent children, with custodial sentences to be considered only when the offence is serious or violent or the woman represents a continuing danger. Even when that is the case, a custodial sentence should only be given after considering the best interests of the child or children, whilst ensuring that appropriate provision has been made for their care³².

Lastly courts should have a statutory duty to ensure that children of prisoners are identified and to ask if individuals on remand or sentenced to prison if they have children and whether adequate childcare arrangements. The kinship care project based at Holloway Prison note that it used to be standard practice for Probation officers in the courts to check on the welfare of children whose parent (or parents) was in the dock. Today, the situation is very different. PACT workers in prisons have been monitoring the situation, and have found that many parents who arrive in prison have not been able to make plans for their children's care, and some will even hide the fact that they have children, for fear that they will be taken away from them. It is not unknown for the children of prisoners to be left alone at home or at school (Protecting the welfare of children when a parent is imprisoned. PACT, January 2011).

Imprisonment

This section is divided into two parts: maintaining contact with imprisoned parents; and support for the child and caregiver.

Maintaining contact with an imprisoned parent

A protective factor for the child regarding good adjustment is the frequency of the contact they have with their imprisoned parent (Parke and Clark-Stewart, 2002).

As psychologist Alain Bouregba confirms, imprisonment need not imply abandonment to the child, and if the prisoner-parent can manage to retain an appropriate parenting capacity despite the physical restraints of imprisonment, the risks to their child are significantly less (Bouregba et al., 2006).

Legal regulations place some focus on prisoners' family relationships and the support required in maintaining those during the period of imprisonment. This is particularly true in the case of sentenced prisoners who may use family visits, phone contact, day releases, as well as structured temporary release, and a number of other opportunities to sustain contact with their children. In

³¹ Children's Committee (2005) Report to the UN's Committee on the Rights of the Child. Supplementary report to Denmark's 3rd periodic report, p. 18 f.

³² United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Bangkok Rules) UN Resolution 2010/16; Article 3, UN Convention on the Rights of the Child

practice, however, both the quantity and the quality of the contact depend very much on individual prisons and the provision of facilities and other support varies significantly between different institutions.

Children should have age appropriate and sensitive information about the prison and what happens when they are visiting their parent. A tour of the prison or photos of the prison and where their mother resides are helpful in reducing the child's anxieties and concerns.

'Every aspect of the relationship with prisoners' children is in some way regulated by the fact that the parent is behind bars. Prison security and availability of staff dictates the visiting times, the duration of the visit, whether or not prisoners can have physical contact with their relatives, when and for how long they can speak on the phone, how many letters they can send. Nothing about visiting a parent in prison is 'natural' and the impact on the child's relationship with an imprisoned parent through visits to prison is profound. In addition, children's views are rarely sought by the authorities with regard to what can be done to improve their experiences. This adds more anxiety to what can already be a stressful situation for children who have to deal with parental imprisonment in their daily lives, many facing stigma and abuse in their own communities' (Children of Imprisoned parents, 2011, p. 16).

Promoting continuous, quality and meaningful contact with an imprisoned parent is often difficult. Search procedures can cause discomfort for children as they are undertaken with security as the priority rather than being child centred. The Coping Study (undated) identified restrictions on physical contact during visits and opportunities to engage in meaningful activities in a child friendly environment with the imprisoned parents were limited.

Children of Imprisoned Parents report (2011) highlights some encouraging practice examples have been observed regarding support for family contact. This was particularly true in relation to some flexibility offered by prison regimes in relation to visits. In Poland, prisoners who have custody of children below 15 years of age can request an additional one visit per month; in Italy prisoners who have children aged 10 or less can request additional visits and phone calls. In Poland, Italy and Denmark it is also possible to combine a number of visits a month into longer ones – this means the visits will be rarer but may have a better quality, especially for families who have to travel considerable distance to visit their relative in prison. In Italy, the researchers reported that in the Lombardy region (where an in-depth study was undertaken) most prisons would organise special events for children and prisoners to be able to spend some quality time together. Barnardos in the UK run welcoming prison visit centres where families can feel comfortable to ask for information and advice. There is a child-focused presence in the visit halls (such as play areas), and they run family days where parents (and sometimes grandparents) and their children have extended time together to engage in meaningful activities which are pre planned by the prisoners in partnership with their children (Barnardo's work with Children Affected by Parental Imprisonment, undated).

Children have the right to visit their parent when it is in their best interest. However, contact between the imprisoned parent and their child may not always be in the child's best interest, for example if the imprisoned parent has been abusive to the child in question. The principle of the best interest of the child should always be the primary consideration and no child should be forced to visit their imprisoned parent.

The Coping study (undated) found that for most of the children involved, regular contact with their imprisoned parent was crucial for their well-being and resilience. A small number of children had either no or infrequent or haphazard contact with their imprisoned parent, and the prior relationships between these children and their parent had often been fraught. The study also identified that prison visits entailed long journeys were involved, and visit could be costly, and often unaffordable. Most children adapted successfully to the experience of visiting prison, although for a much smaller number this proved upsetting. Saying 'goodbye' was difficult for many and the aftermath of visits painful for some (Coping Report Huddersfield University, undated).

One example of good practice is in the Maison Tanguay facility in Montreal, Canada where children with mothers in the prison can live with them for two days a week in a trailer on the facility grounds, thanks to a programme run by Continu - famille apr s des d tenues et ex- d tenues (CFAD). During this time the mother cares for the children. CFAD also provides parenting workshops for the mothers, activities for the families and opportunities for the children to meet other young people in the same situation. Following their release, women can access other CFAD resources such as information, food and second hand clothing from their offices, as well as a continuation of parenting courses³³.

In some cases, children may want to visit, but find the relationship with their parent difficult. In such cases, both children and prisoners should be supported to re-establish and maintain contact. Other ways to maintain contact should be encouraged and facilitated such as audio or video recordings of a book by their parent to allow the child to hear their parents tell them a story or increases use of Skype, emails. Parenting classes, for example, should be offered in prisons to improve the parent's parenting skills.

Development of prison based parenting programmes that encourage the development of the constructive parent- child relationship. Supporting parenthood within prison through initiatives such as; the Barnardo's Parenting Matters Project which has been working with parents in prison in Northern Ireland since 1996. The programme aims to help parents cope with the practical and emotional issues of being a parent in prison. The programme guides parents through the key stages of childhood and adolescence, assists parents to listen and respond to their children and importantly, prepares participants to cope with parenting on release. There are five distinct modules delivered in prisons:

- Staying in Touch
- Being a Parent in Prison
- Preparing for Release
- Partners Together
- Talking to Your Child about Tough Issues.

³³ Alison Cunningham and Linda Baker (2003) *Waiting for Mommy: Giving a Voice to the Hidden Victims of imprisonment*, pp. 47-49

Support for the child and caregiver

Coping study (undated) found Children's resilience was enhanced by close and supportive relationships with grandparents and siblings. Children with secure attachment to the imprisoned parent can experience severe disruption when the trusted parent is incarcerated (Christmann, Turluc and Mairean, 2012).

Children can often have confused or conflicting emotions (for example, feeling both sad and angry at the parents who have left them) and may need to be help to deal with their emotions, perhaps through therapy, Children may need attention, understanding and reassurance that their anger is understandable. They may also need to have their questions answered so that they do not feel guilt around their parent's imprisonment, and to hear that it is still okay to love their parents. More generally, support within the family, accompanied by strong second tier support (from teachers, friends and neighbours) are significant aids to coping. Given the right support children can emerge from the situation stronger than before (Coping Report, undated).

All children need good care and support. However, when we are dealing with a child who has a prisoner parent, these attentions have to be increased, especially as the first day and week could be the most unpleasant time for them (Christensen, 2001). For the imprisonment of the parent not to have the worst impact on the children, it is essential to give them the correct explanations of the detention in an age-appropriate way (Grimshaw & King, 2002).

At present there are no systems for identifying for identifying children who are affected by parental imprisonment. This, however, is a more complicated issue than at first may be apparent. There is evidence that some children in particular may be very wary of people in authority, such as teachers, having information on the prison status of a parent. I attended a conference in Cardiff in February 2015: Promoting Children's Rights and Well Being – Barnardo's Cymru.

The conference marked the launch of the new Care and Support act (Wales) April 2016, which for the first time will address the needs of children affected by parental imprisonment. Multi agency protocols have been agreed to ensure that prison staff conducting the basic custody screening will record the existence of prisoner's children and a referral will be made to the local authority for the prison. The prison's local authority will then make a referral to the child's local authority for an assessment of need and the provision of a package of support for the child and his/her carers.

The strength of a community-based approach in supporting children who are affected by maternal imprisonment is that it can address these different aspects of the child's experience. And a crucial point for practice about the way in which imprisonment impacts on the different worlds of the child is that these are interrelated. Sadness and family disarray can, for instance, impact on school behaviour and achievement. Equally, stigmatisation in the local neighbourhood can impact on the pressures actually within the family (Working with children with a parent in prison, Messages for practice from two Barnardo's pilot services, May 2013). It is very probable that parental imprisonment is only one aspect of the challenges that a child faces. There can often be a close link between parental imprisonment and other family difficulties (mental health issues, substance abuse, domestic violence etc. and neighbourhood disadvantages (stressful neighbour relations, deteriorated environment, frightening antisocial behaviour etc.) (Prison Reform Trust, 2012).

A key priority for all children affected by maternal imprisonment is to ensure that children have safe placements with nurturing caregivers and to recognise that children themselves need to be at the heart of the work to ensure they are consulted and involved. It is also important to recognise initiatives that protect and support the child/parent bond.

Barnardos' in their submission into the Irish Prison Service June 2013, recommended the rolling out of a Family Links programme similar to that run by the Northern Ireland Association for the Care and Resettlement of Offenders⁴ (NIACRO). This programme has a Family Links staff member who contacts each family within 48 hours of someone entering prison or the Juvenile Justice Centre. Following this initial contact, if a family member wants to take up the offer they will be given an information pack and, depending on what they need, they can access:

- One-to-one ongoing support for adults, children and young people.
- Telephone support.
- Home visits.
- Information on other agencies which can help and how to access them.
- Advice and information on benefits, housing, debt etc.
- Transport to any of the three prisons or the Juvenile Justice Centre.
- Help with childcare.
- Links to visitor centre and prison visit staff.

Children with Imprisoned Parents study, found that children generally appreciated being given clear information about their imprisoned parent's situation. A 15-year-old boy in Romania commented: *'...it's good to talk so that I feel relieved, I do not hold it in me, I feel much better'*. A 13-year-old girl saw the value of *'...talking to people you know, I would not mind to take it farther. It would help me'*. In the UK a 13-year-old girl appreciated her parents' honesty: *'Mum and dad had already told me before that they thought he was going to jail, so we were already prepared for it to happen instead of ... it being a shock when it did happen'* (Children of Imprisoned Parents, 2014).

Caregivers need support as they are a key factor in children's resilience - COPING report's (undated) evidence clearly identifies stable and consistent support from a parent/caregiver as the key factor promoting children's resilience and well being while their parent is in prison.

Additional protective factors in addition to good emotional support (Brooks, 1992) include trusting relationships, development of good self-esteem (Wolin and Wolin, 1993) support for being independent (Segal and Yahrns, 1988), hope, school achievement (Wang, Haartel and Walberg, 1994) and unquestioning love.

As already mentioned children who have gone through adversity should be given good social support and total support from at least one parent or caregiver. In addition good experiences at school and activities that allow the child to develop their coping capacities and emotional maturity are also important (Newman and Blackburn, 2002). It is important that their teachers and social workers are sensitive to the problem and the feelings of the children whilst conscious of the support they could need.

COPING report (undated) has found that children's resilience is closely related to sharing information with them openly and honestly about what has happened and the reasons for their parent's imprisonment consistent with their age and maturity. Shame, stigma and fears about possible repercussions were reasons for not sharing information too widely. Children described imprisonment as something very personal and not something they wanted everybody to know about. Support groups for the children who have imprisoned parents enable them to share and support each other and reduce any feelings of shame and isolation.

For those mothers who are pregnant or have a baby they should be placed in a mother and baby unit in all female prisons in line with international best practice. Where it is deemed in the best interests of the child to remain with their mother, these units should provide the space and opportunity for the mother to bond with their child. Qualified childcare staff work in these units as frequently these mothers already have multiple issues and might not be able to identify and respond to their baby's needs adequately (Women prisoners and children living with imprisoned mothers, 2014, p. 131).

Pre-release and post release

Even a brief period of parental imprisonment can severely strain family systems³⁴ and the problems caused by parental imprisonment do not end with release. Problems, which were central to a family's culture before imprisonment have seldom been addressed during the prison term. Children have changed, they are older and different stages of development and they have different needs and expectations. However, the imprisoned parent may not have seen the growth and may treat their children as if they were still at the age when they were initially incarcerated³⁵. Both prisoners and family will have to re-adjust to living with each other. Difficulties children may have relating to the return of a parent include: children assuming new roles within the family; changed feelings towards the imprisoned parent and others e.g. they may have developed strong bonds with the person who looked after them during their absence³⁶. They may show signs of insecurity, such as clinginess or worrying that a parent will leave them again or show anger towards the returned parent and be difficult to control and lack respect for and trust in the parent. With older children this behaviour may be linked to adolescent development rather than a direct response to parental imprisonment³⁷.

Returning parents too may have unrealistic expectations about life after their release and may not recognise the changes that other family members have had to make and may feel incompetent and lacking parental authority³⁸.

The Childhood Disrupted study (Volunteers of America, 2010) found many incarcerated mothers described plans to reunite with their children upon their release, while many of the caregivers for

³⁴ Joyce A. Arditti et al. (2003) 'Saturday Morning at the Jail: Implications of Incarceration for the families and Children' in Family Relations Vol. 52, No. 3, p. 195

³⁵ Children of Prisoners Library (2003) Common Stress Points (Families and Corrections Network)

³⁶ Karen Laing and Peter McCarthy (2004) Risk, Protection and Resilience in the Family Life of Children and Young People with a Parent in Prison: A literature review, p. 14

³⁷ Venezia Kingi (2000) The Children of Women in Prison: New Zealand Study, p. 6

³⁸ Karen Laing and Peter McCarthy (2004) Risk, Protection and Resilience in the Family Life of Children and Young People with a Parent in Prison: A literature review, p. 14

these women's children were more cautious in their plans for children post-release. Other families plan to allow children to make decisions related to which caregiver or parent to reside with. Examples of the differences that emerged between imprisoned mothers and caregivers highlight the importance of engaging families in planning for re entry to ensure the best possible outcome for children. In this study more than 80 percent of children interviewed expressed unqualified positive, hopeful feelings related to their mother's release. However, nearly 20 percent of children expressed some concerns, often mixed with positive responses. Children's hopes were tempered by concerns that their mothers will reoffend, resume substance abuse or fail to make good on promises of a more strong and stable relationship. This ambivalence – hopes paired with fear, optimism laced with trepidation – is a hallmark of the experience shared by children with incarcerated mothers and provides challenges to their sense of security, their ability to make sense of both present and future, and their emotional attachment to the most important people in their lives.

Families need to be able to sort through this confusion and ambivalence, to help children know what is realistic to expect during the re-entry period, to elicit the hopes and worries that they have and to offer them coping mechanisms when their mothers do not meet their expectations (Childhood Disrupted VOA, 2010).

While not all children will be able to live with their mother following her release, all children are affected by the struggles that their mothers face as they attempt to cope living back in the community following imprisonment. For many families, children's custody remains uncertain and temporary – with a transfer of physical custody to their mother dependent on her ability to 'get her life in order.'

The support for release would be enhanced if the prison regime could be designed in a way that progressively allows imprisoned parents to take parental responsibility in particular as part of the release plan (e.g. home leave etc).

The optimism of children, the concerns of caregivers and the uncertainty of incarcerated mothers all point to the need for families to discuss their feelings and expectations related to the release period. Fostering meaningful release planning will facilitate understanding across family members, these processes could identify family strengths and opportunities, as well as highlight key needs that are likely to arise following release. With more support in planning for mother's release, families would have the opportunity to identify differing expectations related to child custody, and to establish the conditions which put children's needs first in the decision making process. It would also identify the range of local organisations which could provide comprehensive support. The Childhood Disrupted report (2010) suggest that the family group conferencing model, currently being used in a variety of child welfare and juvenile justice contexts, might prove to be an especially useful model for this population, since it places a strong emphasis on helping families to identify common goals and on developing child- and family-centred action plans.

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