



Risk, Protection and Resilience in the Family Life of Children and Young People with a Parent in Prison: A literature review

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In January 2002, we began a study which, as part of the ESRC network *Pathways Into and Out of Crime: Risk, Resilience and Diversity*, attempted to explore risk, protection and resilience in children with a parent in prison. The research aimed to:

- examine how parenting is conducted by people serving a prison sentence
- identify risk factors that affect children and young people who have a parent who is serving a prison sentence
- examine how children manage the experience of having a parent in prison
- explore the process of resilience, resistance and protection that might exist for a child who has a parent in prison
- make appropriate policy recommendations regarding the treatment of prisoners and their families.

We conducted this literature review at the beginning of our research and it is currently helping us as we attempt to make sense of our research findings. We are producing the review here in the hope that it may be of use to others contemplating similar research.

Parenting in prison

In England and Wales at the end of February 2002, 65,700 men and 4,150 women were serving a prison sentence.¹ As a proportion of the general population, this represented the second highest rate of imprisonment in Western Europe.² The number of people in prison has been increasing steadily during the last decade. This trend seems set to continue, particularly in respect of women. Between 1993 and 2000, the average population of women in prison rose by 115 per cent as against 42 per cent for men. Fifteen per cent of female prisoners are foreign nationals.³

Data relating to the families of prisoners are not routinely collected. The best available is likely to be out of date since it comes from the National Prison Survey 1991 which indicated that nearly a third of male prisoners and almost a half of female prisoners had dependent children living with them immediately prior to their imprisonment.⁴ Moreover, it seems reasonable to assume that many more prisoners – particularly men – were parents of children with whom they were not living at the

¹ Rogers, K. (2002) *Prison Population Brief: England and Wales* (February 2002), Research Development Statistics, Home Office

² Elkins, M. and Olagundoye, J. (2001) *The Prison Population in 2000: A statistical review*, Findings paper 154, Home Office Research, Development and Statistics Directorate.

³ Home Office (2001) *Statistics on Women and the Criminal Justice System*.

⁴ National Prison Survey 1991



time of their imprisonment. It seems that seven per cent of children experience the imprisonment of a father during their time at school and that every year approximately 150,000 children have a parent who enters custody.⁵ A Home Office report published in 2000 suggested that some 55 per cent of female prisoners had a child under 16, and over a third of these mothers had a child under five.⁶ Another estimate claims that around two-thirds of women in prison have children under 18⁷ while there are suggestions that any official figures are likely to be underestimates since 'some prisoners do not reveal their parental status for fear that the children will be put into care'.⁸

With the rise in the prison population, particularly of women, it is likely that more and more children will experience the imprisonment of a parent during their childhood. This is likely to disrupt parent-child relationships, alter networks of familial support and place new burdens on governmental services such as income support, schools, foster care and youth work.⁹

Despite the increasing use of prison sentences and increasing numbers of children and families affected by imprisonment, the recognition of, and importance given to the issue of prisoners' families, particularly children, remains a grey area. While the problems of such families may be acknowledged, interventions and policies that could help to alleviate them are often not fully implemented. Levels of sympathy vary also, and the personal standpoints of policymakers and criminal justice practitioners lead to differences in opinion about the importance of the issues. The BBC News reported on July 5, 2002, that Cherie Blair had called upon courts to pay more attention to the effects that putting women in jail has upon their families. However, the following day the Justice Spokesman for the Conservative Party in the Scottish Parliament, Phil Gallie MSP, responded to suggestions that it ought to be made easier for prisoners to receive visits from their family by stating:

I recognise the soul-destroying effect that a parent's imprisonment must have on a youngster, but there should be no off-loading of responsibilities for who caused this anguish. The responsibility lies firmly with the individual who landed in prison as a result of their decision to break the law. The offender must take full responsibility.¹⁰

Characteristics of the prison population

People who spend time in prison tend to have led disrupted and chaotic lives, even before their imprisonment. They are often at risk of social exclusion in many areas of

⁵ *Every Child Matters*, Consultation Paper presented to Parliament by the Chief Secretary to the Treasury by Command of Her Majesty, September 2003. Cm 5860

⁶ Home Office (2001) *Op Cit*.

⁷ Wellard, S. (2001) 'Prisoners' Families', *Family Today*.

⁸ Brooks-Gordon, B. (2003) 'Contact in Containment' in A. Bainham, B. Lindley, M. Richards and L. Trinder (eds.) *Children and their Families*, Hart Publishing. p. 201-334.

⁹ Travis, J. Cincotta, E.M. and Solomon, A.L. (2003) *Families Left Behind: The hidden costs of incarceration and re-entry*, Washington D.C.: Urban Institute Justice Policy Centre

¹⁰ 'Prisoners responsible for family anguish – not prison system', Press Release, 8 July 2002, www.philgallie.msp.org.uk/msp-pr.asp?ID=1128.



their lives and this inevitably affects the circumstances of their families. A recent report from the Social Exclusion Unit¹¹ draws together some useful data about the prison population, including the following:

- 21 per cent of women prisoners as against 9 per cent of women in the general population are lone parents
- 55 per cent of male prisoners and 35 per cent of female prisoners were living with a partner or spouse before imprisonment
- 22 per cent of prisoners who are married when they enter prison divorce or separate during their sentence
- almost a half of prisoners (men and women) had run away from home as a child, while 27 per cent had been taken into care
- 43 per cent of prisoners had a family member who had been convicted of a criminal offence
- prisoners are more likely than non-prisoners to have received a poor education, to have truanted or been excluded from school, left school at 16 and to have no qualifications
- most prisoners have never experienced regular or high-quality employment, and two-thirds were unemployed four weeks before imprisonment.
- over 80 per cent of prisoners are at or below level 1 in literacy (the equivalent to the expected level of attainment of the average 11 year old) and 70 per cent are at or below level 1 in numeracy

It is estimated that some 50 per cent of offenders are not registered with a GP prior to entry into prison,¹² while large numbers of prisoners have mental health problems. A recent ONS survey¹³ found that 78 per cent of male remand prisoners, 64 per cent of male sentenced prisoners and 50 per cent of female prisoners had a personality disorder. Moreover:

- 62 per cent of female prisoners and 44 per cent of male prisoners suffer from three or more mental disorders
- 46 per cent of male remand prisoners have considered suicide in their lifetime, and 27 per cent had attempted suicide
- a large proportion of prisoners reported some degree of dependence on drugs (41% female and 43% male sentenced prisoners)

¹¹ Social Exclusion Unit (2002) *Reducing Re-offending in Prisoners*.

¹² *ibid.*

¹³ Singleton, N., Meltzer, H., Gatward, R. with Coid, J. and Deasy, D. (1998) *Psychiatric Morbidity among Prisoners: Summary Report*, Office for National Statistics.



- those prisoners with personality disorder or psychotic disorder were likely to lack social support

It is also clear that people in some communities are more at risk of imprisonment than others, and that people from black and ethnic minorities are over represented in prison populations; 19 per cent of male prisoners, and 25 per cent of female prisoners, are 'non-white, although only around 8 per cent of the UK population is classified as non-white.¹⁴

The imprisonment of a parent

We cannot be sure how the imprisonment of a parent affects children, since much of the evidence in this field is drawn from small-scale studies in which information is gained from parents rather than from the children themselves. A review of several studies points to psychological problems such as trauma and anxiety as well as what might be termed 'negative behavioural manifestations' such as truancy, drug use or aggression.¹⁵ It seems that negative effects are more pronounced when parents are subjected to repeated arrests, and, consequently, the child experiences repeated separations. However, the extent to which an individual child might be affected depends greatly on the existence of other factors, such as his or her age, the length of the separation, the strength of the parent/child bond, the availability of support and the number of previous parent-child separations.¹⁶ Children who have a parent in prison may exhibit fear, anxiety, anger, sadness, guilt, loneliness, low self-esteem, depression, emotional withdrawal, anti-social behaviour and reduced academic performance. These effects have been linked to a variety of factors including the parent-child separation, the strength of parent-child bonds, social stigma, and attempts by families to deceive children about the prison sentence. They may, however, be explained by confounding factors such as the quality of parenting, family income and where the families of prisoners live.

Brown (2001) asked 53 young people to comment on how a parental or sibling incarceration had affected them. Three-quarters indicated that they had experienced some form of disruption other than the removal of the imprisoned parent. A third had changed either their living arrangements or housing, and some had experienced acute decreases in finances that had led to fewer treats for them and reduced participation in leisure activities.¹⁷ The young people expressed a wish to know more about what was going on during court processes. Some described how they had felt vulnerable owing to media publication of details, such as their address. Some of the young people concerned felt that they had lost friends due to the imprisonment of their parent or sibling, and that their teachers behaved differently towards them. Most of them,

¹⁴ Office for National Statistics (2004) *Focus on Ethnicity and Identity*.

¹⁵ Simmons, C.W. (2000) *Children of Incarcerated Parents*, California Research Bureau, <http://www.fcnetwork.org/reading/simmons.html>

¹⁶ Seymour, C. (1998) 'Children with parents in prison: child welfare policy, program and practice issues, *Child Welfare Journal of Policy, Practice and Program*, Sept/Oct Issue, Child Welfare League of America. www.cwla.org/programs/incarcerated/so98journalintro.htm

¹⁷ Brown, K. (2001) *No-one's Ever Asked Me: Young people with a prisoner in the family*, Federation of Prisoner's Families Support Groups.



however, said they did not talk with other people about their situation. Mothers tended to be their only source of support but young people recognised that their mothers were in need of support also. Consequently the children felt they had to be emotionally brave and play a supportive role in their family, despite feeling the need for support themselves. However, children who feel that they need to keep the imprisonment secret, and/or provide support for their families, may find themselves isolated from service provision, as well as from their peers and the community. In this respect, social exclusion becomes a real and potentially long-term experience.¹⁸

Sharp *et al.* (1997) interviewed 268 male and female prisoners (sentenced for drug offences) at five institutions in Oklahoma and found that parents often felt that they had lost their parental status and identity due to their imprisonment, and that their children were suffering as a result. Reduction in income and the loss of their home were frequent problems for families leading to children suffering reduced standards of living, personal problems, abuse, difficulties at school, problems with drugs or alcohol, and depression. Some parents expressed concerns that their children might become desensitised to prison or think that going to prison is 'cool'.

It has been suggested that increased use of prison sentences might, in itself, lead to more young people becoming involved in crime, because:

- as criminals are removed to prison, other young people are recruited into crime to fill the gap
- as prison becomes a common experience, it becomes less likely to be a deterrent to young people
- imprisoning people can exacerbate many of the social problems, such as social inequality, that lead to crime and disorder¹⁹

It is further suggested²⁰ that since offenders have complex relationships with the networks in which they are embedded, which may contribute positively as well as negatively to family and community life, their removal alters these networks both positively and negatively. The removal of offenders from the community into prison is therefore held to contribute to neighbourhood disorganisation by altering the socio-economic composition of the neighbourhood by influencing vital local resources such as labour and marriage markets and by influencing patterns of mobility into and out of the neighbourhood. Every entrant to prison is someone exiting the neighbourhood and every release from prison means that someone is returning to a neighbourhood

¹⁸ As outlined in a Scottish Forum on Prisons and Families and cited in 'Teenagers with imprisoned relatives being 'abandoned'' *Guardian*, Wednesday April 4, 2001.

¹⁹ Sharp, S. F., Marcus-Mendoza, S. T., Bentley, R. G., Simpson, D. B. and Love, S. R., (1997) 'Gender differences in the impact of incarceration on the children and families of drug offenders', *Journal of the Oklahoma Criminal Justice Research Consortium*, vol.4, August. Also in M. Corsianos and K. Train (eds) (1999) *Interrogating Social Justice: Politics, Culture and Identity*, Canadian Scholar's Press, Toronto.

²⁰ Rose, D. R. and Clear, T. R. (1998) 'Incarceration, Social Capital and Crime: Implications for disorganisation theory', *Criminology* vol. 36: pp. 441-79.



Mothers in prison

The imprisonment of mothers is often more detrimental to children than imprisonment of fathers, owing to the fact that mothers are more likely to have been the primary carer of their children prior to arrest.²¹ The quality and nature of the prisoner-child relationship is often heavily dependent on the quality of the relationship between the imprisoned parent and the alternate caregiver. Alternative arrangements, however, tend to be more complex when it is a child's mother who goes to prison. When a father goes to prison, children usually continue to be cared for by their mother. The reverse is not always the case when a mother goes to prison, however. In these circumstances, children are often looked after by relatives (particularly grandparents) or friends. Indeed, many are taken into local authority care.

Research which involved one in four of the women received into prison in the South of England in 1967²² found that 57 per cent of the 504 children of these mothers had been living with their mother prior to her arrest. Of the remainder, 13 per cent were living with their father, 29 per cent with relatives, 4 per cent with neighbours and the rest were either in local authority care (48%) or boarding or special schools (4%), or were privately fostered (3%).²³ After arrest, 41 per cent of the children who had previously been living with their mother lived with their father, 22 per cent with a grandparent or other relative, 9 per cent with friends or neighbours, and 28 per cent had been placed in local authority care. Thus, the initial impact of imprisonment on children is variable. Forty-three per cent of children experienced no direct effect, since they had not been living with their mother previously, while 21 per cent continued living in the same circumstances (albeit deprived of their mother). Eleven per cent of children moved house but continued to live with a known adult, 13 per cent were in local authority care and 1 per cent in a boarding or special school. The whereabouts of 2 per cent of children was unknown. The study illustrates the disintegration in family life after imprisonment but also identifies considerable disorganisation pre-imprisonment. It also seems likely that some families will experience multiple separations and, in some cases, multiple unifications, due to parents serving several prison sentences.

It seems that the main concerns held by women regarding the effect of their imprisonment on their children relate to financial issues, living arrangements, disruption, and the loss of their involvement in everyday parenting issues.²⁴ However, children whose mother is sent to prison may be put at risk through being placed with families in which there is a history of abuse.²⁵ Around half of the women who participated in a Sharp and Marcus-Mendoza study²⁶ reported that their children were living with their grandparents although many reported family histories of drug and

²¹ See: Bloom, B. (1995) 'Imprisoned mothers' in Gabel and Johnston (eds) *Children of Incarcerated Mothers*, Lexicon Books; *Mothers in Prison* (1996) Home Office Research Findings No. 38, Home Office Research and Statistics Directorate.

²² Gibbs, C. (1971) 'The effect of the imprisonment of women upon their children', *British Journal of Criminology*, Vol. 11, pp.113–30.

²³ In 4 per cent of cases, the whereabouts of children was not known.

²⁴ Sharp, S. F. and Marcus-Mendoza, S.T. (2001) 'It's a family affair: incarcerated women and their families', *Women and Criminal Justice*, vol. 12 (4), pp. 21–49.

²⁵ *ibid.*

²⁶ *ibid.*



alcohol abuse. Two-fifths of the women reported that they had been sexually abused as children, and around the same proportion reported physical abuse. It was readily apparent from the data that some children were placed in homes that had been violent while the imprisoned mother was growing up. Indeed, abusive parents seemed to be no less likely than non-abusive parents to become primary caretakers of their grandchildren. In this sense, children were clearly at risk. Moreover, some children are left in 'legally ambiguous' circumstances, such as with neighbours because arrangements for children are often *ad hoc*, with mothers not having made appropriate plans for their children before sentencing. The resulting care arrangements are, therefore, in many cases temporary and potentially lead to further disruption for children.²⁷ Consequently, Sharp and Marcus-Mendoza²⁸ make a case for more research that examines how the alternative family circumstances in which children are placed affects their subsequent behaviour:

By exploring the histories and behaviours of women who are incarcerated, researchers may uncover potential patterns that could lead children into deviant and criminal lifestyles as well. Future research should specifically explore the histories of inmate families who provide guardianship for minor children, lest another generation of abused children grows up to be the inmates of the future.

Women who participated in Sharp and Marcus-Mendoza's study identified several ways in which their imprisonment had a negative influence on their children. They described families that had grown apart because other family members had been angry about the behaviour which led to imprisonment. Women were apt to report that their children were getting into trouble or were not receiving an adequate level of supervision. On the other hand, several women reported positive effects for their children. They recognised the negative impact of their own parenting practices and were aware that imprisonment had sometimes enabled removal of children from the dangers associated with their mother's drugs- and crime-related lifestyle.

Family life and relationships

Although the literature about family life and relationships during imprisonment is sparse, there is general acceptance that families of prisoners suffer considerably, and consensus about the value of maintaining family ties. There is also evidence from other fields that separation from a parent can be detrimental to the well-being of children and young people. Some commentators have suggested that the absence of fathers from day-to-day child care responsibilities is the major cause of increasing levels of crime and disorder,²⁹ while research into divorce and separation shows that it is much easier to achieve effective co-parenting if parents who do live apart can

²⁷ Richards, M., McWilliams, B., Allcock, L., Enterkin, J., Owens, P. and Woodrow, J. (1994) *The Family Ties of English Prisoners: The results of the Cambridge project on imprisonment and family ties*, Centre for Family Research Occasional Paper no.2, University of Cambridge.

²⁸ Sharp, F. S. and Mendoza, Op. Cit. (2001), p. 45–6.

²⁹ See for example Dennis, N. and Erdos, G. (1992) *Families Without Fatherhood*, Institute of Economic Affairs.



maintain a good relationship with each other.³⁰ However, one study has shown that twice as many offenders than non-offenders had been divorced or separated by the age of 32, and that the relationship between offenders and their partners tended to be less amicable and more likely to involve domestic violence.³¹

Hoffman-Fishman (1981)³² has identified several problems often experienced by the families of prisoners. They are likely to suffer financial loss and emotional trauma while struggling to take on new roles (e.g. disciplinarian, caretaker) and to deal with stigma and hostility within the communities in which they live. They are apt to be denied the normal social outlets for grieving for the 'lost' family member and find it hard to maintain contact with prisoners and deal with the prison environment and criminal justice system. Children may find that their school performance suffers and experience ostracism, guilt, behavioural problems, insomnia and eating disorders.

A study which examined the relationships of 140 newly-confined prisoners,³³ found that relationships with friends tended to become worse following their imprisonment, but 37 per cent of prisoners said that their family relationships had grown closer while for 22 per cent they had apparently deteriorated. The impact of imprisonment on family relationships, however, depended on the quality of relationships prior to imprisonment. Fifty-seven per cent of prisoners reported good pre-prison relationships with their family, while 43 per cent said these had been bad. Good family relationships tended to grow stronger while bad relationships were apt to deteriorate further. Relationships between female friends, and between spouses, tended to deteriorate most. The relationships which deteriorated least were those between the prisoner and his or her parents.

Morris found that 41 per cent of wives felt that loss of income had been a major problem brought about by a husband's imprisonment, while 34 per cent reported having problems managing the children and 32 per cent complained of loneliness.³⁴ Half of the wives had suffered from some form of physical or mental illness. Although most wives were worried about gossip, few had experienced hostility from others. The wives of first offenders reported feelings of shame at their husband's conviction, whereas wives of repeat offenders were apt to describe shame in terms of stigma attached to not having a man about the house. Almost one in four wives (23%), however, expressed fears concerning their husband's release.

Although allowing prisoners access to telephones provides a useful means for families to keep in touch, Morris found that one in four family members expressed concerns about this. They felt that prisoners could use the phone to threaten and exercise

³⁰ See for example: Simpson, B., McCarthy, P. and Walker, J. (1995) *Being There: Fathers after divorce*, Relate Centre for Family Studies, Newcastle University; Bradshaw, J., Stimson, C., Skinner, C. and Williams, J. (1999) *Absent Fathers?*, Routledge.

³¹ Farrington, D. (1989) 'Later life outcomes of offenders and non-offenders', in M. Brambling *et al.* (eds) *Children at Risk: Assessment, longitudinal research and intervention*, Walter deGruyter; New York.

³² Hoffman Fishman, S. (1981) 'Losing a loved one to incarceration: the effect of imprisonment on family members', *Personnel and Guidance Journal* 59, pp.372-73.

³³ Brodsky, S.L. (1975) *Families and Friends of Men in Prison: The uncertain relationship*, Lexington Books.

³⁴ Morris, P. (1965) *Prisoners and Their Families*, George Allen and Unwin Ltd.



control over them and that they were apt to feel under pressure to supply phone cards, which they could not afford out of a reduced household budget. Sixty per cent of Morris's interviewees³⁵ felt they had become a lot less well off financially since the imprisonment of a partner; only 7 per cent thought they were better off. It was not so much the loss of an income that proved to be a problem. Respondents found it difficult to finance new outgoings, i.e. costs associated with the prisoner such as travelling to the prison for visits, baby sitters, stationery, stamps, phone-cards and toiletries. Nearly three-quarters of family members had experienced health problems related to the imprisonment; including stress, depression, shock and fatigue. Respondents reported changes in sleep patterns, eating behaviour, and in drug, alcohol and cigarette use. It seems that period of the trial is the one in which health suffers most.

Most of those that had children stated that they found their children's behaviour stressful, and the majority felt in need of support. When such support was provided, it usually came from family and friends. Few felt they could turn to the prisoner for support. This is consistent with other studies. McEvoy *et al.*, found that many partners of prisoners had had trouble in coping and that the majority had sought and received help from family and friends.³⁶

Children are often unaware of their father's whereabouts when he is in prison, and may be told he is somewhere else. Sixty per cent of the partners interviewed by McEvoy *et al.* indicated that their children knew about the imprisonment of their other parent, but children's knowledge was apparently dependent on their age and their parents' assessment of their ability to understand. Sometimes the parent that remains outside of prison hopes to keep the whereabouts of their partner secret from people outside of the family unit. A half of the family members who participated in a study of 30 prisoners' families (including partners, wives, husbands and mothers) gave reasons for needing to keep their situation secret.³⁷ They did not want to jeopardise their employment and they did not want to be labelled – although some had little choice in the matter due to press coverage of the trial.

The evidence shows that although families may be outwardly supportive, the imprisonment of a family member places untold stresses and strains upon relationships and daily life in ways which are difficult to cope with. Families can feel that they are 'guilty by association' and have to deal with the stigma and ostracism that the imprisonment causes.³⁸ The availability of support from family and friends for prisoner's families would seem to be of crucial importance. Nevertheless, it would be naïve to expect all relationships to survive imprisonment when adult relationships are increasingly unstable in society in general. Some 40 per cent of marriages end in divorce and there is likely to be a higher risk for those feeling the stresses and strains brought on by imprisonment. Consequently, prisoners may require help in ending

³⁵ *ibid.*

³⁶ McEvoy, K., O'Mahoney, D., Horner, C. and Lyner, O. (1999) 'The Home Front: The families of politically motivated prisoners in Northern Ireland', *The British Journal of Criminology*, vol. 39, no.2, pp.175–97.

³⁷ Noble, C. (1995) *Prisoners' Families: The everyday reality*, Ormiston Children and Families Trust.

³⁸ Codd, H. (1998) 'Prisoner's Families: The forgotten victims', *Probation Journal*, vol. 45, pp. 148–54.



relationships as well as maintaining them, or be entitled to the same kind of help that is available to people in the community. In cognisance of this, a pilot study that evaluated information meetings that were intended to be provided throughout England and Wales following implementation of the Family Law Act 1996 was extended into several prison establishments.³⁹ The study, which was carried out in 1997–9, found that it was useful to provide prisoners with the same information available to people on the outside, but suggested that it would be more helpful if the information provided were tailored to the specific needs of prisoners. Many prisoners and prison officers felt that much of the generalised material was irrelevant and could even be potentially upsetting in a prison environment in which there are restrictions placed upon contact between prisoners and their families. Nevertheless, the report identified the rights of prisoners to information while pointing out that the information provided for them needs to take due account of the circumstances created by imprisonment. In the event, the government decided to abandon the section of the Family Law Act that prescribed provision of information meetings, so they will not be available in or out of prison establishments.

Regular contact between prisoners and their families can help, in many cases, to prevent the breakdown of relationships and provide a vital means of coping with the imposed separation. Nevertheless, this is not an uncontentious area. Writing from a feminist perspective, Aungles argues that families – wives in particular – are exploited by a system that regards them as low-cost solutions to problems created by imprisonment, and takes advantage of ‘their willingness to use their resources of time and emotional skill in to fitting in to the demands of these precise schedules of prison controls’.⁴⁰ As a result, the prison tends to extend ‘into the lives of families outside imposing major areas of lack of freedom over the woman’s time and control over her own material resources’.⁴¹ Thus, the partners and parents of prisoners are brought into the penal sphere through ‘their hidden labour, their hidden economic subsidies to the state and/or through their hidden punishment’.⁴² As an example, Aungles refers to the debate about conjugal rights and purports that:

There is little acknowledgement ... of the infrastructure of housework that is necessary for conjugal visits: negotiating time away from paid work, organising contraception, rescheduling the household budget to be able to afford visiting over a two or three-day period, arranging for children to be cared for, or if the children are included in the visit, all the practical preparation that is the inevitable corollary of taking children away on ‘holiday. There is also the emotional work of preparing them for the visit and working through the after-effects of a stay behind prison walls.⁴³

Technological developments in the field of human reproduction have created new issues. For instance, in 2001, an appeal court in the United States agreed to a man

³⁹ Walker, J. (ed.) (2001) *Information Meetings and Associated Provisions within the Family Law Act 1996: final evaluation report*, The Lord Chancellor’s Department.

⁴⁰ Aungles, A. (1993) ‘Penal policies: The hidden contracts’, in P. W. Eastaer and S. McKillop (eds) *Women and the Law: proceedings of a conference held 24-26 September 1991*, Australian Institute of Criminology, p. 251

⁴¹ *ibid.* p. 253

⁴² *ibid.* p. 258.

⁴³ *ibid.* p. 253



...serving a life sentence shipping out his sperm from prison in order that his wife could have the chance of parenthood. This prompted one expert in bioethics to ask ‘Should mailing sperm be any different than mailing a letter?’⁴⁴ Whereas procreation has always been seen as a private matter, it does not now require proximity of partners, or indeed sexual relations. Nevertheless, assisted reproduction involving prisoners raises a multitude of ethical dilemmas about the rights of children, partners and prisoners.

Keeping families in contact

Rule 4 of the Prison Rules 1999⁴⁵ stipulates that:

(i) Special attention should be paid to the maintenance of such relationships between a prisoner and his family as are desirable in the interests of both.

(ii) A prisoner shall be encouraged and assisted to establish and maintain such relations with persons and agencies outside prison as may, in the opinion of the governor, best promote the interests of his family and his own social rehabilitation.

Consequently, prisoners are usually allowed visits (normally one per fortnight), and the importance of this is illustrated by research which demonstrates that regular visiting tends to strengthen the relationships between prisoners, their family and friends on the outside.⁴⁶ Indeed, there is evidence that prisoners who maintain contact with their families through visits, letters and telephone conversations are less prone to recidivism.⁴⁷ Kupersis was sufficiently convinced by the evidence to⁴⁸ state that:

The most striking feature of the literature about the benefits of visits for prisoners, their families and communities, is that there is little if any contrary argument and conflicting data to the general principle that the better the quality of visitation throughout a prisoner’s incarceration, the better the effects on the prisoner, his or her post-release adjustment, the family of the prisoner and the community.

An evaluation of a visitation programme that operated in a U.S. prison found that imprisoned mothers responded positively to institutional efforts to keep them in touch with their children.⁴⁹ However, the male prisoners who took part in a study by Brodsky *et al.*⁵⁰ complained that visits by their wives were restricted due to distance, expense, and the difficulty of travelling with young children.⁵¹ The placement of some

⁴⁴ Jeffrey Khan, Director of the Center for Bioethics, University of Minnesota.

⁴⁵ As quoted in Prison Service Order No. 4405, *Assisted Prison Visits*.

⁴⁶ Brodsky, S. L. (1975) *Families and Friends of Men in Prison: The uncertain relationship*, Lexington Books.

⁴⁷ Hairston, C.F. (1998) ‘Family Ties During Imprisonment: Do they influence future criminal activity’ *Federal Probation*, vol. 52, pp. 48–52. http://www.patrickcrusade.org/EFFECTS_VISITING.html

⁴⁸ Kupers, T.A. (2002) Effects of Visiting and Education on Prisoners and Family, <http://www.google.co.uk/search?hl=en&q=jeffrey+khan+prisoners+bioethics&btnG=Search&meta=>

⁴⁹ Snyder, Z. K., Carlo, T. A. and Coats-Mullins, M. M. (2001) ‘Parenting from Prison: An examination of a children’s visitation programme at a women’s correctional facility’, *Marriage and Family Review*, vol. 32, pp. 33–62.

⁵⁰ *ibid.*

⁵¹ Morris, P. (1965) *Op Cit.*



prisoners at considerable distances from their families means that transport is often a problem. For instance, statistics produced by the Prison Reform Trust show that nearly a fifth of female prisoners are held over 100 miles away from their committal-court town.⁵²

The distance between home and prison often makes it impossible for families to visit relatives in prison, especially if they are dependent on public transport. Moreover, visiting times arranged around prison routine may not be convenient for families. Where visits are provided during daytimes, children often have to miss school in order to attend. One study showed that parents often do not want to take children to visit an incarcerated parent because, owing to tiredness or boredom, they tend to behave badly during visits.⁵³ On the other hand, parents who did not bring their children often felt guilty about not doing so, despite feeling that the absence of children usually made the visit much easier for them.

A study of young people who had a prisoner in their family found that the majority of them were in frequent contact with the imprisoned family member by telephone, letter or visits. Seventy-two per cent of young people could recall occasions when they had wanted to visit their relative but had been unable to do so. Children voiced concerns about the lack of privacy and confidentiality during visits with their parents.⁵⁴ Children often prefer family visiting schemes to ordinary visits.⁵⁵

Children who are being looked after by a local authority may face particular problems in trying to visit a parent in prison, due to the complicated processes involved in booking visits and the shortage of responsible adults (such as social workers) who can accompany them.

Some family members find it difficult to arrange visits. It seems that telephone-booking lines are often inadequate, which is a major source of frustration for families trying to arrange visits. For instance, during November 2000 83.5 per cent of incoming calls to three booking lines at Strangeways prison apparently received an engaged tone.⁵⁶

Assisting reintegration

Parents released from prison often find it difficult to reintegrate into family life. Sometimes this is due to problems that existed before they were sent to prison, but new problems which are directly associated with their imprisonment may have to be overcome. As one report states:

Ex-offenders often return home to difficulties for which they are unprepared.
Securing employment and housing, and managing family reintegration pose

⁵² Loucks, N. (2002) *Just Visiting: A review of the role of Prison Visitors' Centres*, Prison Reform Trust and Federation of Prisoner's Families Support Groups.

⁵³ McEvoy, K., O'Mahoney, D., Horner, C. and Lyner, O. (1999) *op. cit.*

⁵⁴ Brown, K. (2001) *Op Cit.*

⁵⁵ Boswell, G. (2002) 'Imprisoned fathers: The children's view', *The Howard Journal*, Vol. 41 (1).

⁵⁶ Beverley Hughes MP, Commons Written Answers, 20 July 2001, col.682W.



great challenges to men who have been separated from their families, and who are unaccustomed to life outside.⁵⁷

Recent research that has involved talking with prisoners and their families has revealed distinct incongruence between expectations of prisoners and those of their partners.⁵⁸ Prisoners often have unrealistic expectations about the reactions of their families to their return, and give little recognition to the adjustments that other family members may have to make. Although partners of prisoners usually want their relationship to continue after release, they often anticipate problems. Communicating these differences in expectations can be difficult in the context of the restriction of contact associated with imprisonment.

Despite holding concerns about their husband's employment prospects, and adjustment to life at home, most women want to be reconciled with their partner upon completion of his term of imprisonment.⁵⁹ However, lack of contact between prisoners and their children during the term of imprisonment apparently affects the chances of successful family reunification at the end of a prison sentence.⁶⁰ There is also evidence that female partners do not feel that they can approach the prisoner for support during their sentence,⁶¹ and that children in turn, feel they have to be emotionally brave, thus giving the impression that they are coping and thereby risking losing support that they really need.⁶²

A Home Office survey conducted in 2001 found that only a quarter of prisoners had a paid job arranged after release.⁶³ Two thirds said they had accommodation arranged, but most of these (67%) were returning to where they had lived before entering custody, and less than half suggested that their arranged accommodation was permanent. Females were less likely to have accommodation arranged (56% as against 69% of males). Seventy-one per cent of those who had no accommodation arranged within three weeks of their release claimed that they had received no help in finding somewhere to live.

Problems that prisoners faced prior to entry to prison are often still present on release. Those convicted of drug offences, for instance, tend to feel that they do not receive adequate preparation to manage their addiction or abstain from drug use on release. Medical needs often go unmet, while many prisoners suffer chronic emotional disorders for which they never get treatment.

⁵⁷ Jeffries, J. M., Menghraj, S. and Hairston, C. F. (2001) *Serving Incarcerated and Ex-offender Fathers and their Families: A review of the field*, Report prepared for the U.S. Department of Justice and The Charles Stewart Mott Foundation, Vera Institute of Justice.

⁵⁸ Noble, C. (1995) *Op Cit*.

⁵⁹ Morris, P. (1965) *Op Cit*.

⁶⁰ Hairston, C.F. (1990) 'Family Ties During Imprisonment: Do they influence future criminal activity?' *Federal Probation*, vol. 52 (1), pp. 48–52.

⁶¹ Noble, C. (1995) *Op Cit*

⁶² Brown, K. (2001) *Op. Cit*.

⁶³ Niven, S. and Olugundaye, J. (2002) 'Jobs and Homes: A survey of prisoners nearing release', *Findings*, 173, Home Office Research Development and Statistics Directorate.



Following a study of imprisoned mothers, Richie reported that the majority worried about their children both before and after their arrest.⁶⁴ During their sentence, their concerns focus on child residence, parenting and their reintegration into the family but maintaining a relationship with their children during their sentence proves to be even more difficult than they expected, because of limited visiting, shortage of finances and stigma. Sometimes, relationships ruptured by imprisonment are never repaired, and several of the women who took part in the Richie study had already had a child taken into care. The research findings confirmed that obtaining adequate support for parenting, and being able to maintain a relationship with a child, is important as a stabilising influence in the women's lives, even if they do not become co-resident with their children after release. Women described the difficulties of having to find somewhere to live so that their children could live with them, of getting treatment for addiction and finding a job. When women desire to live with their children after release, as many of them do (some three-quarters according to Home Office⁶⁵ estimates), these problems are immediate and pressing. The demands compete, however, and any help that is available tends to be provided by different agencies addressing different problems, with little evidence of agencies being able to offer a comprehensive, joined-up service.

Released prisoners resuming a parenting role may suffer feelings of incompetence and lack of parental authority while, at the same time, coping with the fact that their children may have developed stronger bonds with the person who looked after them during their absence. The partners of prisoners can have a range of concerns about release. These often include worries about the released prisoner getting a job, losing their own independence, sexual anxieties, and about how their relationship with the children will change. They will inevitably have to make some sacrifices to facilitate successful reunion.⁶⁶

Supporting prisoners and their families

Of the prisoners released in 1997, 58 per cent were re-convicted within two years and 36 per cent were given another prison sentence. It has been estimated that ex-prisoners commit about one million crimes a year.⁶⁷ Nevertheless, research has shown that the maintenance of family ties can help to reduce recidivism, and prevent the children of prisoners from following the same offending trajectories as their parents. As Morris (1965) said:

Every stress suffered by such families weakens the family and increases the likelihood of other family members, especially the children, becoming social casualties, thus adding not only to the charge upon the community but to the sum of human unhappiness.⁶⁸

⁶⁴ Richie, B. E. (2001) 'Challenges incarcerated women face as they return to their communities: Findings from life history interviews', *Crime and Delinquency*, vol. 47, no. 3. pp. 368–89.

⁶⁵ Caddle, D. and Crisp, D. (1997) *Mothers in Prison*, Research Findings No 38, Home Office Research and Statistics Directorate.

⁶⁶ McEvoy, K., O'Mahoney, D., Horner, C. and Lyner, O. (1999) *Op Cit*.

⁶⁷ Elkins, M. and Olagundoye, J. (2001) *The Prison Population in 2000: A statistical review*, Findings paper 154, Home Office Research, Development and Statistics Directorate.

⁶⁸ Morris, P. (1965) *Op Cit*.



An American research report identified the maintenance of strong family ties whilst in prison as being crucial to parole success.⁶⁹ A study of released prisoners found that half of those who had no contact with family members during their sentence had managed to complete a year of parole without being re-arrested, compared to 70 per cent of those who had at least three visitors while in prison.

The importance of families in helping to reduce recidivism has been acknowledged by the Director- General of the Prison Service who wrote:

A stable, supportive family throughout the sentence is a key factor in preventing re-offending on release. I firmly believe that we should do as much as possible to sustain family relationships at what for many will be an especially traumatic time in their lives.⁷⁰

The Woolf Report into prison disturbances recognised the importance of family ties, and observed that, while families may not always be a positive influence, the majority were not involved in the crimes committed by the prisoners and should not, therefore be victimised. The report made a number of recommendations for maintaining family ties.⁷¹ Nevertheless, it seems that families are not encouraged to take part in pre-sentencing reports, or given the opportunity to discuss with the prisoner how they will manage their daily life and deal with practicalities outside.⁷² Since there is seldom a particular person in prison establishments who has day-to-day responsibility for maintaining family ties, families can feel that there is no one to whom they can express concerns about a prisoner to, or from whom they can seek information.⁷³ In Scotland, however, each prison has a designated Family Contact Development Officer.⁷⁴

It is difficult for the prison system to ignore the parenting responsibilities of women, because some are pregnant when they enter prison and many others had primary caregiving obligations before imprisonment. The need to give attention to the parenting roles of male prisoners may be less obvious, however, even though the majority of them are fathers, and do have parenting responsibilities. Nevertheless, there have been some attempts to encourage male prisoners to recognise and reassess their ongoing role as a father.⁷⁵ Indeed, almost three in ten of 144 adult male inmates interviewed by

⁶⁹ Holt, N. and Miller, D. (1972) *Explorations in Inmate-Family Relationships*, Research Report no. 46, Research Division, California Department of Corrections, Sacramento, California.

⁷⁰ Martin Narey, Director General of the Prison Service in England and Wales. ADFAM National and HM Prison Service (2001) *Partners in Prevention 2001: Involving Prisoner's Families in Tackling Drug Misuse*. Conference Report.

⁷¹ See for example: Ditchfield, J. (1994) *Family Ties and Recidivism*, Home Office Research Bulletin No.36; Haines, K. (1990) *After-care Services for Released Prisoners: A review of the literature*, Home Office; Home Office (1991) *Report into Prison Disturbances April 1990 by the Right Honourable Lord Woolf and His Honour Judge Stephen Tumin*, HMSO.

⁷² House of Commons Committee of Public Accounts (2002) *Reducing Prisoner Reoffending*, Fifty-third Report of Session 2001-02, The Stationery Office.

⁷³ Social Exclusion Unit (2002) *Op Cit*.

⁷⁴ *Scottish Prison Service Policy Statement*, <http://www.sps.gov.uk/home/policy.asp#community>

⁷⁵ For a comprehensive view of programmes operating in the United States, see: Jeffries, J. M., Menghraj, S. and Hairston, C. F. (2001) *Serving Incarcerated and Ex-Offender Fathers and their*



Boswell and Wedge had attended a parenting programme, and almost two-thirds indicated that the programme had changed the way that they perceived their fathering role.⁷⁶ One example of a parenting programme is the *Parenting from Prison* course developed by the Ormiston Children and Families Trust. This course, which is operational in one of the prisons involved in our research, is based on the premise that there are positive things that can be done to enhance the relationship that imprisoned men have with their children and that the removal of their physical presence within their families does not necessarily have to lead to emotional isolation. The course places the responsibility on the men to work at maintaining positive contact with their families, and aims to:

- help fathers to understand and appreciate the impact of their imprisonment and offending behaviour on their partner and children
- enhance and improve the fathers' skills in communicating with their children
- develop their insight into the needs and development of their children
- assist them in dealing with the emotional stress of contact with their children
- prepare the men for release and return to family life⁷⁷

Although there is increasing use of such initiatives in prisons, provision is far from systematic. It has tended to depend on the commitment of individual prison officers who have a passionate interest in this area although a Prisons Minister has said:

Strong and understanding relationships between prisoners and their families are the foundations on which the Prison Service and all the agencies involved with prisoners after their release can help prisoners build their ambitions for a law-abiding life ... Teaching prisoners how to create and enjoy a positive family life, and to play a full and responsible part in bringing up their children, makes an important contribution to reducing re-offending.⁷⁸

The role of the voluntary sector

Many professionals in the fields of education and social welfare have little knowledge about the problems facing prisoner's families and are, therefore, unable to provide the necessary support or services.⁷⁹ Nevertheless, there are signs of change. Some agencies have made particular efforts, during the last decade or so, to develop

Families, Report for the U.S. Department of Justice and the Charles Stewart Mott Foundation. Available from http://www.vera.org/publication_pdf/fathers.PDF

⁷⁶ Boswell, G. and Wedge, P. (2002) *Imprisoned Fathers and their Children*, Jessica Kingsley Publishers.

⁷⁷ *Parenting From Prison pack* (1998) Ormiston Children and Families Trust.

⁷⁸ *Prison Service Extends Family Man Course*, 29 Jan 2003, <http://www.hmprisonservice.gov.uk/news/newstext.asp?281>

⁷⁹ *Living In The Shadows: Tackling the difficulties faced by families of prisoners in the community*, Report of the Federation of Prisoners' Families Support Group's Conference (9 October 1996)



strategies to support prisoners' children. The Connexions service, for example, has produced guidance material to enable those working within the scheme to consider the specific needs of young people with a prisoner in the family.⁸⁰

The voluntary sector has played an important role in prisons for the last 100 years and currently makes an important contribution to the rehabilitation and resettlement of prisoners and families. The contributions of these agencies, however, have developed in a haphazard manner, without a clear policy framework or an integrated implementation strategy.⁸¹ Nevertheless, a Government minister with responsibility for prisons expressed his view of the importance of the voluntary sector thus:

The use of the voluntary sector is rapidly increasing throughout Government and the potential for developing partnerships between prisons and voluntary organisations is enormous. The significance of these partnerships in helping us to deliver constructive regimes and meet targets cannot be over emphasised. Voluntary organisations are an invaluable and currently under-used resource and it is vital that we involve them in our work wherever they can make a contribution.⁸²

One area in which the voluntary sector is heavily involved is in provision of visitor centres for use by prisoners' families. Notwithstanding the essential and valuable contributions that these make, however, the concept of partnership between the voluntary organisations and the Prison Service in such provision is a problematic one. A study that elicited the views of 75 visitor centre managers and 100 prison governors found that visitor centres generally have a low profile in prison establishments and suffer from a lack of recognition by prison staff.⁸³ Moreover, the staffing, organisational structure and range of facilities provided by visiting centres vary.⁸⁴ Many centres have no input into decisions affecting them and the volunteers who run them find it difficult to communicate their needs to prison staff and are apt to feel that the potential contribution of centres is undervalued. This makes it difficult to maintain appropriate staff levels. While most centres obtain some funding from the host prison, many rely on donations or earned income to supplement their core funding. This creates an uncertainty which makes long-term planning difficult.

There appears to be a distinction between visitor centres staffed by civilians, and those run directly by prisons. In the former, workers tend to see their role in terms of providing a warm welcome for families and offering information and support. By contrast, prison personnel who operate visitor centres see the role as one of providing an assembly point through which to manage visits as efficiently as possible. Both seem laudable aims, but the differences in focus emphasise the variability in provision.

⁸⁰ See: Connexions (2002) *Supporting Young People With a Prisoner in the Family*, <http://www.connexions.gov.uk/partnerships/index.cfm?CategoryID=6&ContentID=81>.

⁸¹ CLINKS Prisons Community Links (1999) *A Report on Community-based Organisations and Four Prisons in England*.

⁸² Hon. Paul Boateng MP, The Minister for Prisons, speaking at the Prison Service Conference, February 2000.

⁸³ Federation of Prisoner's Families Support Groups/ Prison Reform Trust (2001) *Just Visiting? A review of the role of prison visitors' centres*, summary report.

⁸⁴ Loucks, N. (2002) *Op Cit.*. Fritsch, T.A. Burkhead, J.D. ((1981) 'Behavioural reactions of children to parental absence due to imprisonment', *Family Relations*, vol. 30, pp. 83–88.



Two-thirds of prisons do not have a visitor centre.⁸⁵ Even in those that do, the focus is purely on facilitating visits and there is rarely provision that helps and support prisoners to reintegrate into family life when they leave prison. Sources of help and information to support parenting during a prison sentence, and beyond, would seem to be important.

Focusing on the children of prisoners

Despite suggestions that there is a link between having a parent in prison⁸⁶ and young people's involvement in criminal and antisocial behaviour, the needs of children of prisoners are often unmet. Young people who have a parent in prison suggest that they need someone to talk to, help with visiting and practical issues, to be kept informed and to have access to information⁸⁷ but agencies that are involved in their lives often do not take account of their particular needs. Children in care, for instance, complain about limited support to maintain contact with their parents, while it seems that schoolteachers are generally ignorant of the needs of prisoner's children and have little information available to help them.⁸⁸ A recent report argued that schools should have a policy for dealing with children who have a parent in prison, that teachers should receive special training and that time off school should be authorised for children to attend prison visits.⁸⁹ It is clear that if appropriate support were available the school system could help children to develop resilience to the risk associated with having a parent in prison⁹⁰ but teachers need appropriate support and guidance.⁹¹

Understanding risk

Our study focuses on the imprisonment of a parent as a risk factor that increases the likelihood of the children becoming involved in criminal or antisocial behaviour. This is timely given the growth of government programmes involving early intervention as a means of reducing the prevalence of such behaviours. A Home Office Minister (Hazel Blears) has outlined government plans to extend this to tracking and monitoring all of the children of prisoners claiming that as many as 65 per cent of the become offenders themselves.⁹²

Early intervention programmes operate from an assumption that risk factors may be thought of as 'any influence that increases the probability of onset, digression to a

⁸⁵ Wellard, S. (2001) 'Prisoners' Families', *Family Today*.

⁸⁶ C.W. Simmons (2000) *Children of incarcerated parents*, California Research Bureau Note, vol. 7, no. 2; B. A. Krisberg and C E. Temin (2001) *The plight of children whose parents are in prison*, National Council on Crime and Delinquency Focus.

⁸⁷ Brown, K. (2001) *Op Cit*.

⁸⁸ Dibb, L. (ed.) (2001) *'I didn't think anyone could understand, miss': Supporting prisoner's children in school*, Federation of Prisoners' Families Support Groups.

⁸⁹ *ibid*.

⁹⁰ Gilligan, R. (2000) 'Adversity, resilience and young people: The protective value of positive school and spare time experiences', *Children and Society*, vol. 14, pp.37-47.

⁹¹ One of the few teacher training resources available includes Ramsden, S. (1998) *Working with Children of Prisoners – A handbook for teachers*, Save the Children.

⁹² *The Independent*, 16 August 2004



more serious state, or the maintenance of a problem condition' which can be used in order to 'predict future outcomes'.⁹³ In relation to our research, the assumption is that imprisonment of a parent increases the probability (or risk) that their child will subsequently become involved in crime, and possibly be imprisoned. Although we may not know what that probability is, there is an assumption that it is calculable. Nevertheless, even if we could calculate the degree of risk, one would need to know something about the processes that link risk with outcomes.

Such a concept of risk relates to 'predictable types of events' which can be 'subjected to supra-individual and political rules of recognition, compensation and avoidance'⁹⁴. This understanding of risk has its origins in epidemiology, which is concerned with identifying factors that 'accentuate or inhibit disease and deficiency states', and the 'processes that underlie them' in order to reduce the risk of disease in given populations.⁹⁵ Our choice of 'event' on which to focus (i.e. the imprisonment of a parent) premises an association between what a parent does and what a child does. But who is at risk when a parent is sent to prison? Is it the child, the imprisoned parent or other people who might become victims of crimes committed by the child?

There is a tendency to conceptualise risk as something that is internalised; something that people consider when deciding about actions to pursue – taking risks rather than being at risk. In this context, risk may be thought of simply in terms of the chance of injury, damage, or loss. To be at 'at risk', therefore, means being involved – either voluntarily or involuntarily – in an activity or activities that could lead to negative outcomes. Voluntary risks are those associated with activities that an individual decides to undertake (e.g., driving a car, smoking cigarettes, engaging in extreme sports) in circumstances in which they are able to conduct self-assessment of the degree of risk involved based on knowledge about likely outcomes. In some cases voluntary risk-taking might offer excitement, which is why the risk behaviour of offending might be a normal experience in the process of growing up. Involuntary risks are associated with activities that happen to an individual without their prior consent or knowledge; such as having a parent committed to prison. However, there are degrees to which decisions to engage in an activity is voluntary. Truly voluntary decisions are made in the complete absence of pressure and with full knowledge of potential outcomes, but even voluntary risk-taking may involve some degree of pressure and ignorance of outcomes. For instance, it is well-established that peer group pressure is an important contributor to the decisions that young people make regarding whether or not to engage in offending or antisocial behaviour. Consequently, it seems likely that voluntary and involuntary decisions are not a dichotomy but rather two poles of a continuum.

Fraser suggests that risk is often defined retrospectively with, for instance, a child being viewed as at risk because they 'have already got into trouble, been victimised or

⁹³ Fraser, M. (1997) 'The ecology of childhood' in M. Fraser (ed.) *Risk and Resilience in Childhood: An ecological perspective*, NASW Press.

⁹⁴ Beck (1992) p. 19.

⁹⁵ Garmezy, N. (1996) 'Reflections and commentary on risk, reliance and development' in R.J. Haggerty, L.R. Sherwood, N. Garmezy and M. Rutter, *Stress, Risk and Resilience in Children and Adolescents*, Cambridge University Press.



failed in some way'.⁹⁶ However, a definition of risk that relies only on engagement in risky behaviour ignores other conditions that predispose children to problem behaviours. The kind of risk that we are dealing with in our research is usually determined externally. The children who are the focus of our study, for instance, do not themselves decide that their parent should be removed from the home and be imprisoned. Rather, it is the state, through its criminal justice system, that sends the mother or father (and perhaps both) to prison and which, advised by risk-evaluation experts, may subsequently classify the child as a member of an at-risk group who may be the subject of state interventions or programmes.

Some writers suggest that the concept of 'risk' has replaced that of 'dangerousness', in the language used to express management of marginalised social groups and individuals. Thus, risk-assessment is regarded as part of a 'governmental strategy of regulatory power by which populations and individuals are monitored and managed'.⁹⁷ For instance, Lupton purports:

In nineteenth-century governmental discourses ... the concept of 'dangerousness' tended to be used in relation to the problems of health and crime. 'Dangerous classes' and the 'dangerous individual' were identified as possessing the inherent qualities to present danger to themselves or to others, and therefore as prime targets for governmental intervention and treatment.⁹⁸

In the past, certain groups and individuals were identified as 'dangerous' on the basis of expert judgements based on observation of their living conditions and behaviour. One could speculate on the degree of dangerousness involved but not reliably quantify it. In contrast, risk is felt to be a more reliable concept since it is mathematically calculable and assigned on the basis of statistical correlations that arise from empirical research and analysis by 'medical researchers, statisticians, sociologists, demographers, environmental scientists, legal practitioners, bankers and accountants, to name but a few'.⁹⁹ Risk, therefore, is held to be more selective and precise than the relatively subjective notion of dangerousness. At the same time, risk is more abstract since it 'does not arise from the presence of particular precise danger embodied in a concrete individual or group', but is 'the effect of a combination of abstract factors which render more or less probable the occurrence of undesirable modes of behaviour'.¹⁰⁰ The identification and monitoring of risk in populations becomes, therefore, 'a new mode of surveillance', and a trigger for interventions aimed at prevention.¹⁰¹

In this approach to risk, the purpose is to identify those groups that constitute threat in order to exercise control over them, or to minimise risk for the benefit of the rest of the population. However, there are doubts as to whether measurement of risk is sufficiently reliable to warrant such intervention in people's lives, while placing children into 'at risk' categories may have the effect of lowering expectations and/or blaming them for factors over which they have no control. This can lead to a self-

⁹⁶ *ibid.*

⁹⁷ Lupton, D. *Risk*, Routledge, p. 87.

⁹⁸ *ibid.* p. 91.

⁹⁹ *ibid.* p. 87.

¹⁰⁰ *ibid.* p. 92–3.

¹⁰¹ *ibid.* p. 93.



fulfilling prophecy in which children that are labelled as potential offenders do become offenders due to the way they are subsequently treated. There is an inherent danger that the children who are labelled as ‘at risk’ will be those whose ‘appearance, language, culture, values, home communities and family structures do not match those of the dominant culture’ suggesting that ideological factors may be implicated in the construction or application of the concept of risk.¹⁰² Moreover, identifying young people as potential criminals before they have committed offences may arouse civil liberty concerns.¹⁰³

Parental criminality

We studied the relationships between imprisonment, family life and child development because previous research has identified an association between parental prison sentences and the chances of children displaying ‘problem behaviours’. In other words, having a parent in prison has been identified as a risk factor that increases the propensity for children to become involved in criminal or antisocial behaviour. The way that this operates might not be straightforward. The presence of a criminal within a household is itself a risk factor, and the risk that it creates might be dispelled if that criminal member is removed.

Previous research has identified parental criminality as a major risk factor that increases the likelihood of children indulging in antisocial behaviour and offending. It is suggested that children brought up by parents who are offenders are more likely to offend themselves.¹⁰⁴ The Youth Lifestyles Survey 1999 found that men with friends or relations who had been in trouble with the police were three times more likely than others to be offenders. The pattern for women was even more marked, since those with criminal acquaintances or families were over six times more likely to be offenders.¹⁰⁵ Dunlap *et al.* describe how abuse, neglect and negative role models serve to transmit conduct norms for negative behaviours across generations of girls, and suggest that girls are socialised into internalising and repeating negative behaviours because of an inability to break into conventional societal norms of behaviour.¹⁰⁶

¹⁰² Howard, S., Dryden, J. and Johnson, (1999) ‘Childhood resilience: Review and critique of literature’, *Oxford Review of Education*, vol. 25 (3), pp. 307-23.

¹⁰³ See for instance ‘Alarm at Met database on likely young criminals’, *The Guardian*, 22 January, 2002.

¹⁰⁴ Farrington, D. P., Barnes, G. C. and Lambert, S. (1996) ‘The Concentration of Offending in Families’, *Legal and Criminal Psychology*, vol. 1, pp. 35–60.

¹⁰⁵ Flood-Page, C., Campbell, S., Harrington, V. and Miller, J. (2000) *Youth Crime: Findings from the 1998/9 Youth Lifestyles Survey*, Home Office Research Study no. 209, Crime and Criminal Justice Unit. www.homeoffice.gov.uk/rds/pdfs/hors209.pdf

¹⁰⁶ Dunlap, E., Golub, A., Johnson, B. D. and Wesley, D. (2002) ‘Intergenerational transmission of conduct norms for drugs, sexual exploitation and violence: A case study’, *British Journal of Criminology*, vol. 42, pp. 1–20.



Research conducted by the Princes Trust in 2001, found that 60 per cent of 200 offenders who were interviewed came from families in which someone had a police record, and that many of them had grown up learning by example to resolve conflict situations with violence.¹⁰⁷ Similarly, over half of the young people involved in a study of growing up in poverty carried out in 1998 said that they had been involved in some form of offending behaviour, and 40 per cent of those who were offenders said they had become involved in crime through the direct influence of family and friends.¹⁰⁸

Research carried out in North America has found similar associations between parental and child behaviours. One study, for instance, found that the children of offenders were six times more likely than other children to go to prison themselves.¹⁰⁹ Another found that around ten per cent of the teenage children of offenders ended up in prison.¹¹⁰ A 1994 study found that 31 per cent of teenaged children of offenders had been in trouble with the police.¹¹¹ In addition, 41 per cent had been suspended from school, an event which apparently places them at further risk of offending behaviour.¹¹²

Focusing on parental offending behaviour may be misleading, however. As Wertlieb suggests in the context of divorce, the study of singular events offers only the illusion of simplicity due to complex variations in how individuals experience them.¹¹³ It is important, therefore, to consider the offending behaviour and imprisonment of a parent as markers for a range of constellations or patterns that include numerous events or linked contingencies. Knowledge about the relationship between risk and offending or antisocial behaviour is patchy, however, and it is difficult to be sure which risk factors are of relevance in particular social and cultural circumstances. With regard to the children of prisoners one needs to be conscious that much of the research has been methodologically limited, employing relatively small samples. Moreover, 'there have been no longitudinal studies following children through difficult phases of parental imprisonment and release' while 'almost no research has been conducted through direct contact with children'.¹¹⁴

¹⁰⁷ The Princes Trust (2001) *'It's Like That': The views and hopes of disadvantaged young people*. Research summary available at: www.princes-trust.org/downloads/newsun.htm

¹⁰⁸ Roker, D. (1998) *Worth More Than This: Young people growing up in family poverty*, Trust for the Study of Adolescence.

¹⁰⁹ Jacobs, A. (1995) *Protecting Children and Preserving Families: A co-operative strategy for nurturing children of incarcerated parents*, New York Women's Prison Association.

¹¹⁰ Johnston, D. (1991) *Effects of Parental Incarceration*, Pacific Oaks Center for Children of Incarcerated Parents, Pasadena, CA.

¹¹¹ As reported in Brenner, E. (1998) *Fathers in Prison: A review of the data*, National Center on Fathers and Families, Philadelphia, PA.

¹¹² See for example Audit Commission (1991) *Missing Out: LEA management of school attendance and exclusion*; Audit Commission (1996, 1998) *Misspent Youth: Young people and crime*; Flood-Page, C., Campbell, S., Harrington, V. and Miller, J. (2000), *op. cit.*

¹¹³ Wertlieb, D. (1991) 'Children and Divorce: Stress and coping in cited developmental perspective', in J. Eckenrode (ed.) *The Social Context of Coping*, Plenum, New York. Cited in Gore, S and Eckenrode, J. (1996) 'Context and process in research on risk and resilience', in R.J. Haggerty, L. R. Sherwood, N. Garmezy and M. Rutter, *op. cit.* p. 24.

¹¹⁴ Seymour, C. (1996) 'Children with parents in prison: Child welfare policy programme and practice issues' *Child Welfare, Special Issue, Children with Parents in Prison*, Vol. LXXVII, September/October, pp. 771-2.



Farrington *et al.* (2001)¹¹⁵ have offered several explanations as to why crime might 'run in families':

1. Intergenerational continuities in exposure to multiple risk factors: Familial transmission of offending forms part of a larger cycle of deprivation.
2. Assortative mating: People at risk of offending tend to become partners because of physical and social proximity to each other, or because they are attracted to those who are like themselves.
3. Mutual influence: Family members influence behaviour by providing negative role models for children to imitate or by having attitudes that encourage offending.
4. Environmental mechanisms: Offenders tend to live in the poorest areas, and the children of offenders are likely to be brought up in highly conflictual families and to have parents with poor child-rearing skills.
5. Genetic mechanisms: Twin and adoption studies have identified a biological link in offending in biological relatives. How environmental effects mediate this is not known.
6. Official bias: Children of convicted parents are more visible to the crime and justice system and other official agencies, and are therefore more likely to be convicted themselves.

There is a need for more research that aims to clarify how risk and resilience function in the lives of at-risk families, and for exploration of the ways in which children and young people experience and negotiate risk. This may facilitate understanding of why crime in some families is transmitted across generations, while in others it is not, and help to identify appropriate support for those families who are most at risk. It is unclear just how the processes of risk involved in lives of children who have an incarcerated parent increases the odds of their experiencing negative outcomes in terms of criminal behaviour and how risk is compounded when parents are arrested, found guilty and imprisoned because of the offences they have committed. One of the key questions relates to whether parental criminality constitutes the risk factor or whether the absence of a parent because of imprisonment represents additional risk. There is evidence from divorce-related studies that the absence of a parent from the day-to-day life of a child increases the risk of that child becoming involved in criminal and/or antisocial behaviour. Simons *et al.*, for instance, suggest that children living with a divorced mother are four times more likely than those living in intact families to display severe delinquency.¹¹⁶

¹¹⁵ Farrington, D. P., Jolliffe, D., Loeber, R., Stouthamer-Loeber, M. and Kalb, L. M. (2001) 'The concentration of offenders in families, and family criminality in the prediction of boys' delinquency', *Journal of Adolescence*, vol. 24, pp. 579–96.

¹¹⁶ Simons, S. L. and Associates (1996) *Understanding Differences Between Divorced and Intact Families: Stress, interaction and child outcome*, Sage Publications.



In some circumstances, the imprisonment of a parent may actually serve to reduce risk. For instance, imprisonment of negligent, violent and abusive parents can clearly benefit children by removing serious risks of current and future harm. Nevertheless, the literature in this field tends to suggest that imprisonment of parents is more often a traumatic life event that initiates or intensifies rather than reduces the problems of involved children. Hagan¹¹⁷ has outlined four approaches to understanding the effects of parental imprisonment on children. These are:

1. The strains of economic deprivation (the strain perspective).
2. The loss of parental socialisation through role-modelling, support and supervision (the socialisation perspective).
3. The stigma and shame of societal labelling (the stigmatisation perspective).
4. The fact that certain types of families are more likely to include offenders (the selection perspective)

The strain perspective

The strain perspective points to the likelihood that imprisonment of a parent might lead to economic deprivation and other strains that affect children. The removal of a parent might lead to the loss of an important 'breadwinner', and loss of other contributions that that parent offers to family life. The remaining parent might have less time and less money to invest in the children. On the other hand, Hagan points to other dimensions of strain theory which makes opposite predictions to those which lead from the above interpretation. Imprisonment sometimes means removal of a person whose presence damages the supportive capacity of the family, through either idleness and negligence or violence and abuse. Such a parent is a drain or a threat rather than an asset to the family and prison acts as a potential source of relief.

The socialisation perspective

The socialisation perspective assumes that the imprisoned parent made a positive contribution to the life of the family and that their imprisonment removes an important resource for the socialisation of children. When a parent is imprisoned his/her children lose the supervision, support and role modelling that they provided, while the salience of the other person may increase and the significance of the peer group may expand. While the imprisoned parent may continue to have some contact with their children their parenting role is inevitably different to what it was prior to imprisonment. Although imprisoned parents may try hard to make their contact with children positive, effective parenting – which involves activities such as providing encouragement and emotional support, establishing and explaining standards for conduct and administering consistent discipline – is virtually impossible.

¹¹⁷ Hagan, J. *The next generation: Children of prisoners*,
<http://www.doc.state.ok.us/DOCS/OCJRC/Ocjrc96/Ocjrc19.htm>



The stigmatisation perspective

Children might suffer from stigma attached to the imprisonment of a parent and be labelled deviant for something that their parents have done, and subsequently engage in delinquent activity because of the way they are treated. Moreover, imprisonment can cause ‘angry and defiant expressions of unacknowledged shame and rejection’¹¹⁸ which makes some children more inclined towards rebellious, defiant and antisocial behaviour.¹¹⁹

The selection perspective

A selection perspective assumes that prior to a prison sentence, imprisoned parents and their children are already different in some way from other parents and children. Differences that predate parental imprisonment may derive from various factors that were present before imprisonment such as parental negligence, violence and abuse. There is also evidence of selective mating, with partners of prisoners described as having ‘the same psychopathology as the felons’.¹²⁰

Moving beyond deficit models

Our research interests are motivated by the belief that it is important to move beyond a deficit model of risk in which risk indicators are used to identify children and families who are seen as ‘deficient’ in some way. Categorising an individual or a family as ‘at risk’ because of evidence gathered at a particular point in time is a problematic exercise. The evidence suggests that risk status is not static, since risk is influenced by factors that might change over time, while transitions – the imprisonment of a parent, parents separating, moving house, changing school, etc. – temporarily affect risk. Indeed, all children are likely to be subject to some degree of risk. Therefore, risk might best be viewed as a continuum on which individuals vary, and on which any given individual will vary over time.¹²¹ Assigning a risk score to an individual, however, implies imposing cut-off points, which can be influenced by a range of factors, some of which might change immediately after assessment.¹²² In addition, it is important to consider how long a given individual has been exposed to a particular risk factor. The amount of time a parent spends in prison and the number of prison sentences may be crucial factors.

¹¹⁸ Scheff, T. (1988) ‘Shame and conformity: The deference-emotion system’, *American Sociological Review*, vol. 53, pp. 395–406.

¹¹⁹ Sherman, L. (1993) ‘Defiance, deterrence and irrelevance: A theory of criminal sanctions’, *Journal of Research into Crime and Delinquency*, vol. 30, pp. 445–73.

¹²⁰ Guss, S., Goodwin, D. and Game, B. (1970) ‘Psychiatric study of wives of convicted felons, an example of assortative mating’, *American Journal of Psychiatry*, vol. 126, pp. 115–8.

¹²¹ Schonert-Reichl, K. (2000) ‘Children and Youth at Risk: Some conceptual considerations’, Paper prepared for the Pan-Canadian Education Research Agenda Symposium *Children and Youth at Risk*, Ottawa.

¹²² Gambrill, E. and Schlonsky, A. (2000) ‘Risk assessment in context’, *Children and Youth Services Review*, vol. 22, no.11/12, pp. 813–37.



The aim of identifying at-risk children is to intervene in their lives in order to reduce risk and increase resilience. However, risk and resilience are not discrete qualities. Children can be more or less resilient depending on the complex interactions between risk and protective factors at different stages of their life-course. The role that protective factors (and to some extent risk factors) play in promoting resiliency is somewhat uncertain. Risk does not necessarily feature as a negative factor in a child's life. Indeed some level of risk is inevitable and may even contribute to the development of resilience. As Giddens suggests the individual 'has to confront novel hazards as a necessary part of breaking away from the established patterns of behaviour'.¹²³

Risk-taking is to some extent vital to self-realisation and improvement. Moreover, risk and resilience are context-dependent and apt to vary over time and with changing circumstances, the nature and timing of which could influence outcome. The propensity for risk and/or negative outcomes is liable to be greatest in times of transition, stress or crisis.¹²⁴ It remains difficult, therefore, to explain the ways in which the complex interplay between risk and protective factors contribute to the chances that children of prisoners will engage in criminal or antisocial behaviour. The connection between imprisonment of a parent and behaviour of a child is likely to be ameliorated by interactions between a range of different factors, and the way that the child concerned contextualises these factors. As Freitas and Downey point out, 'a factor can be assigned a risk or ameliorative function only after specifying its relation to other psychological mediating units and to features of the environment'.¹²⁵ Nevertheless, we studied the relationship between parental imprisonment and a child's offending behaviour in the hope that increased understanding of the way children and families experience and view the processes of risk and resilience in their lives will enhance the provision of interventions aimed at assisting the criminal justice system to promote positive outcomes for these children and, indeed, for the parents who spend time in prison.

Our research is attempting to understand interconnected life courses. When a parent commits a crime, is arrested and is sent to prison, removing him/her from the family unit there is likely to be an impact on the life-course trajectory of the prisoner's children and of connected others who look after the children during the imprisoned parent's sentence. Thus, an enforced change in the trajectory of one person is likely to set in train chain reactions that will be diverse, and probably unpredictable in terms of outcomes for connected others. Understanding the processes of how this happens requires moving beyond life-course into a model that incorporates concepts of life space and lifestyle, where:

Life space represents a snapshot of the person in the context of family and social network (microsystem) at any point in time, while lifestyle concerns

¹²³ Giddens, A. (1991) *Modernity and Self Identity*, Polity Press, p. 78).

¹²⁴ Cashmore, J., Gilmore, L., Goodnow, J., Hayes, A., Homel, R., Lawrence, J., Leech, M., Najman, J., O'Connor, I., Vinson, T. and Western, J. (2001) *Pathways to Prevention: Developmental and early intervention approaches to crime in Australia*, National Crime Prevention, Commonwealth of Australia. Available at www.ncavac.gov.au

¹²⁵ Freitas, A. L. and Downey, G. (1998) 'Resilience: A dynamic perspective', *International Journal of Behavioural Development*, vol. 22, no. 2, pp. 263–85.



the dynamic thinking, feeling and acting of the person in their systemic environment.¹²⁶

One cannot be sure, however, whether it is imprisonment that increases the prospects of a prisoner's children engaging in crime/antisocial behaviour. We need to ask whether imprisonment is qualitatively different from that of parent-child separation with other causes (e.g. divorce, working away from home, military careers). Girshick, for instance, refers to loss of family through imprisonment as family dismemberment and argues that imprisonment is a uniquely negative form of loss since it seldom receives social approval.¹²⁷

We carried out this research with prisoner's families because the imprisonment of a parent is identified as a factor that increases the likelihood of children becoming involved in antisocial behaviour or crime. The suggestion is that depriving children of the day-to-day support, protection and supervision of a parent makes them more likely to engage in problem behaviours. This connects with the notion that career patterns of offending are related to the 'nature and quality of an individual's social bonds as they intersect with, and help create, turning points in the life course'.¹²⁸ However, the children of prisoners are likely to be exposed to a range of risk factors to which some will succumb but to which many will be resilient. It is unclear just how the processes of risk involved in lives of children who have an incarcerated parent increases the odds of their experiencing negative outcomes in terms of criminal behaviour and how risk is compounded when parents are arrested, found guilty and imprisoned because of the offences they have committed.

A central element of our research concerns the question of how young people respond cognitively to the risk represented by parental imprisonment. We are aiming to examine how families with a member in prison organise their lives to cope with that member's absence and how this enforced readjustment affects the way that children behave. We do not know whether the children, or the parents, concerned think of their circumstances in terms of risk (although feeling that they probably do not) but recognise that families and children do possess agency to mediate risk in their own ways. Imprisonment of a parent is an element of risk that is mediated through a range of processes and factors. The following were some of the questions that our research is attempting to address:

To what extent does parent-child separation resulting from imprisonment lead to negative outcomes for children?

Can these negative outcomes be prevented?

What are the life experiences of children who have a parent in prison?

¹²⁶ Owen, L. (2000) Life space, Life Course and Lifestyle: Where should we look for resilience or help in the situations of youth at risk, Paper presented at World Forum 2000: Children First in the New Millennium, Sydney, New South Wales 9 August. www.acwa.asn.au/wf2000/Papers/6OWEN.doc

¹²⁷ Girshick, L. B. (1996) *Soledad Women: Wives of Prisoners Speak Out*, Westport, Connecticut

¹²⁸ Tittle, C.R. (2000) 'Theoretical developments in criminology', in *Criminal Justice 2000: The Changing Nature of Crime in America Volume 1: The Nature of Crime: Continuity and Change*, (Washington DC: US Department of Justice) pp. 51-101



Do children perceive themselves to be stigmatised by a parent's imprisonment?

How are relationships between the child and people outside the family unit – e.g. peers and schoolteachers – affected?

How do young people cope with parental imprisonment? What coping strategies do they employ?

How does visiting parents in prison affect children?

Do outcomes differ for children with an incarcerated mother when compared with those of children whose father is in prison?

How important is the relationship between children and the imprisoned parent prior to sentencing?

What role do extended family networks play in ameliorating risk?

What are the processes that enable families to cope with imprisonment and help the children from these families be resilient to the risk involved?

What are the implications for penal policy?

We addressed these questions through multiple perspectives: those of the prisoner, those of the person caring for the prisoner's children and those of the children. The primary focus has, however, been on the children; attempting, in particular, to identify ways of developing resilience to the risk entailed by parental imprisonment. The research is due for completion in July 2004 and will involve the following:

A survey of prisoners in seven prison establishments.

In-depth facilitated questionnaires.

Pre- and post-release Interviews with a sample of parents.

Interviews with the person who took primary responsibility for the care of the prisoner's children during their sentence.

Interviews with children aged between 8 and 17.

We expect to produce some findings from this research during 2005.