



# **COPING: Children of Prisoners, Interventions and Mitigations to Strengthen Mental Health**

*Location: Germany, Romania, Sweden and the UK*



# **COPING: Children of Prisoners, Interventions and Mitigations to Strengthen Mental Health**

## **Summary**

COPING was a child-centred research project funded under FP7 which aimed to investigate the characteristics of children with imprisoned parents, their resilience, and their vulnerability to mental health problems. This group of children is exposed to triple jeopardy through break-up of the family, financial hardship, and extremes of stigma and secrecy, often leading to adverse social, educational and psychological repercussions. The first study of its kind, the project also mapped available mental health services for this population across the study countries and identified examples of good practice.

COPING's mixed methods research involving approximately 1,500 children, caregivers and stakeholders showed that children of parents who are in prison are a vulnerable group for increased mental health problems - 25% were at high risk of mental health problems, rising to near 50% children in Romania. The support of care giving parent and extended family were found to be central to good mental health and resilience while schools were identified as also playing a key role as they function as a major source of stability at a time of upheaval and disruption. Parental imprisonment affected children in myriad ways depending upon: the nature of the offence, the extent of support for the child, the age and gender of the child, the gender of the imprisoned parent, the relationship the child had with the imprisoned parent, open communication about what happened, opportunities for contact and visiting, the attitude of the non-imprisoned parent, the extent of stigma and, the ways in which the criminal justice system operates. For instance, many children were initially traumatised at the point of parental arrest as this often involved invasion of the home and generated a high level of stress and anxiety. With few exceptions, children did better overall if they were able to maintain good quality contact with the imprisoned parent. Appropriately equipped child-centred visiting and regular, easily accessed contact which facilitated continuance of child-parent relationship was essential for children's well-being. Most agency support was provided via NGOs and some excellent models of practice were found. However, access to specialist services was ad hoc and within Romania was non-existent. Mainstream child and adolescent mental health services had little understanding of the needs of children of prisoners and they were largely invisible.

Recommendations centred on five areas:

1. Child-friendly Criminal Justice Systems
2. Maintaining relationship with parent in prison
3. Improved access to services and support for children of prisoners and families
4. The role of the school
5. Public awareness and policy recognition

Key among the recommendations was the requirement for mental health and social welfare professionals to be made aware of the needs and vulnerabilities of children of prisoners and to provide appropriate support to them and their caregivers at several points: parental arrest, remand, conviction, imprisonment and release – all of these are major points of stress for children. Another area for improvement concerns the criminal justice system with the requirement that security should not inhibit a child's ability to interact with an imprisoned parent, visits should be a child's right not an earned privilege for prisoners and that prisons should provide age-appropriate activities for children to encourage positive parent/child interaction.



# COPING

## Children of Prisoners: Mitigations and Interventions to Strengthen Mental Health

Market Place on Best Mental Health  
Practices

Ispira (Italy), 14 - 15 May 2019

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## Problem Statement:

### Why Focus on Children with an Imprisoned Parent?

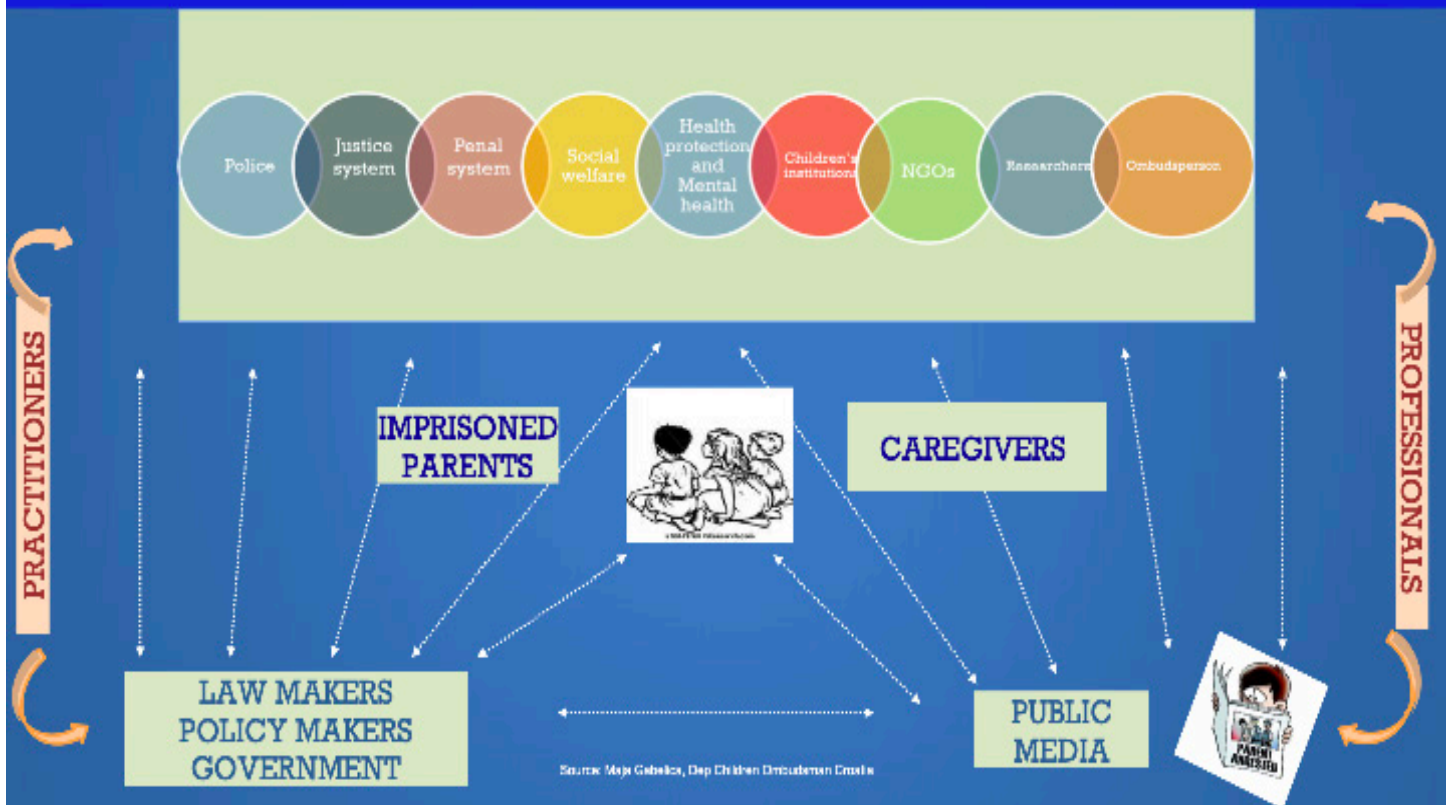
An estimated 800,00 children in the EU have a parent in prison in any year.  
These children are vulnerable to multiple difficulties:

- Family break-up
- Financial hardship
- Stigma & Shame
- Drug use
- Anti-social/delinquent behaviour
- Low self-esteem
- Intergenerational criminal behaviour
- Weakened family relationships
- Poor school performance, bullying by peers
- Higher risk for mental health problems

**These are the  
'forgotten victims' of  
crime; there remains  
no mainstream  
provision available to  
this client group**



# Children of Prisoners Need Multi-Sectorial Support



## Our Research

COPING, a consortium of 10 agencies from 6 countries, investigated the wellbeing, vulnerability to mental health problems and resilience of children who are impacted by parental imprisonment.

Conducted from 2010 through 2012, the first and only Pan-European study of its kind involved a survey of over 1000 children with an imprisoned parent, interviews with approx. 470 children, caregivers and stakeholders and mapped available services across four countries: the UK, Germany, Romania and Sweden. A partnership between a University + an NGO working with children of prisoners (CIPs) ensured an innovative, practical and effective approach.

Ongoing dissemination of recommendations was an integral part of COPING.

**To ensure wide applicability, the study countries reflected diverse incarceration levels, welfare policies and mental health interventions**

<http://coping-project.hud.ac.uk/>

### We explored:

- Resilience and coping strategies
- Family strengths and limitations
- Children's views
- Networks of support
- Shame and stigma
- Role of schools
- Availability of appropriate services
- What works

## Robust Methods

- A self-reporting survey was designed which utilised four scientifically validated instruments against which country norms had been established: the Goodman (1997) Strengths and Difficulties Questionnaire (SDQ), the Rosenberg (1965) Self Esteem Scale, the KIDSCREEN-27 Questionnaire (The KIDSCREEN Group Europe, 2006) and the WHO Quality of Life-BREF instrument (WHO, 2004). This was administered to children, aged 7-17, and parents/carers across the four countries in order to ascertain coping strategies and mental health problems for the children surveyed.
- Results were compared with normative population samples and purposive sampling carried out to identify a representative cohort of children and parents for in-depth interviews. A total of 349 in-depth interviews with children and caregivers were conducted across the four countries.
- In addition a multi-method stakeholder consultation strategy was carried out with 122 professionals/groups.
- A Mapping Tool was developed and used to systematically map relevant services



## COPING I Findings: 1

1. CIPs had a significantly greater risk of mental health problems (25% rising to near 50%) than children in the general population – greatest risk among older children (11+ years). These problems were manifest, in particular, in terms of emotional and peer problems
2. Open communication with caregivers, imprisoned parents and extended family key in mitigating risks and fostering resilience
3. Key support role of schools
4. Most agency support is via NGOs - CIPs invisible within mainstream child and adolescent mental health services



## COPING I Findings: 2

5. Many children are initially traumatised at the point of parental arrest and imprisonment – this is a key stage for preventive action and for providing support.
6. Child-centred visiting and contact arrangements essential for children's well-being.
7. Children missed fathers as much as mothers but there were differential impacts (e.g., living arrangements more disrupted if mother imprisoned, poverty increased if father imprisoned).
8. Overall children do better if they are able to maintain good quality contact with imprisoned parent, have supportive schools and access to support services.



## Key COPING Recommendations

- Mental health, education and social welfare professionals should be sensitised to CIPs' needs and if necessary, provide support to them and their caregivers.
- Pivotal stress points for children include : parental arrest, remand, conviction, imprisonment and release.
- Ensure that security doesn't inhibit a child's ability to interact with an imprisoned parent. Visits are a child's right, not an earned privilege for prisoners.
- Prisons should provide age-appropriate activities for children to encourage positive parent-child interaction.



## COPING research has contributed to...

- Raised awareness and improvements in services in several countries
- Inclusion of CIPs as one of the world's vulnerable groups of children by the UN Committee on the Rights of the Child (UNCRC). Country-specific recommendations on CIPs by UNCRC in its Concluding Observations on Member States' periodic reports
- Establishment of the International Coalition for Children with Imprisoned Parents (INCCIP)
- Recognition within the European Parliament and European Commission of the needs of CIPs



## Supporting children with parents in prison

07/02/2014

The extreme disadvantage experienced by young people with parents in prison is little recognised in any country, despite the fact that the number of children affected by parental incarceration is estimated to be approximately 800,000 in the [EU](#). In the UK this number exceeds 160 000, higher than those affected by divorce.



### The COPING project- understanding mental health risks and how to support children with parents in prison

Gathering evidence on the mental health problems of children of imprisoned parents and seeking policy solution to the hardships faced by these children was one of the goals of the multiannual [COPING](#) FP7 research project which covered four EU countries (UK, Germany, Sweden and Romania). Children with a parent or carer in prison (especially those older than 11 years) were found to have a significantly greater risk of mental health problems than children in the general population. Strengthening children's resilience in order to improve coping capacity is seen as a key path to empowering these children and their families, and improving the chances of a healthy, productive adult life.

## COPING research as also contributed to...

### Reframing the needs and rights of CIPS

- COPING used a positive psychology approach
- COPING used the concept of ACES (Adverse Childhood Experiences, one of which is parental imprisonment). This further normalises parental imprisonment as an experience which can happen to any child
- Children and young people need support to develop resilience and thrive.





## COPING research: A clear outcome

Recommendation CM/Rec(2018)5 of the  
Committee of Ministers concerning children with  
imprisoned parents:

<https://rm.coe.int/cm-recommendation-2018-5-concerning-children-with-imprisoned-parents-c/16807b3438>



## Council of Europe CM/Rec(2018)5

The Recommendation agrees common progress indicators; promotes cooperation between relevant agencies; and fosters the sharing of good practice within seven domains:

1. Basic principles (children's rights, welfare and wellbeing)
2. Police detention, judicial orders and sentences
3. Conditions of imprisonment
4. Staff working with, and for, children and their imprisoned parents
5. Monitoring
6. Research and evaluation of child-friendly practices and policies
7. Work with the media and with public opinion



So, recognising that the issue of children affected by the imprisonment of a parent is a public health issue...

The EU should continue to promote national initiatives to help minimise stigma and exclusion for children and to guarantee support by implementing COE Recommendation CM/Rec(2018)5.

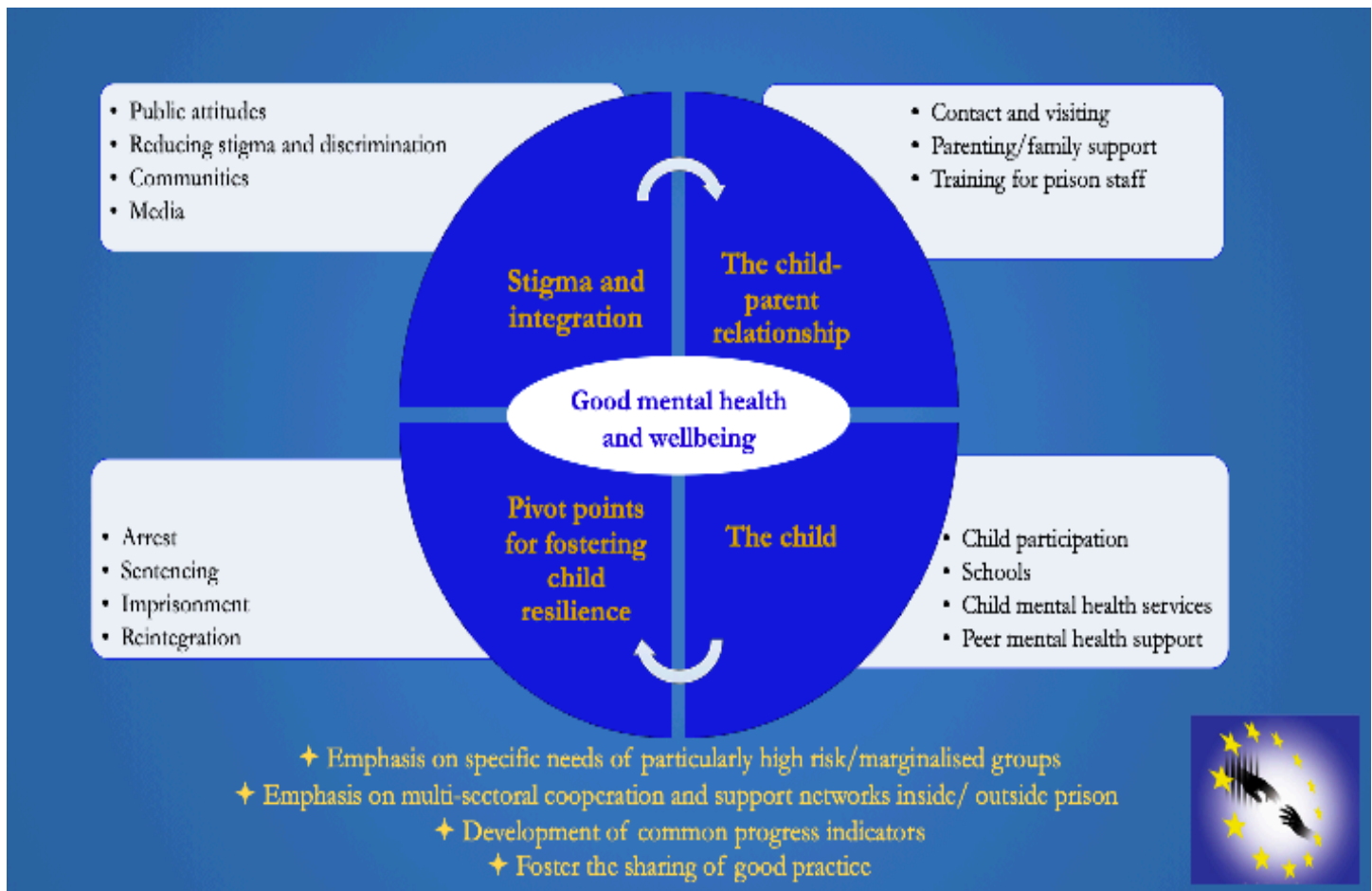


## Implementing best mental health practices for CiPs

Our aim now is to develop **COPING II** to optimise the mental health of CiPs by focusing on national implementation of the Council of Europe Recommendation and those practices identified in COPING I.

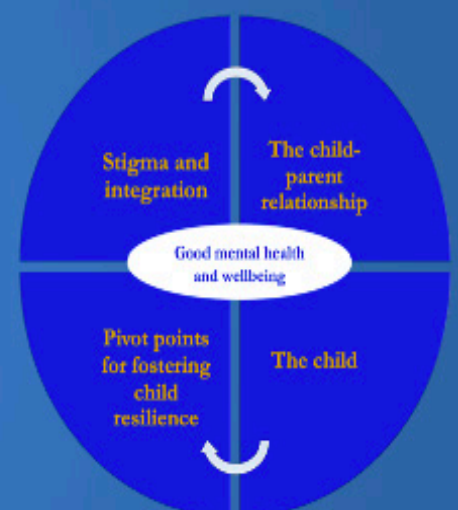
COPING II will join hands with interested Member States in developing multi-sectorial approaches in four key areas.





## COPING II: Five areas of activity

1. **Promote policy formulation & implementation** and inter-agency cooperation
2. **Sensitise and train** on the rights, needs and vulnerabilities of CIPs for key staff groups: police, judiciary, prison staff, child welfare and mental health professionals, teachers, civil society organisations
3. **Public engagement/social education** to reduce stigma and promote integration
4. Promotion/development of **best practice models** for key agencies in respect of the pivot points for developing resilience (parental arrest, sentencing, imprisonment and release)
5. **Monitoring, evaluation and sharing of evidence of what works**, how and for which groups of children



# Examples of good practice for imprisoned parent support

**BELGIUM**  
Relais Enfants Parents Asbl's work connecting "radicalised" fathers in prison with their children

Relais Enfants Parents Asbl's anti-radicalisation programme connects fathers imprisoned on extremism charges with their children and provides support to both parties.

**IRELAND**  
Bedford Row acts as "broker" between imprisoned fathers and their children

Bedford Row Family Project offers family support services for parents in prison and families on the outside, acting as a "broker" or mediator between the two. Services include advocacy, counselling, housing/accommodation, but above all support sessions centred around the therapeutic power of listening. A further important activity is organising prisoner visits to Bedford Row to meet with their families.

**FRANCE**  
Alain Bouregba (COPE founder and President of the Fédération des Relais Enfants Parents) has developed a theory on the importance of support for imprisoned parents for their children's healthy development

When a parent is imprisoned, stress is placed on the child-parent relationship. This stress comes from the impact prison tends to have on a person's sense of self and feelings of responsibility. Prison staff and professionals can play an important role in supporting the imprisoned parent, and in working to ensure that child-parent visits strengthen and support both parties involved. When a parent continues to feel involved and important in their child's life, this facilitates the transition back into the family once the parent is released from prison.

**DENMARK**  
Family Contact Officers and support groups for imprisoned fathers

Every prison in Denmark has a specially trained Family Contact Officer, who oversees training for the other prison officers. This enhances the value of the prison officer role as well as enhancing how they see prisoners (as parents) and ultimately enhancing the experience for the prisoners' children.

Father support groups are running in fifteen Danish prisons. Some of the family therapists carrying out the support for fathers are involved in an NGO helpline for prisoners' children, giving them first hand experience with what children are saying, information and insight that they can bring into their support sessions with fathers.

**SWEDEN**  
Solrosen's communication through music

Solrosen is fostering communication between imprisoned parents and their children through music.

**BULGARIA**  
Papa Plus: COPE has identified a need for support for imprisoned fathers in Bulgaria

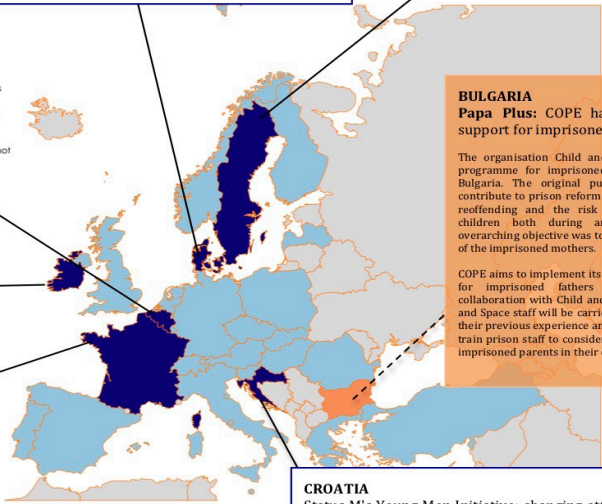
The organisation Child and Space has piloted a support programme for imprisoned mothers at Sliven prison in Bulgaria. The original purpose of the project was to contribute to prison reform efforts with the aim of reducing reoffending and the risk of mothers abandoning their children both during and after imprisonment. The overarching objective was to support the social reintegration of the imprisoned mothers.

COPE aims to implement its Papa Plus parent support model for imprisoned fathers in Bulgaria, through close collaboration with Child and Space. COPE's training of Child and Space staff will be carried out ensuring consideration of their previous experience and expertise. Child and Space will train prison staff to consider the needs of children and their imprisoned parents in their everyday work.

**CROATIA**  
Status M's Young Men Initiative: changing attitudes for young men, including young fathers in prison

The work of Status: M is based on gender transformative programmes for young fathers in prison. The gender transformative approach requires transformation of gender roles and promotes gender-equal relationships between men and women. The goals of these programmes are to reduce recurrence of criminal, violent and risky behaviours by improving attitudes towards non-violence and by building social and life skills of young men, fathers and future fathers in prisons; and to improve their parenting skills, encouraging them to work towards healthier and more equal relationships with their partners and empowering them as positive role models after their release. Status M is currently working with young men, fathers and future fathers in prison through delivering group workshop cycles.

- Countries where COPE has a presence
- Countries identified as having good practice models for Papa Plus
- Example of a country with an identified need for COPE father support model
- Countries where COPE does not yet have a presence



## The Netherlands: Exodus

Project 'Family Approach': Cooperation with all national and local organisations on the theme children and family. 22 families participated in Leeuwarden and Veenhuizen in 2018.

KIND centre of expertise, information, training, advice, research was launched in November in Den Bosch, in cooperation with Avans Hogeschool, Child Ombudsman, young ambassadors, COPE, Avans.

'Krachtig Thuis': empowering the family who stays at home when their next of kin is detained. To invest in restoring relationships between the prisoner and his relatives gives hope for a prison-free future. Zuid-Holland.

Parents, children and detention programme (child-friendly visits): 24 NL prisons participated, benefiting 171 children.

Training 'Mijn kind and ik' (my child and I): 27 sessions with 118 parents in 18 prisons across the country in 2018. In 2019 there will be a pilot of the workshop outside of prison for ex-detained parents.

'Think Family' is a project planned for 2019. Goal: To develop training/schooling and materials for professionals and volunteers who work with families and children.



## Indicative plan of action

1. Identification of interested Member States
2. Establishment of Collaboration Agreements identifying:
  - Areas of best practice to be established specific to context
  - Target groups
  - Key contact persons/departments/NGOs responsible
  - Timescale
  - Research partners for evaluation
3. Budgets and detailed country plans for EU approval/funding
4. Overarching Implementation Plan developed



## Indicative Structure: COPING II

EU Advisory  
Group/ Expert  
Consultant



COPE  
(Op Mgmt.)



Research Partner  
(Eval.)

[Lead agencies]

Cross-institutional leadership team involving government, civil society and research institutions in Member States implementing COPING II.

COPE network to facilitate the development of partnerships between academics, NGOs, policymakers and practitioners allowing for integrated and cross-cutting activities.

The involvement of research partners will ensure the production of robust evidence that informs debate and feeds into policy and practice.

*Collaboration with stakeholders will be key in order to co-create evidence and outputs that meet CIPs mental health needs, such as briefing papers, thematic reports, 'rapid response' evidence, informational events and data visualisation.*



## COPING II: Public health priorities addressed

- Preventing child depression and promoting resilience
- Improving access to mental health services for children with imprisoned parents
- Reducing stigma & promoting good mental health in schools
- Enhancing capacity for community based mental health services
- Developing integrated approaches
- Producing robust evidence on best practices



## COPING II: Keeping children connected



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## Recommendation CM/Rec(2018)5 of the Committee of Ministers to member States concerning children with imprisoned parents

*(Adopted by the Committee of Ministers on 4 April 2018  
at the 1312<sup>th</sup> meeting of the Ministers' Deputies)*

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The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve greater unity between its members, in particular through harmonising laws on matters of common interest;

Considering the significant number of children whose parents are detained in the prisons of the member States;

Reaffirming that children with imprisoned parents are entitled to the same rights as all children;

Recognising the obstacles to maintaining ordinary family relationships caused by the imprisonment of a parent and the difficulties which these children and their parents may face on account of such factors as a lack of quality family contact, stigma and financial, practical and psychological consequences of imprisonment;

Acknowledging the impact of imprisonment of a parent on children and the fact that prison can be a difficult environment for children;

Also taking into account that child-parent relationships are not always positive and healthy;

With a view to alleviating the avoidable adverse impact of a parent's imprisonment on children and on parental competency, with a view to protecting child development and fostering family reunification, where appropriate; and recognising that children with imprisoned parents are vulnerable and that consideration of their needs and rights forms part of the Council of Europe Strategy for the Rights of the Child (2016-2021) and should form part of cross-sectorial, multidisciplinary national child protection and welfare strategies;

Convinced that contact between children and their imprisoned parent can positively impact the child, the imprisoned parent, prison staff and environment, and ultimately society in general, and that respect for the rights and needs of individual children and the quality of contact with their imprisoned parents is compatible with ensuring safety, security and good order in prison;

Considering that account should be taken of the special needs of children and their imprisoned parents in order to provide them with opportunities comparable to those of other children and parents;

Taking into account the following Council of Europe legal instruments:

- Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5);
- Convention on Contact concerning Children (ETS No. 192);
- Convention on the Transfer of Sentenced Persons (ETS No. 112);
- Additional Protocol to the Convention on the Transfer of Sentenced Persons (ETS No. 167);
- Recommendation Rec(92)17 of the Committee of Ministers to member States concerning consistency in sentencing;

- Recommendation Rec(93)6 of the Committee of Ministers to member States concerning prison and criminological aspects of the control of transmissible diseases including Aids and related health problems in prison;
- Recommendation Rec(97)12 of the Committee of Ministers to member States on staff concerned with the implementation of sanctions and measures;
- Recommendation 1469 (2000) of the Parliamentary Assembly of the Council of Europe "Mothers and babies in prison";
- Recommendation Rec(2003)22 of the Committee of Ministers to member States on conditional release (parole);
- Recommendation Rec(2006)2 of the Committee of Ministers to member States on the European Prison Rules;
- Recommendation Rec(2006)13 of the Committee of Ministers to member States on the use of remand in custody, the conditions in which it takes place and the provision of safeguards against abuse;
- Recommendation CM/Rec(2008)11 of the Committee of Ministers to member States on the European Rules for juvenile offenders subject to sanctions or measures;
- Recommendation CM/Rec(2010)1 of the Committee of Ministers to member States on the Council of Europe Probation Rules;
- Recommendation CM/Rec(2012)12 of the Committee of Ministers to member States concerning foreign prisoners;
- Recommendation CM/Rec(2014)4 of the Committee of Ministers to member States on electronic monitoring;
- Recommendation CM/Rec(2017)3 of the Committee of Ministers to member States on the European Rules on community sanctions and measures;

Taking also into account the relevant case law of the European Court of Human Rights;

Bearing in mind:

- the United Nations Convention on the Rights of the Child (1989);
- the United Nations Model Agreement on the Transfer of Foreign Prisoners and Recommendations on the Treatment of Foreign Prisoners (1985);
- the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) (Resolution 2010/16 of the Economic and Social Council);
- the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules, 2015);
- the United Nations Committee on the Rights of the Child report and recommendations of the day of general discussion on "Children of incarcerated parents" (2011);
- the Charter of Fundamental Rights of the European Union (2009);
- the European Union Council Framework Decision 2008/909/JHA on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union;
- the European Union Council Framework Decision 2008/947/JHA on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions;
- the European Union Council Framework Decision 2009/829/JHA on the application, between member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention;

Considering that penal policy, sentencing practice and the overall management of prisons in member States need to be guided by commonly agreed standards and principles related to the support and protection of children with imprisoned parents;

Agreeing that additional ethical and professional standards need to be developed in order to guide the national authorities, in particular judges, prosecutors, prison administrations, probation services, police and child welfare and other support agencies in respecting the rights and needs of children and their imprisoned parents;

Taking into account the constitutional principles, legal traditions and the independence of the judiciary in the member States;

Recognising that a range of authorities and agencies are in contact with children who may be affected by the imprisonment of a parent and that such bodies are in need of a coherent set of guiding principles in line with Council of Europe standards,



Recommends that governments of member States:

- be guided in their legislation, policies and practice by the rules contained in the appendix to this recommendation;
- ensure that this recommendation and the explanatory report to its text are translated and disseminated as widely as possible and more specifically to all relevant authorities, agencies, professionals and associations, as well as being made accessible to children and their imprisoned parents.

*Appendix to Recommendation CM/Rec(2018)5*

## **I. Definitions, underlying values and scope**

### *Definitions*

For the purpose of this recommendation:

- a. "child" refers to any human being under the age of 18;
- b. "prison" refers to an institution reserved primarily for the detention of suspects or of sentenced persons;
- c. "imprisoned parent" refers to a parent (as recognised by national law) who is detained in prison;
- d. "infant in prison" refers to a very young child born and/or living with a parent in prison;
- e. "caregiver" refers to a person who looks after and takes responsibility for the child on a daily basis;
- f. "judicial authority" refers to a court, a judge or a prosecutor.

### *Underlying values*

This recommendation is written on the basis that:

- in all matters concerning children, children's rights and best interests should be of primary consideration, also bearing in mind that children with imprisoned parents have committed no crime and should not be treated as being in conflict with the law as a result of the actions, or alleged actions, of their parents;
- all children, without discrimination and regardless of the legal status of their parents, are guaranteed the enjoyment of all rights covered by the United Nations Convention on the Rights of the Child, including the right to have their best interests protected, the right to development, the right to have their views respected, and the right to maintain personal relations and direct contact with their parents on a regular basis;
- it is necessary to protect the child's right to, and need for, an emotional and continuing relationship with their imprisoned parent, who has a duty and right to play their parental role and to promote positive experiences for their children;
- children, family, the child-parent relationship and the imprisoned parent's role in this relationship need support before, during and after detention. All interventions and measures in support of children with a parent in prison and their relationship with that parent should ensure they create no stigma and discrimination against these children;
- awareness-raising, cultural change and social integration are necessary to overcome prejudices and discrimination arising from the imprisonment of a parent.

### *Scope*

This recommendation applies to all children whose parents are in prison, including infants living with their parent in prison.

## **II. Basic principles**

1. Children with imprisoned parents shall be treated with respect for their human rights and with due regard for their particular situation and needs. These children shall be provided with the opportunity for their views to be heard, directly or indirectly, in relation to decisions which may affect them. Measures that ensure child protection, including respect for the child's best interests, family life and privacy shall be integral to this, as shall be the measures which support the role of the imprisoned parent from the start of detention and after release.
2. Where a custodial sentence is being contemplated, the rights and best interests of any affected children should be taken into consideration and alternatives to detention be used as far as possible and appropriate, especially in the case of a parent who is a primary caregiver.
3. Whenever a parent is detained, particular consideration shall be given to allocating them to a facility close to their children.
4. When deciding to transfer sentenced persons to or from a State in which their children reside due regard shall be given to the best interests of the child when considering the rehabilitation purpose of the transfer.
5. The prison administration shall endeavour to collect and collate relevant information at entry regarding the children of those detained.
6. National authorities shall endeavour to provide sufficient resources to State agencies and civil society organisations to support children with imprisoned parents and their families to enable them to deal effectively with their particular situation and specific needs, including offering logistic and financial support, where necessary, in order to maintain contact.
7. Appropriate training on child-related policies, practices and procedures, shall be provided for all staff in contact with children and their imprisoned parents.

## **III. Police detention, judicial orders and sentences**

8. Due consideration should be given by the police to the impact that arrest of a parent may have on any children present. In such cases, where possible, arrest should be carried out in the absence of the child or, at a minimum, in a child-sensitive manner.
9. Enforcing restrictions on contact of an arrested or a remanded parent shall be done in such a way as to respect the children's right to maintain contact with them.
10. Without prejudice to the independence of the judiciary, before a judicial order or a sentence is imposed on a parent, account shall be taken of the rights and needs of their children and the potential impact on them. The judiciary should examine the possibility of a reasonable suspension of pre-trial detention or the execution of a prison sentence and their possible replacement with community sanctions or measures.
11. Significant events in a child's life – such as birthdays, first day of school or hospitalisation – should be considered when granting prison leave to imprisoned parents.

## **IV. Conditions of imprisonment**

### *Admission*

12. Prior to, or on admission, individuals with caregiving responsibilities for children shall be enabled to make arrangements for those children, taking into account the best interests of the child.
13. At admission, the prison administration should record the number of children a prisoner has, their ages, and their current primary caregiver, and shall endeavour to keep this information up-to-date.
14. On admission and on a prisoner's transfer, prison authorities shall assist prisoners who wish to do so in informing their children (and their caregivers) of their imprisonment and whereabouts or shall ensure that such information is sent to them.

15. Support and information shall be provided by the prison, as far as possible, about contact and visiting modalities, procedures and internal rules in a child-friendly manner and in different languages and formats as necessary.

*Allocation, communication, contact and visits*

16. Apart from considerations regarding requirements of administration of justice, safety and security, the allocation of an imprisoned parent to a particular prison, shall, where appropriate, and in the best interests of their child, be done such as to facilitate maintaining child-parent contact, relations and visits without undue burden either financially or geographically.

17. Children should normally be allowed to visit an imprisoned parent within a week following the parent's detention and, on a regular and frequent basis, from then on. Child-friendly visits should be authorised in principle once a week, with shorter, more frequent visits allowed for very young children, as appropriate.

18. Visits shall be organised so as not to interfere with other elements of the child's life, such as school attendance. If weekly visits are not feasible, proportionately longer, less frequent visits allowing for greater child-parent interaction should be facilitated.

19. In cases where the current caregiver is not available to accompany a child's visit, alternative solutions should be sought, such as accompanying by a qualified professional or representative of an organisation working in this field or another person as appropriate.

20. A designated children's space shall be provided in prison waiting and visiting rooms (with a bottle warmer, a changing table, toys, books, drawing materials, games, etc.) where children can feel safe, welcome and respected. Prison visits shall provide an environment conducive to play and interaction with the parent. Consideration should also be given to permitting visits to take place in the vicinity of the detention facility, with a view to promoting, maintaining and developing child-parent relationships in as normal a setting as possible.

21. Measures should be taken to ensure that the visit context is respectful to the child's dignity and right to privacy, including facilitating access and visits for children with special needs.

22. When a child's parent is imprisoned far away from home, visits shall be arranged in a flexible manner, which may include allowing prisoners to combine their visit entitlements.

23. Any security checks on children shall be carried out in a child-friendly manner that respects children's dignity and right to privacy, as well as their right to physical and psychological integrity and safety. Any intrusive searches on children, including body cavity searches, shall be prohibited.

24. Any searches of prisoners prior to visits shall be conducted in a manner which respects their human dignity in order to enable them to interact positively with their children during visits. As far as possible, children shall be authorised to leave the visiting area prior to the imprisoned parent, as this can be traumatic for some children. Where prisoners are provided with clothes by prison authorities, this clothing shall not offend their dignity, particularly during visits with their children.

25. In accordance with national law and practice, the use of information and communication technology (video-conferencing, mobile and other telephone systems, internet, including webcam and chat functions, etc.) shall be facilitated between face-to-face visits and should not involve excessive costs. Imprisoned parents shall be assisted with the costs of communicating with their children if their means do not allow it. These means of communication should never be seen as an alternative which replaces face-to-face contact between children and their imprisoned parents.

26. Rules for making and receiving telephone calls and other forms of communication with children shall be applied flexibly to maximise communication between imprisoned parents and their children. When feasible, children should be authorised to initiate telephone communications with their imprisoned parents.

27. Arrangements should be made to facilitate an imprisoned parent, who wishes to do so, to participate effectively in the parenting of their children, including communicating with school, health and welfare services and taking decisions in this respect, except in cases where it is not in the child's best interests.
28. Child-parent activities should include extended prison visits for special occasions (Mother's Day, Father's Day, end of year holidays, etc.) and other visits to further the child-parent relationship, in addition to regular visits. Consideration on such occasions should be given to prison and other staff in visiting areas being dressed less formally, in an effort to normalise the atmosphere.
29. Children shall be offered the opportunity, when feasible and in the child's best interests, and with the support of an appropriate adult, to visit or receive information (including images) about areas in which their imprisoned parent spends time, including the parent's prison cell.
30. Special measures shall be taken to encourage and enable imprisoned parents to maintain regular and meaningful contact and relations with their children, thus safeguarding their development. Restrictions imposed on contact between prisoners and their children shall be implemented only exceptionally, for the shortest period possible, in order to alleviate the negative impact the restriction might have on children and to protect their right to an emotional and continuing bond with their imprisoned parent.
31. A child's right to direct contact shall be respected, even in cases where disciplinary sanctions or measures are taken against the imprisoned parent. In cases where security requirements are so extreme as to necessitate non-contact visits, additional measures shall be taken to ensure that the child-parent bond is supported.

#### *Prison leave*

32. With a view to protecting children from the frequently harsh prison environment, preparing them for their parent's return, and having their parents present at significant events in their lives, home leave for prisoners should be granted and facilitated, where possible. This is especially important during the period before their release, providing more opportunities for them to prepare for resuming fully their parental role and its responsibilities on release.

#### *Good order, safety and security*

33. To ensure child protection and well-being, every effort shall be made to enhance mutual respect and tolerance and prevent potentially harmful behaviour between prisoners, their children and families, prison staff or other persons working in or visiting the prison. Good order, safety and security, in particular dynamic security, underpin all efforts to maintain a friendly and positive atmosphere in prison.

#### *Infants in prison*

34. In order to ensure the right of a child to the highest attainable standard of health, appropriate pre-natal and post-natal health care, support and information shall be provided for imprisoned mothers. Pregnant women shall be allowed to give birth in a hospital outside prison. Instruments of restraint shall never be used on women during labour, during birth and immediately after birth. Arrangements and facilities for pre-natal and post-natal care in prison shall respect, as far as practicable, cultural diversity.
35. A child born to an imprisoned mother shall be registered and issued with a birth certificate without delay, free of charge and in line with applicable national and international standards. The birth certificate shall not mention that the child was born in prison.
36. Infants may stay in prison with a parent only when it is in the best interests of the infant concerned and in accordance with national law. Relevant decisions to allow infants to stay with their parent in prison shall be made on a case-by-case basis. Infants in prison with a parent shall not be treated as prisoners and shall have the same rights and, as far as possible, the same freedoms and opportunities as all children.
37. Arrangements and facilities for the care of infants who are in prison with a parent, including living and sleeping accommodation, shall be child-friendly and shall:

- ensure that the best interests and safety of infants are a primary consideration, as are their rights, including those regarding development, play, non-discrimination and the right to be heard;
- safeguard the child's welfare and promote their healthy development, including provision of ongoing health-care services, and arranging for appropriate specialists to monitor their development in collaboration with community health services;
- ensure that infants are able to freely access open-air areas in the prison, and can access the outside world with appropriate accompaniment and attend nursery schools;
- promote attachment between a child and their parent, allowing the child-parent relationship to develop as normally as possible, enabling parents to exercise appropriate parental responsibility for their child and providing maximum opportunities for imprisoned parents to spend time with their children;
- support imprisoned parents living with their infants and facilitate the development of their parental competency, ensuring that they are provided with opportunities to look after their children, cook meals for them, get them ready for nursery school and spend time playing with them, both inside the prison and in open-air areas;
- as far as possible, ensure that infants have access to a similar level of services and support to that which is available in the community, and that the environment provided for such children's upbringing shall be as close as possible to that of children outside prison;
- ensure that contact with the parent, siblings and other family members living outside the prison facility is enabled, except if it is not in the infant's best interests.

38. Decisions as to when an infant is to be separated from their imprisoned parent shall be based on individual assessment and the best interests of the child within the scope of the applicable national law.

39. The transition of the infant to life outside prison shall be undertaken with sensitivity, only when suitable alternative care arrangements for the child have been identified and, in the case of foreign-national prisoners, in consultation with consular officials, where appropriate.

40. After infants are separated from their parent in prison and they are placed with family or relatives or in other alternative care, they shall be given the maximum opportunity possible and appropriate facilities to meet with their imprisoned parent, except when it is not in their best interests.

*Sentence planning and preparation for release*

41. In order to promote positive parenting, consideration shall be given in sentence planning to include programmes and other interventions that support and develop a positive child-parent relationship. Specific support and learning objectives include preserving, and exercising as far as possible, their parental role during imprisonment, minimising the impact of imprisonment on their children, developing and strengthening constructive child-parent relationships, and preparing them and their children for family life after release.

42. In order to enhance child-parent relationships, prison authorities shall utilise options such as home leave, open prisons, halfway houses, electronic monitoring and community-based programmes and services to the maximum possible extent, to ease transition from prison to liberty, to reduce stigma, to re-establish contact with families at the earliest possible stage and to minimise the impact of a parent's imprisonment on children.

43. For the same purpose, decisions regarding early release shall take into account prisoners' caregiving responsibilities, as well as their specific family reintegration needs.

*Through-care*

44. In order to promote healthy child development and to help former prisoners reintegrate with their children and families, support and care shall be provided by prison, probation or other agencies specialising in assisting prisoners, as appropriate. Prison authorities, in co-operation with probation and/or social welfare services, local community groups and civil society organisations, shall design and implement pre- and post-release reintegration programmes which take into account the specific needs of prisoners resuming their parental role in the community.

*Policy development*

45. Any new policies or measures designed by or for the prison administration which may impact child-parent contact and relations shall be developed with due regard to children's rights and needs.

**V. Staff working with, and for, children and their imprisoned parents**

46. Staff who come into contact with children and their imprisoned parents shall respect their rights and dignity. Prison administrations should select, appoint and resource designated "children's and/or family officers" whose role should include support for children and their imprisoned parents, facilitate visits in child-friendly settings, provide guidance and information, in particular to children newly confronted with the prison environment, and liaise with relevant agencies, professionals and associations on matters related to children and their imprisoned parents.

47. Staff who come into contact with children and their imprisoned parents shall receive training in areas including how to respect children's needs and rights, the impact of imprisonment and the prison setting on children and the parental role, how to support imprisoned parents and their children and better understand the specific problems they face, how to make visits child-friendly and to search children in a child-friendly manner.

48. In order to ensure efficiency and quality of the support, protection and care provided to children and their imprisoned parents, staff training programmes shall be evidence-based, reflect current national law and practices and international and regional human rights law and standards relating to children, and shall be revised regularly.

*A multidisciplinary and multi-agency approach*

49. The relevant national authorities should adopt a multi-agency and cross-sectoral approach in order to effectively promote, support and protect the rights of children with imprisoned parents, including their best interests. This involves co-operation with probation services, local communities, schools, health and child welfare services, the police, the children's ombudsperson or other officials with responsibility for protecting children's rights, as well as other relevant agencies, including civil society organisations offering support to children and their families.

**VI. Monitoring**

50. The competent ministries, as well as children's ombudspersons or other national human rights bodies with responsibility for protecting children's rights, shall monitor, report regularly on and take any appropriate measures regarding the recognition and implementation of the rights and interests of children with imprisoned parents, including infant children living in prison with their parent.

**VII. Research and evaluation of child-friendly practices and policies**

51. Multi-disciplinary and multi-agency expert groups, involving children with imprisoned parents, should be established in order to assess how children experience parental imprisonment, contact and relations with their imprisoned parent and to suggest improvements to current policies and practices.

52. Statistical data from prison and child welfare sources should be systematically collected and published together with information on children with imprisoned parents and inventories of good practice.

53. Funding shall be made available to support research on children with imprisoned parents in order to contribute to policy development and to promote best practice in this area.

54. The implementation of child-friendly practices and policies, including international standards relating to children with imprisoned parents, shall be regularly reviewed and evaluated. This review may involve the relevant ministries, the prison administration, social services, children's ombudspersons and other human rights bodies with responsibility for protecting children's rights, as well as other relevant agencies, including civil society organisations.

#### **VIII. Work with the media and with public opinion**

55. Information provided to, and by, the media should not violate the right to privacy and protection of children and their families, including data protection rules, and any media reporting should be carried out in a child-friendly manner.

56. The media, professionals and the general public should be provided with reliable and up-to-date data and good practice examples to increase their awareness regarding the numbers of children affected and the impact of parental imprisonment, and to avoid negative stereotyping and stigmatisation of children with imprisoned parents.

## FREQUENTLY ASKED QUESTIONS

### **Does the COPING research mean that imprisoning parents causes mental health problems for children?**

We have to be careful about separating out causality from correlation. We are not saying that imprisonment is a *cause* of mental health problems for children. However, anxiety, stigma and social exclusion and enforced separation from parents are all factors that can contribute to mental ill health, and children with an imprisoned parent can experience all of these things. Added to this is the fact that offenders themselves are more likely than the general population to have mental health challenges and to be impacted by alcohol and drug misuse which means that their children may have been exposed to conditions that also increase the risk of them developing mental health problems. Regardless of the cause, children with an imprisoned parent are especially vulnerable.

### **Do the COPING recommendations mean that governments have to invest in new mental health services for children with imprisoned parents (CIPs)?**

Not necessarily. The main problem is that CIPs are invisible – they are not usually accounted for when a parent is imprisoned, therefore their needs are not assessed and their views about how they should be supported are not taken into account either. Furthermore, stigma, shame (and sometimes self-blame) can be so great that children often mask their feelings. These factors mean that child and adolescent mental health services don't know about them and CIPs are only likely to get help when their problems have become unmanageable. So CIPs need to be placed higher up on policy agendas and their specific needs better known to prevent stress and offer them protection from the onset of the parent's sentence. Even when a child is taken into care because their parent is imprisoned, this does not mean that their mental welfare is being taken care of. Social Workers and Mental Health professionals need training about the needs of this group of children, and services for them should be built into mainstream provision.

### **It seems that much of what can be done to support children with an imprisoned parent isn't in the mental health services at all, but in prisons, why is this and how can we make this happen?**

This is true. COPING found that one of the best ways of strengthening children's resilience is by building on the relationships the child has with his/her parents, especially the imprisoned parent because this is the relationship that is most likely to suffer. Parents in prison often need help in dealing with the effect their crime and imprisonment has had on their child, in being accountable for what they have done and learning how to parent from within a prison – there are some excellent examples of how this can be done. Most children also need to be able to visit their imprisoned parent and to remain in contact. Prisons can be helped to adjust their regulations to meet the needs of children and to set up child-sensitive facilities for visits and contact. This not only makes a huge difference to children, studies have shown that it can also make a positive difference to the behaviour of prisoners and improve the prison environment. In order to make this happen, COPING II uses a multi-sectoral approach that brings key agencies together around the welfare of the child so that thinking, planning and programming is joined-up.



## **Surely there are some circumstances in which it is damaging to children’s mental health and wellbeing to have contact with their imprisoned parent?**

Yes, this will be the case in some instances. Parents in prison, like parents on the outside, may be responsible for child abuse and neglect, and contact may actually be detrimental to the child. This is especially so when a parent is imprisoned for an offence against the child, their other parent or a sibling. For some children, having their parent imprisoned might actually be the respite they need from living with violence or other adverse social conditions and in sexual offence cases, contact is unlikely to be supported because of the risk of ongoing psychological manipulation. However, COPING found that contact was beneficial to the majority of children with an imprisoned parent and since most prisoners will be released back to their families, maintaining the relationship makes reintegration easier (this is another stress point for children). What is important is to *always* make the welfare of the child the paramount consideration, to seek the views of the child.

## **Why does COPING emphasise the role of schools in promoting the mental health of children with imprisoned parents?**

When a parent is arrested or imprisoned, the family is often in a state of upheaval and disruption. There may be uncertainty about the care arrangements for children, and the adults around may be in a state of crisis. For many children, school can provide a source of stability in a world which has become unpredictable – this can be crucial in helping them to manage their own anxieties. For other children though, schools can add to their distress and social exclusion. This happens when children are bullied and ridiculed because of parental imprisonment or when they get penalised because having a parent in prison has affected their school attendance, performance or behaviour. COPING found evidence of the positive role of schools but also came across stories of stigma and exclusion. Training teachers about the needs of children of imprisoned parents can make a huge difference in turning a negative school environment to one that is positive and there are tools and practices to help achieve this.

## **As the study was set in four countries, can the recommendations be implemented in countries that didn’t take part in the research?**

Yes, absolutely. Because we researched four very diverse countries and used robust methods, we are confident that the findings are widely applicable. COPE, which will lead COPING II, operates a network of organisations working with children with a parent in prison in countries right across Europe and has collated evidence which shows that the issues highlighted in the research are universal. Having said this, our aim is to work with interested Member States to identify groups of children that may be at particular risk in their countries and these groups may differ from country to country. This process will help governments to target resources to areas of greatest need. So for example, in preliminary discussions with stakeholders in Croatia, Roma children are identified as being a priority group for intervention as they are disproportionately affected by parental imprisonment.

## RESOURCES AND WHERE TO FIND THEM



[coping-project.hud.ac.uk](http://coping-project.hud.ac.uk)



[childrenofprisoners.eu/resources](http://childrenofprisoners.eu/resources)

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