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

A research project for NHS Greater Glasgow and Clyde

Executive summary

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The Context of the Study

The Stimulus for the Study

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

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

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

Summary of Evidence

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including feelings of grief, loss and sadness, distress, confusion and anger, suffering depression, becoming withdrawn or secretive, showing regressive or attention seeking behaviour, having disturbed sleep patterns, eating disorders, and symptoms of post-traumatic stress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

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

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

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

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

STUDY DESIGN

Overview

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

Aim and Objectives

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

Research objectives

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

Sample

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

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

OVERVIEW OF FINDINGS

Multiple disadvantage and complex need

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

Changed lives: lives on hold

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

Secrets, honesty and communication

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

Support the supporters

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

School as support

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

Humanising the Criminal Justice System

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

Practitioners and Managers

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

KEY MESSAGES

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

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

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

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

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

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

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

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

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

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

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

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