PERSPECTIVES OF CHILDREN AND YOUNG PEOPLE WITH A PARENT IN PRISON

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Perspectives of Children and Young People
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on behalf of
Scotland's Commissioner for Children and Young People
and Families Outside

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EXECUTIVE SUMMARY

Introduction
This report presents the findings of a small-scale pilot study to explore the experiences of children and young people who have had a family member sent to prison. Scotland’s Commissioner for Children and Young People (SCCYP) commissioned Families Outside to undertake the work between October and December 2009.

Effects of a family member’s imprisonment on children parallel children’s experiences of bereavement. This includes deterioration in behaviour, in physical and mental health, and in social and financial circumstances. Imprisonment can also impact children’s housing and care arrangements, schooling, victimisation, substance misuse, and risk of future offending. Each year in Scotland, more children will experience a parent’s imprisonment than a parent’s divorce. (Families Outside, 2009). This affects an estimated 16,500 children in Scotland annually. A key recommendation in a report from Scotland’s Commissioner for Children and Young People (Marshall, K Not Seen. Not Heard. Not Guilty, 2008), was for Child Impact Assessments to be conducted in court.

A review of the literature in Part I examines some of the key themes of trauma, Post-Traumatic Stress Disorder (PTSD) and other consequences liable to arise from parental imprisonment. Part II, through a series of qualitative interviews with children, young people and some carers, explores experiences of a parental imprisonment; what input they would want into the decisions that affect them, and how they would want to provide this input; their thoughts about the arrest, trial, and imprisonment; whether their views were taken into account; and what effects the experience had on them. These questions are important because feedback from children about this traumatic event is not always considered. Part III draws together some discussion from the literature review and the interview findings.

Part I - Literature review
The literature review demonstrates the significant impact that parental imprisonment has on a child’s life. The main points include the following:

• Imprisonment of a parent can be a very stressful and powerful traumatic event.
• After experiencing such a trauma, children are at higher risk of developing a post-traumatic stress disorder.
• The way children respond to a trauma will depend on factors such as age, stage of development, previous experience, defence mechanisms, the way other people react and the support that they have.
• Separation from a parent can enhance the probability of developing problems during the child’s life, and these can be present in many different dimensions.
• Many children who experience a parent’s imprisonment may engage in criminal behaviour in the future.

Part II - Interviews

The interview responses provide a number of salient key findings which can be summarised as follows:

Experiences

• Parental imprisonment leaves a significant mark on the children and young people involved.
• Most of the children of this study felt sad, angry and even cried when they first learned or when they talked about their feelings about their parental imprisonment.
• The majority of the interviewees heard about their parent’s imprisonment from a grandmother. They also perceived her as the person who was always there for them and who gave the necessary support.
• The grandmother was the person who gave most of the family support necessary for the child to recover from a traumatic event.

Impact

• The impact on the child’s life mainly depended on whether the child lived with the parent prior to the imprisonment. This finding suggests a higher probability of recovery from the trauma of parental imprisonment as well as a protective factor to promote the children’s resilience if they did not live with the parent.
• Most of the children showed concerns about their imprisoned parent, and many exhibited anxieties inappropriate to their age.

Taking account of views

• The interviewees highlighted the importance of the judge listening to the children’s feelings.
• The preferred way of telling the judge their feelings varied from talking with the judge themselves, having someone speak for them or writing a letter.
• Most of the children revealed their belief in the difference of the sentence if they expressed their thoughts to the judge.
Part III – Discussion and Conclusions

Very often children’s rights are forgotten, and children and young people are rarely taken into account in decisions such as sentencing. Children are dependent on government and adults, but they are also very vulnerable. After analysing the results of this research, and in spite of the limitations due to the fact that this is a pilot study based on a small sample of qualitative interviews, the findings show clearly that the imprisonment of a parent has a notable and largely negative impact on children who may already be vulnerable and isolated. Key findings include:

- Children of imprisoned parents are the innocent and overlooked victims of the offence.
- A number of issues affect the children of imprisoned parents. They are potentially at higher risk of developing post-traumatic symptoms and increased risk of developing behavioural, mental health and general health problems as well as of engaging in future criminal behaviour.
- Children of prisoners do not have enough support to deal with such traumatic events and often do not speak about it with anyone at all.
- The children’s best interests should be taken into account for the decisions that affect them.

One of the main recommendations arising from this study is the need for more research on the impact of parental imprisonment on children including the relationship between parental imprisonment and the child’s risk of imprisonment in the future and any potential differences between the impact of a prison sentence compared to a period of custody on remand.

Future research needs to explore also in more depth the real consequences for children who are victims of parental imprisonment, including the different outcomes when a mother or a father is sent to prison; the impact on a child’s relationship with an imprisoned parent, especially if it has previously been a positive one; the level and quality of the support received and outcomes of any support; and a more representative sample of children’s views and the changes in their lives.
Notwithstanding the recognition of the need for further research, there are a number of tangible points which could be taken forward, namely to,

- link more closely the needs of prisoners’ children and families to the wider Scottish policy context, such as the *Getting It Right for Every Child* (GIRFEC) framework;
- review Social Enquiry reports and other mechanisms to ensure relevant information about children and families comes before the court;
- pilot the use of Child and Family Impact Statements in court; and
- require that in the criminal justice legislation remand and sentencing decisions take the impact on children and families into account.
INTRODUCTION

This report presents the findings of a small scale pilot study to explore the experiences of children and young people who have had a family member sent to prison. Scotland’s Commissioner for Children and Young People (SCCYP) commissioned Families Outside to undertake the work between October and December 2009. This report is divided into three main parts:

• Part I is a literature review outlining the key issues and sets the context for a series of qualitative interviews with children, young people and some of their carers.
• Part II presents the findings from the interviews.
• Part III is the discussion and conclusions of the findings in relation to wider issues which affect children of prisoners.

1. Background

Effects of a family member’s imprisonment on children parallel children’s experiences of bereavement. This includes deterioration in behaviour, in physical and mental health, and in social and financial circumstances. Imprisonment can also impact children’s housing and care arrangements, schooling, victimisation, substance misuse, and risk of future offending. Each year in Scotland, more children will experience a parent’s imprisonment than a parent’s divorce. This affects an estimated 16,500 children in Scotland annually (Families Outside, 2009).

In spite of much research focusing on the consequences and recidivism of offenders, still little is known about the real consequences of criminal sanction on the families and children of offenders (Clear et al. 1988, Hagan, 1996). A key recommendation in a report from Scotland’s Commissioner for Children and Young People (Marshall, K, Not Seen. Not Heard. Not Guilty, 2008) was for Child Impact Assessments to be conducted in court. Paramount in the Commissioner’s recommendation was the concern that ‘the rights and interests of the children should be taken into account when sentencing options are being considered and their impact on the sentence should be recorded’ (ibid., p. 29). This could be via an assessment of the impact on the child at sentencing or contained within a Social Enquiry Report.

A key precedent for such assessments came from Judge Albie Sachs in the Constitutional Court in South Africa. He ruled in the case of S v M (2007) that judges must assess the impact on all minor children if their primary caregiver was sentenced...
to custody. In that way, judges could more easily balance the full range of an offender’s circumstances for their decisions (Sachs, 2009).

The purpose of such assessments is for judges to know the impact their decisions are likely to have on children, in accordance with the UN Convention on the Rights of the Child. The Convention states that a child’s interests must be a primary consideration in any decision that affects them. Imprisonment of a parent is one such decision, yet courts do not routinely request such information. The use of Social Enquiry Reports (SERs) – reports which aim is to assist in judges’ sentencing decisions – has increased by 70% since 1996. However, little investigation has been carried out into the opinions of judges about SER content and its interpretation (Tata et al. 2007).

The findings reported here will help to inform ongoing work into the use of Child and Family Impact Statements in court.

2. Key questions

Previous research shows that parental imprisonment has an enormous impact on a child’s life. In a recent project undertaken by Families Outside into the use of Child and Family Impact Statements in court (Loureiro, 2009), the voice of children themselves was a significant gap. This research showed that SERs do not take the children’s views into account, nor are they adequate to address the impact of imprisonment on dependents. This is mainly because SERs are not always requested, and their focus is on the offender rather than on the child’s needs (ibid.). Therefore, there are a number of key questions to ask children and young people:

- What have their experiences been?
- What input would they want into the decisions that affect them, and how would they want to provide this input?
- What are their thoughts about the arrest, trial, and imprisonment?
- Were their views taken into account? If so, how, and by whom?
- What effects have the experience had on them (family, school, friends, health, anxiety, behaviour, housing and care arrangements)?

These questions are important because feedback from children about this traumatic event is not always considered.
3. Methodology

3.1 Literature review

Because the main objective is to understand and to know more about children’s points of view, the literature on the impact of parental imprisonment on children was reviewed to explore the consequences on children’s lives after a parent’s imprisonment and also to inform the interview stage of this pilot study. The review includes the trauma experienced as a consequence of the imprisonment, the long-term consequences of facing a traumatic event and the specific outcomes that a child has after having a parent imprisoned. It also covers the cycle of parental imprisonment and the child’s later offending.

3.2 Qualitative Interviews

The main objective of the pilot study was to conduct a series of qualitative interviews with children who have had a parent in prison. As a pilot study the aim was to recruit up to twenty participants.

To recruit participants, Families Outside contacted organisations in Scotland that work directly with prisoners’ families such as the Prison Visitors’ Centres at HMPs Edinburgh and Perth, Circle, HOPE, the Lighthouse Foundation, Project Happy, life coaches from The Wise Group, and Families Outside. The recruitment of participants did not distinguish between children with a parent sentenced to prison and those who had a parent in custody on remand, as the sample was too small in this initial pilot to draw distinctions between them.

The recruitment of participants was not always a straightforward process (see Part II below). In the case of children who were too young to understand our questions, or when the children did not know that their parent was currently in prison, the decision was taken to interview their carers. It did mean that the sample became a composite group of children, young people and carers.

The sample in this study was eventually composed of twenty people (eight carers, 11 children and young people, and a 27-year-old woman who talked about her father’s arrest when she was younger\(^1\)). Eleven children and young people from four - 15 years old were interviewed directly. A further eight children (10 girls and

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\(^1\) Because this participant was an adult recounting experiences as a child rather than a child, young person, or carer of a child or young person, her responses are discussed separately.
nine boys) were included in the sample because they were interviewed with a carer present or the carer was interviewed on their behalf. Therefore, for the purpose of this study we will refer to all 19 children and young people as participants. Looking at the background of these participants, eight children and young people have or have had their mother in prison, while the other 11 have or have had their father in jail.

Thirteen children and young people and carers said that they lived with the relative before the arrest, while six did not. Some of these children were already living with their grandmother or with the non-arrested parent (and without the arrested parent) before the imprisonment. One child had not yet been born when the father was sent to prison. At the time of interview, most of the children and young people (eight children) lived with their non-arrested mother; eight lived with their grandmothers and three lived with the previously imprisoned mother.

All of the interviewees were asked for their consent to participate voluntarily in the research (Appendix 3a). In the case of the younger children this was given by their parents or carers/guardians (Appendix 3b). It was also explained that their anonymity would be preserved and that the purpose of the investigation was to understand better the impact of, and their views and feelings about, their parent’s imprisonment.

Most of the interviews (nine) took place at the Edinburgh Prison Visitors’ Centre. The other six were conducted at the family home and five in other places, such the Families Outside office and support workers’ offices.

The interview questions were developed by Families Outside in consultation with Scotland’s Commissioner for Children and Young People and included questions about the children’s feelings, perceived support, changes in their lives, visits frequency and their perspective on the parent’s arrest (see Appendix 1). With small children, an informal approach was adopted using ‘smiley faces’ as a way of engaging them in a game about explaining the feelings that they had when their parent was arrested (Appendix 2). For interviews with carers, the purpose of the interview was the same as for the children, but also asked more about the personal challenges, issues and alterations in the child’s life.

The following section presents the results of the literature review to explore some of the key issues regarding the impact of parental imprisonment on children and young people.
PART I: LITERATURE REVIEW

There are a number of themes running through the literature which provide insight into the impact of parental imprisonment on children and young people. The experience of trauma and sometimes the development of post-traumatic stress disorder after parental imprisonment can be detrimental to children and young people.\(^2\) The literature helps also to understand better that there are many children currently facing such trauma, and if the consequences are not properly taken into consideration, a ‘vicious cycle’ of intergenerational violence and offending could occur (Hagan, 1996).

1. Impact of parental imprisonment

Parental imprisonment has been increasing in many countries (Walmsley, 2005) and, with the rate of women’s imprisonment escalating even faster, the consequences for children are also increasing. After the imprisonment of a parent, children can present various symptoms which will depend on the child’s age, the support they have, societal reaction and feedback and the type of offence committed (Wolleswinkel, 2002). This section explains the impact of parental imprisonment on children and consequently why it is important for decision-makers to take this into account.

When a mother is arrested, and she is the primary carer of the child or a single mother, then the imprisonment is especially difficult for children to deal with, especially if she is imprisoned far away from home (ibid.). When a father is arrested, frequently the older brother assumes the position of the father, sometimes leaving the younger siblings ‘in the dark’, suffering because they do not understand what has happened. Sometimes the insistence of parents not to divulge what is happening to younger children can be a further cause of pressure on older children to not tell. When the family unit is broken up and the mother has custody of the child, very often they live in poor conditions (ibid.).

If the parent is arrested in front of the child, this can leave emotional scars (ibid.). The trauma of watching a parent being arrested is so big for the child that this can taint their future relationship with the criminal justice system. They may progress to see the system with hostility and scepticism, especially if they believe a relative was unjustly punished (Bernstein, 2005). Moreover, the trauma of witnessing the parent’s

\(^2\) Occasionally the terms ‘incarcerated’ or ‘incarceration’ are also used, reflecting the use of these terms in some of the literature review documents.
arrest can be more severe if the arrest involves violence and force (Robertson, 2007). In a situation where one parent has killed the other, the child loses both parents at the same time. Even when it is a relief for the child, because of the constant conflicts, it is always traumatic (Wolleswinkel, 2002). Furthermore, the child can feel conflicting emotions such as relief, uncertainty and culpability, particularly if the parent was arrested for an offence against the child (Shaw, 1992; Brown, 2003).

2. Trauma as a consequence

2.1 Post-Traumatic Stress Disorder (PTSD)

After a powerful traumatic event, there is a high possibility that children will develop anxiety disorders, commonly called post-traumatic stress disorders (PTSD),\(^3\) that will affect their emotional, academic and social performance (Perry, 2002). Specifically with children, PTSD can be indicated by upsetting dreams of the traumatic event for a few weeks, followed by generalised nightmares. They can also exhibit some physical symptoms. The literature shows that PTSD is a severe psychiatric disorder of children and young people that can provoke distress and problems in different functional areas (Fairbank, 2008; Zatzick \textit{et al.}, 2008).

2.2 The Effects of Trauma

Trauma can cause many different immediate effects such as extreme weakness, defencelessness or despair, fear, numbness, distorted perception or disassociation (Litz & Roemer, 1996). After a trauma, people often react immediately, although the majority can assimilate the traumatic episode (Horowitz, 1986; Janoff-Bolman, 1989; McCann & Pearlman, 1990) and recuperate in a moderately short period of time (Rothbaum \textit{et al.}, 1992). However, the recuperation process is not linear: there could be periods of successful coping following severe periods of post-traumatic symptoms (Litz & Roemer, 1996).

Some factors can also amplify the probability of developing chronic PTSD such as the characteristics of the stressor; severity and duration of the traumatic event; existence of physical injury; level of interpersonal violence (Foy, 1992; King \textit{et al.}, 1995); the person’s past history (Foy \textit{et al.}, 1992); personality (Solomon, Mikulincer & Avitzur, 1988); security and support received after the trauma (Herman, 1992);

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\(^3\) The American Psychiatric Association (APA, 2000) in the Diagnostic and Statistical Manual of Mental Disorders (DSM-IV-TR) describes Post-Traumatic Stress Disorder (PTSD) as the expansion of specific symptoms as a result of exposure to a traumatic event.
accessibility of treatment (Foa, Riggs & Gershuny, 1995); and the availability and quality of social support (Keane et al., 1985).

When the symptoms became chronic, usually the psychological effects are more related with interpersonal and intrapersonal problems. These include psychiatric disorders; attempted suicide (Kilpatrick et al., 1985); family and conjugal issues (Carroll et al., 1985; Jordan et al., 1992); sexual problems, relationship issues and poor emotional relations with close family and friends (Resick et al., 1981; Steketee & Foa, 1987); reduced coping (Nezu & Carnevale, 1987; Solomon & Mikulincer, 1987; Solomon, et al., 1988); and psychosomatic problems (Shalev, Bleich & Ursano, 1990; Litz et al., 1992).

Very often the consequences to the children who witness traumatic events are misread (Johnson, 1989), and the symptoms that they exhibit are frequently attributed to other causes (Herman, 1992). Consequently this impact can increase the risk of developing depression, eating disorders, addictions and interpersonal disorders in later life (Meichenbaum, 1994; Clark, 1997). Commonly, the traumatic events that have a higher probability of causing PTSD are the events that are unpredicted, abrupt, long-lasting, recurring and deliberated (Meichenbaum, 1994). Children who are more susceptible to developing PTSD are those who have been traumatised by a familiar person; who have a tendency towards depression or anxiety; who have been exposed to a trauma for a long period of time or major trauma; and children who have parents who experience severe stress and anxiety (ibid.).

Biological responses to trauma are expected reactions in human beings (Van Der Kolk, 1994). In a stressful situation, an organism has to choose to fight, flee or freeze (Heim & Nemeroff, 2001). However, children are very often not able to choose, so they frequently freeze (Davis, 1999). When the children ‘freeze’, slow down or reduce a severe danger, they are also delaying the experience and not assimilating the traumatic event, which can lead to a long-term memory loss and difficulty in assessing the meaning of the experience (Davis, 1999; Van Der Kolk & Saporta, 1991). Furthermore, if the child does not have support throughout the recuperation process, the biological structures that regulate the emotional process will be debilitated. Many researchers agree that early traumatic events bring long-term consequences into the stress responses (Van Der Kolk & Saporta, 1991).

The PTSD of children is not easy to characterise, because a numerous mixture of problems can be present (Perry, 2002) and because the symptoms of PTSD can
easily be confused with other children’s disorders, such as attention deficit hyperactivity disorder (ADHD) and major depression (ibid.). Very often PTSD is not diagnosed in children because the clinician is not told of the current traumatic stressors present in the child’s life. Another reason could be because the child is brought to a clinical appointment for other reasons, such as failure in school achievement. The trauma may also cause young people to engage in independent behaviours that can result in irresponsible or even dangerous behaviours (ibid.).

Not every child who experiences a traumatic episode develops a post-traumatic disorder, and those who do can have differing severity of symptoms. These vary because of the immediate factors that can increase the probability of developing a PTSD or the protective factors that can facilitate resilience (Perry, 2002). Characteristics of the child such as age and cultural influence will have an impact on the degree and manifestation of PTSD as well (Eth & Pynoos, 1985; Johnson, 1989; Davis, 1999; Almqvist & Brandell-Forsberg, 1997; Temple, 1997). As we can see from the literature, however, a child-parent separation can increase the possibility of developing a range of problems throughout life and can be present in different dimensions (interpersonal, social and physical; Ziebert, 2006).

2.3 Post–Traumatic Stress Disorders in children of imprisoned parents

When a child is separated from a parent, this leads to traumatic symptoms, and the period of parental incarceration becomes a period of great vulnerability (Ziebert, 2006). This separation will bring feelings of loss and rejection to the child (Travis et al., 2005). Often this separation is a traumatic experience for the children independent of the circumstances of the arrest (Waul, Travis & Solomon, 2002). Adalist-Estrin (1994) adds that just a small number of children experience parental imprisonment without severe outcomes such as trauma, disturbance and disorders.

Kampfner (1995) found that a great number of the small children in his study children (75%) exhibited high levels of PTSD after their mother’s imprisonment. The symptoms were sleep and attention problems, depression, anger, fear, blame and flashbacks of the traumatic episode (ibid.). Sack (1977) found that half of the children of his study exhibited behavioural problems after their father’s arrest. These results are corroborated by Fritsch and Burkhead (1981) with 67% of children, and by Simmons (2000) and Phillips and Bloom (1998) with 27% of children.

Morris (1965) found that 20% of imprisoned fathers described their children as having had behavioural problems after their arrest. Similarly, Lowenstein (1986)
reported that 20% of 118 mothers with husbands in jail for the first time described resulting behavioural problems in their children. Johnston (1995a, p. 76) reported that children of prisoners frequently showed what he called ‘trauma-reactive behaviours’ such as violence, alertness, anxiety and concentration problems.

Some direct effects of parental incarceration on children can cause psychological problems. The first is related to child-parent separation and permanent loss (Murray, 2005). Bowlby’s (1973) attachment theory states that parent-child separation could bring psychological problems to the children, and frequently they feel that they were abandoned and rejected (Hounslow et al., 1982; Richards, 1992).

A second factor that can increase the probability of a child developing psychological problems in later life is the uncertainty that parental arrest can bring, such as being worried about how their parents are being treated in prison and fear for their safety. Specifically, when the mother has been sent to jail, the children suffer profoundly. Even if the mother is an absent or negligent mother, their absence still has a big impact on the children’s life (Kampfner, 1995). Very often it is assumed that the mother-child separation will not have a big impact on the child’s life, because if their mothers end up in jail it means that they are not good models for them (ibid.).

Besides the trauma of being separated from their mothers, children also experience a range of concerns during the mother’s imprisonment. These worries are usually if the mother will return home, how it will be if she returns, how they will adjust during her absence, and about the mother’s safety (ibid.). Concerns about the mother’s security may be intensified if the child witnessed the arrest (Lyons, 1987).

Kampfner (1995) conducted a study with children of imprisoned mothers to learn more about the educational and psychological outcomes on children when the mother goes to prison; to discover which risk factors could raise the difficulties of having a mother in jail and also categorise sources of resiliency. Eighty percent of these children were present when their mother was arrested, most (85%) lived in poverty, and most moved from home more than once after the mother’s arrest. Most of their mothers (85%) were unemployed before the arrest (ibid.).

The results of Kampfner’s research showed that these children exhibited depression (75%), problems with sleep and concentration, and flashbacks of the crime or of the mother’s arrest. Other symptoms were low achievement in school, concentration problems, hallucinations, dreams about their mothers and low enthusiasm. Three-quarters of the interviewed mothers presented similar symptoms
Baunach (1985) similarly found that 75% of the children of incarcerated mothers have emotional and psychological problems.

Lee and Kreisher (2002) explain that temporary separation from a parent could be as traumatic as a permanent loss. This is explained by the fact of the parent not being emotionally present and that the child will experience this loss as they would experience the parent’s death (ibid.).

It is clear that an early parent-child (and particularly mother-child) separation will have a tremendous impact on a child’s life. The difficult life that they are likely to have after this trauma in turn increases the probability of having health problems (Baunach, 1985). With this in mind, it is crucial to think about the repercussions this parental imprisonment could have for the next generation.

3. The ‘Vicious Cycle’ of Punishment

As noted earlier, each year in Scotland 16,500 children face the trauma of having a parent in prison (Families Outside, 2009). Consequently, many children will be facing the traumatic consequences of this, which research suggests will increase the risk of major negative effects in their lives (e.g. Johnston, 1995a and 1995b; Morris, 1965; Robertson, 2007; Dallaire, 2007; Myers et al., 1999; Thompson & Harm, 2000). The Scottish Parliament Equal Opportunities Committee Report (2009), for example, highlights the risk for the children of imprisoned females following the mother’s criminal behaviour. The findings are still not conclusive enough to determine causality, as other risk factors are also present in this group (Ziebert, 2006). However, if these consequences are not taken properly into consideration, a vicious cycle of intergenerational violence could occur.

3.1 Intergenerational transmission of offending

There are a number of studies which provide evidence of this pattern of intergenerational offending, Kandel and colleagues (1988) compared criminal tendencies of 92 children of jailed parents with 513 children of similar ages with non-incarcerated parents. Based on official criminal records, they found that 39% of the children of incarcerated parents followed in their parents’ footsteps and had already been in prison, compared to 7% of those with non-incarcerated parents (ibid.). The authors’ findings suggest a strong relation between parental imprisonment and future child conviction.
Parental imprisonment can be a reason for the children's disruptive behaviour if they identify with the parent's behaviour (Murray, 2005). In fact, early work by Sack (1977) found that children of imprisoned fathers copied their fathers' crimes, and Moses (1995) also noted that these children are in considerably at risk in following the parent's criminal behaviour.

Johnston (1995a) notes that children of incarcerated parents are five to six times more likely to 'follow' in the footsteps of their parents compared to other children of the same age. Similarly, Farrington (1995) reports an association of 59% between parental arrest and future arrest of their children, particularly with boys, before the age of 32. Ziebert (2006) adds that the anger and hate caused by the stigma of being a child with a parent in jail can increase the probability of criminal behaviour in the future.

Johnston (1996) suggests that children of incarcerated mothers differ from children who do not face this trauma because they experience a lack of family support and insufficient care. Furthermore, they face an increased risk of later imprisonment, anxiety, depression, irritation and substance misuse (Myers, et al., 1999). They also suffer from embarrassment, stigma, financial problems, reduced school achievement, higher probability of future delinquency (Travis, Cincotta & Solomon, 2003); demonstrate disruptive behaviour in teenage years (Eddy & Reid, 2002); and follow a criminal career (Acoca, 2000; Acoca & Dedel, 1998; Raeder, 1995). The children of incarcerated mothers consequently have a higher probability of engaging in criminal behaviour and incarceration (Acoca, 2000; Acoca & Dedel, 1998).

In addition, the criminality of children who have experienced parental incarceration begins earlier than usual. Simmons (2003) found that 45% of boys arrested between the ages of nine and 12 were sons of parents that had been incarcerated. The Simmons study is one example of the importance of the high quality and family support required for preventing the possible criminal behaviour of children of incarcerated parents (Tolan, Guerra & Kendal, 1995).
This review of the literature clearly demonstrates the significant impact that parental imprisonment has on a child’s life. The main points include the following:

- Imprisonment of a parent can be a very stressful and powerful traumatic event.

- After experiencing such a trauma, children are at higher risk of developing a post-traumatic stress disorder.

- The way children respond to a trauma will depend on factors such as age, stage of development, previous experience, defence mechanisms, the way other people react and the support that they have.

- Separation from a parent can enhance the probability of developing problems during the child’s life, and these can be present in many different dimensions.

- Many children who experience a parent’s imprisonment may engage in criminal behaviour in the future.

With this context in mind, we are now going to look at what children and young people told us of their experiences when a parent went to prison.
PART II: THE INTERVIEWS

1. Overview

The review of the available literature shows that parental imprisonment affects children in many different ways. Our main objective for this study was to learn more directly about the views and experiences of children and young people who have had a family member sent to prison.

One of the first things we found from our experience is that the children of imprisoned parents are not easy to reach. Many parents declined their children’s participation for various reasons. Some parents were not willing to take part in the research, even when they saw the questions. Some who seemed disposed to take part were clearly not coping with the situation and did not appear on the day agreed. Others did not feel they could participate because their children were not aware that their parent was currently in prison, or they thought the children had been through enough and for that reason did not want them to talk about so traumatic an experience or thought that they would not feel comfortable talking about their parent’s imprisonment.

For these reasons, we had to make some changes to the initial project plan, such as including the opinions of the carers where children were unwilling or unable to participate. This led to further difficulties. First, we had to adapt the child’s questions to the carer’s perceptions of the child’s view. Second, we faced another issue when we had both the carer and child doing the interview together, where the child did not know about the parental imprisonment. This meant that some changes to the questions had to be made for the child not to discover the truth. This created a delicate ethical situation in which we had to ‘collude’ with the carers in order to respect their wishes not to reveal the truth to the child. Third, we also had to consider another case of a five year-old boy, who only knew that his mother was in a place called Stirling and, even though he did not know the real meaning of that, he showed a lower understanding of the questions than would be expected for his age, and the questions were adapted.

The qualitative interviews explored three overarching themes, namely; experiences of parental imprisonment, the impact of that experience and taking account of children and young people’s views.

The detailed questions are attached at Appendix 1. The following sections summarise the responses from the children, young people, and carers.
2. Experiences of a parent's imprisonment

2.1 Perspectives about the parent’s arrest and imprisonment

With regard to the feelings of children the first time they learned about a parent’s arrest, the most mentioned words were sad and cry. Younger children expressed their feelings by pointing to the ‘sad’ (five children), ‘crying’ (four children) and ‘angry’ (three children) pictures from the smiley faces. The word shocked was used by one small child to describe what she felt when she discovered her father’s imprisonment, while another young person said he felt depressed, because it was not his mother’s first time in jail. One child also said that she felt angry, because she had told her mum “to not get into any trouble”.

One young person mentioned concern about what was going to happen to him and to his mother after the arrest. This teenager had already been through many traumatic experiences in relation to his mother’s numerous arrests, during which he had to live with different family members. In contrast, another child explained she “wasn’t really sad because [the dad] has been there [prison] before and I come here to visit him, so I’m maybe sad”. Similarly, a different child expressed her happiness regarding the mother’s arrest because, as she said, she knew that she had her grandmother to take care of her and her brother. The other five children of the 19 did not know that their mother/father was currently in prison.

Carers’ answers (eight carers) paralleled those from the children. One carer mentioned that the first thing the child asked when she first learned about her mother’s arrest was why? Then the child started to ask for her mother, saying that she missed her. At the time of the interview, we were told the child does not speak with the mother on the phone - that she only wants to see her and does not talk about the mother’s arrest to anyone other than her older sister and grandmother. Another mentioned the child’s anger when he first learned about his father’s arrest. Then, as the child faced the experience of having the father always in and out of prison, the visits started to be very upsetting for the child, and the mother decided to stop them. Another carer talked about the son who, besides thinking that the father is working, very often “keeps on asking when he [father] is coming home”.

One carer talked about the two year-old granddaughter for whom she is caring and said that, at the beginning, the child did not understand the meaning of her mother being in prison, because she thought that she would be there only for a couple of days. After that, the child started to exhibit regressive behaviour, aggressiveness, not eating and not going to the toilet all day at the nursery. At the
time of the interview the child was much better and, as the carer said, now “she draws all the time, she keeps drawing all the time, but they are all for me [grandmother] and none for her mum”. This child also exhibited other symptoms of trauma, as her grandmother said the child has a terrible fear of losing her. This anxiety is evident because the child is always asking what is going to happen if the grandmother dies, saying that she will not have anyone to look after her.

From the children’s feelings described above, it is easy to comprehend the shock that they faced after discovering or becoming aware of a parent’s imprisonment. Their responses highlight the strength of these feelings, and their sadness. These opinions are also corroborated in the carers’ responses.

2.2 Learning about a parent’s imprisonment

The way that these children and young people found out that their parent was in prison mostly depended on the age of the child and the changes that imprisonment had made on their lives. The majority of children were told by their grandmothers (six children); by their elder sister (two children); by their other parent (two children); and one by both grandmother and (non-arrested) mother. Two other children and young people found out that their parent was in prison, because they were present at the moment of the arrest.

Five children and young people mentioned that no one talked with them about what had happened, and one of these children also mentioned that they “never talk about it a lot”. To one child, the grandmother explained that the father was in hospital; another three children were told by the non-arrested mother or grandmother that their father is working, and one child was too young to understand the meaning of being in prison.

At the time of arrest, seven children/young people (just over a third of participants) were present, while the other 13 were not. One of the children who witnessed the father’s arrest said that it had happened when they were visiting the zoo. The child was with his father and father’s friend, who were both detained by the police, and the child was taken by social services. A similar situation was described by a carer who said that all of the family, with three children of six, four and two years-old, were present. According to the mother, the children did not realise what was happening, and now it is ‘normal’ for them visit their father, thinking that he is at work.
Thus it is important to highlight the importance of support given by the grandmother at the time of the arrest and imprisonment, who was often the responsible person to tell the children about their parent’s imprisonment and the importance of having someone able to explain to the children what happened. Indeed five of the children in this pilot study did not have anyone who talked with them about what had happened with their parent.

2.3 Prison visits

The frequency with which children visited their parents in prison varied from daily down to once only. For one child, the interview was the first time she visited her father in prison.

The experience of visiting a parent in jail raised mixed feelings for the children. As one child revealed, at the visits he usually feels “fear of the officers”, but at the same he “likes to see” his dad. Other children said that they feel both happy and sad or happy and upset. Other children said that they were angry and sad, but at the same time happy to see the parent. The waiting time was tiring and boring for the children and sadness and crying when the moment to leave arrives was also mentioned. Another three children just mentioned the happiness of visiting a father whom they really miss, and one teenager said that he felt happy and relieved when he used to visit his mother.

Carers shared these mixed feelings. One carer described visits as “horrendous”. The child (age four) clearly found them distressing: during travel to the prison “she is quiet”, but on the way back “she can’t speak, she is crying, screaming and really upset”. Another carer describes parent-child bonding visits as being good because the child “can play with his dad”. At the normal visits, however, the child has difficulty understanding that he cannot have the same interaction with the father as he has at the bonding visits. One carer said that the child gets angry and shies away at the visit time, because usually he was not sure about what to say when he was with his dad.

Another carer said that her three children are fine and happy to visit the father, but when they are leaving they cannot understand why they have to leave him and that the oldest girl usually stays most upset about that. A legal guardian of a two year-old child talked about his excitement when he is going to see the dad, and another carer also said that the child likes to visit the father.

In practice, many more children may not visit at all (see Nacro, 2000 and the Social Exclusion Unit, 2002). However, we made contact with participants through the prison or with workers who had made contact with them through prisoners.
In this section it is important then to highlight the mixture of feelings described by the children and the carers about prisons visits. Most of the children were happy when they attended visits, but they were visibly stressed and nervous when they had to leave the parent. This situation was also evident when the children did not know the truth, arguably making it much more difficult for them to cope.

3. Impact of parental imprisonment

3.1 Changes in the child’s life through the parent’s imprisonment

We asked children and carers about the impact of their parent’s imprisonment, namely what has changed in the child’s life due to the parent imprisonment.

Two children and young people said the main change in their lives was not having their parent with them and they missed him/her. Another child said that the main difference in her life was at Christmas and on birthdays: previously the family used to spend these events together at the grandmother’s house, and now it is only her mother and her brother.

Reflecting these views, one carer mentioned that there were many changes in their lives because she had to give up work to care for the three children, so currently she is living on benefits. Two carers mentioned the huge changes in the family’s life following the father’s arrest in that they now have to take on both parents’ roles. One of these carers also mentioned the problem of dealing alone with the children’s misbehaviour.

Similarly, another carer mentioned that everything changed in her grandson’s life because previously the “father was everything, now he is not, I am”. One mum said that her son noticed a lot of changes after his father’s arrest, especially as he used to play computer and football with his dad and friends, but after the arrest he lost all of that. Another carer said that her child now behaves “differently” following the father’s arrest.

Six children/carers described only minor changes in their lives following the parent’s imprisonment. This was because the children were not living with the parent before the imprisonment, or they were young when they started to live with the grandmother and did not remember the transition. One child, who currently lives in his grandmother’s house and has always spent most of time there, explained little change in his life because of the father’s imprisonment. However, an 11-year-old boy now used to staying with his grandmother said: “I was nervous in the beginning to live with my Gran, but I’m not anymore”.
On the other hand, one child described not feeling any change because, always having lived with his grandmother, the child knew that his mother will “come out, so it was no real difference”. In a similar situation, another child mentioned that, now she lives with her grandmother, she is better off. She explained that, before, her mother did her homework for her, but now her grandmother helps her to do it. One small child said that she had to visit her mother in prison and now she is happy because her mother is out. One carer said that there were not any changes in the child’s life because his father was arrested before he was born.

Thus children’s experiences varied depending on their level of contact with the parent prior to imprisonment. The impact of imprisonment ranged from huge changes in the family’s life to relatively minor changes because they did not live with the parent before the imprisonment.

3.2 Worries of children and carers

One of the key questions was to ask children about their concerns and worries to ascertain the effects on them of their experiences of their parents’ imprisonment. The children and young people gave varying responses. One child, whose father was out of prison at the time of the interview, said that his worries are for his father to “get his own house.” This child also exhibited fears about his father’s problems, because he stated that for the first time his father is “being good, not drinking”. Four other children mentioned anxiety regarding their mother not to “get back to the old life again”, taking drugs, getting into problems again or going back to jail.

One child expressed concerns about when the father might come back home. Another child, who was visiting her father for the first time, clearly expressed her concerns about not knowing what is going to happen with the father. Yet another child discussed worries about the imprisoned father when he moves to open prison. These were because her father told her that he can only go to the open prison if he behaves well, otherwise he has to continue the rest of his sentence at the normal prison. Another two children said that they do not have any concerns now, one of whom added “we have our mum now”. One young person showed clear signs of depression in connection with the many times his mother was arrested and, at the time of the interview, he was only interested in going back to bed and to sleep.

Two carers showed concerns about their imprisoned sons. The first one was worried about her son and not her grandson, because for the grandson she “will be there to take care [of him]”. Rather, she was concerned about the right help for her
son (in prison) and especially at the right time, before he starts drinking again. Another carer showed similar concerns about her daughter “going back again on drugs and getting problems again”. The second carer talked about the concerns for her grandson “following his dad’s steps. Thinking that it is normal and it is okay to be [in prison]”. One carer, who did not tell the child that the father is in prison because he is too young to understand, mentioned worries about the child’s understanding when he gets older. One more carer said that financial problems were the biggest worry, especially as Christmas approached. Another two carers were concerned about the imprisoned person not being present to see the child growing up. Finally, one mother talked about the problems that she has having in dealing with everything alone, especially not having her own house and her children’s misbehaviour.

This section clearly highlights the children’s concerns about their parents. The children who currently have their parent out of prison are more worried about the possibility of the parent going back to prison again. In spite of this anxiety, children may think that the parent is moving on, or at least they want to believe so.

3.3 Support to talk about parental imprisonment

We asked participants who talked to them about what had happened. Their responses indicated a number of sources (see Table 1). Unsurprisingly, close family and non-imprisoned carers provide by far the most support to children and young people with a parent in prison. Perhaps less encouraging is the lack of formal support that appears to be available (or at least utilised) by this group.

Table 1: Sources of emotional support for children with a parent in prison

<table>
<thead>
<tr>
<th>Source</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grandmother</td>
<td>8</td>
</tr>
<tr>
<td>Non-imprisoned mother</td>
<td>5</td>
</tr>
<tr>
<td>Imprisoned parent</td>
<td>4</td>
</tr>
<tr>
<td>Older sister/brother</td>
<td>3</td>
</tr>
<tr>
<td>Other family</td>
<td>2</td>
</tr>
<tr>
<td>Peers from school/friends</td>
<td>2</td>
</tr>
<tr>
<td>Teacher</td>
<td>1</td>
</tr>
</tbody>
</table>

One carer said that the child had many people around her with whom she could talk but that the child does not speak about the mother’s arrest. However, the child now has support from a child psychologist because of concerns about the child’s violence. Another carer mentioned the importance of having the child’s grandfather
perspective of children and young people with a parent in prison

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present to give her son a good role model at home and someone with whom he can speak.

Related to support issues, we also asked children who they would speak to when they were worried about something. Seven children (of the 11 children spoken to directly) named their grandmother as the person with whom they are more likely to speak. Other children and young people mentioned, in order of frequency, the arrested parent, mother, sister, teacher, cousin and friend outside the school. However, two children said that they do not have anyone to talk to about the imprisonment, though they say that they usually speak with different people in the family or friends when they are worried. A third young person said he usually speaks with himself when he is concerned.

Thus the key point is that many children and young people perceived their grandmother to be the one who provided them with support after the imprisonment of a parent although some children mentioned receiving no support.

4. Taking account of children’s views

One of the most important aspects of experiencing parental imprisonment is whether the views of children and young people are taken into account. Key questions are therefore about what say they would have in any decisions and whether their views are taken into account. This includes not only support but talking to children generally about their experiences as well as about what happens in court.

4.1 Who asks about the children’s feelings?

In seven cases (out of the 19 children in the study), only the grandmother asked about the children’s feelings; with three other children, the non-imprisoned mother asked; and another carer mentioned that an older sister had asked. One mother added her intention to reassure her son that his father loves him and that the imprisonment was not the child’s fault. Rather, the father got into trouble and because of that he was sent to prison. At the time, the mother took the opportunity to explain to the child what happens when someone misbehaves and that this is not part of a good, normal life. Importantly, however, another six children or carers said that no one asked the child or young person about their feelings. Two children were also not asked about their feelings because they were told that the parent is somewhere other than prison.
In contrast, one carer mentioned all the support that she and her partner had from health visitors and social workers. A grandmother also mentioned that a social worker asked her about the children’s feelings and how the imprisonment would affect the child.

Thus taking into account the feelings of children and young people does not happen consistently for the participants in this study. Seven of the children and young people interviewed (the highest proportion) said their grandmother asked about their feelings. In six cases, however, no one asked the children or young people at all about their feelings following parental imprisonment.

4.2 Taking account of children’s views in court

We asked if it was important for the judge to listen to the feelings of children and young people. Nine of the 11 children and young people interviewed directly believed their feelings about their parent’s imprisonment are important for the judge to know, though the two others did not know whether this was important. One of these children mentioned that he was sad because he could not be there to tell the court about his feelings.

The eight carers believed it would be very important for the court to listen to the children’s feelings but also believed that the impact of the parent’s imprisonment on the child was not taken into consideration. One of these carers also mentioned that when the offender has previous convictions “they couldn’t take into consideration his son, because it was his fault [...] and he had the chance, but he kept going back”. Another carer mentioned she was in favour of her partner’s punishment with regard to his offence. However, she said that it would be important for the court to give him a punishment other than imprisonment, considering that he had a premature child and that the child’s mother was ill because of birth problems.

All participants agreed with the importance of the court taking into account children’s views. This is evident not only from the carer’s answers, but also from the children’s point of view.

4.3 Ways of telling judges about their feelings

Children were also asked, if they had had the chance, how they would have liked to tell the judge about their feelings regarding their parent’s imprisonment.

Four children said they would prefer to speak themselves about their feelings to the judge, and one child expressed a preference for writing a letter. Two children and young people mentioned they would prefer having someone to speak for them, and
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one child specified her mother as the person who she would like to have to speak for her. Two children said that they did not want to say anything to the judge, and when they were asked why, they answered “that it would be very scary. I think I couldn’t think how much scary it could be”. This type of response suggests that some children did not have enough information and support about what happens in court and what the judge’s job is. Often this would have been their first contact with the criminal justice system, so appropriate information and support could have been beneficial.

Carers also expressed the importance of taking the child’s view into account. In another view, one carer mentioned that it would be important to have a report that describes the children’s feelings. Another mentioned that there should be a lawyer to explain to the judges the impact that parental imprisonment will have on the child’s life. Yet another said that the judges should take more time to read the Social Enquiry Reports, in which the social workers should be able to describe the “way that it is going to affect the child”. Four different carers said that, when possible, the children should have someone to speak for them. One of these carers also added that the child should not be under pressure to talk in the court and, because of that, they should have someone to speak for them.

One important perspective was given by a mother of a nine month old boy. She agreed with the importance of having a report which explains the impact that the imprisonment is going to have on the child’s life. However, she said that they had a very good report written by the social workers explaining that the offender had a premature child and that the mother was ill, but despite this “it didn’t make any difference” [...] “they did not even look at that”.

Such views reiterate the importance of a separate Child Impact Statement in court, as recommended in Not Seen. Not Heard. Not Guilty.(2008). Such a statement would allow the feelings of children to be heard in the decisions that affect them.

Thus, children’s feelings varied regarding how they wished to give their views to the judge. Some children and young people said they would prefer to speak to the judge themselves, or alternatively to have someone who could speak for them or even write a letter to the judge. Carers, in contrast, emphasised the importance of reports or someone who could explain the impact on children to the court.

4.4 What children and young people want to say to the judge

One of our main objectives was to find out what the children and young people would like to say to the judge if they had the chance to do it. Given the chance, some
children mentioned that they would have wanted to say something that clearly expresses the trauma of that moment:

“Like… Don’t take him away”.

“I felt sad when my mum was in jail and I cried”.

“I don’t want my mum to go back” [to prison].

“I want my dad to come out and I really miss him”.

Other children and young people said that they want to express what they were feeling at the moment, such as:

“I am sad and angry”.

“I was cross and upset with my mum”.

Notably, two children clearly expressed that they did not want to say anything to the judge because they were afraid of him, and three children and young people said they did not know what to say to the judge.

Carers’ perspectives were similar. One said that her three children probably would like to ask the judge to “let their dad go home”, and a different carer thought it would be to say, “let him out”. A legal guardian said that the court should have taken into account that her son (the imprisoned father) “was a sole carer of his son” and if the child had the chance to speak with the judge he would like to say that “he wants his daddy back”. Another carer mentioned that she heard her son saying when his dad was arrested “please don’t put my dad in jail” and that he would probably like to say that to the judge. This mother also said that many times the son expressed the wish of having his father watching him in sporting activities.

From another perspective, one carer mentioned that, besides the importance of looking at each case independently, it is necessary for judges to be more aware of what is going to happen to the children of the imprisoned parent. Another did not know what the child could want to say, but she believed that if the case is a serious offence, the “judge would not listen anyway”.

One mother said what she would like to say to the judge on behalf of her child. She believed the judge should look into the changes and effort that some people put into their lives, trying to have a better life. She also queried why social enquiry reports are made if “they [judges] are not going to have any interest in them”, or “if they are not going to listen to them [social workers]”.

This carer’s opinion highlights the general view that over the last twenty years of Social Enquiry Reports, there was not enough progress on behalf of offenders’ children, despite the guidelines for this (Loureiro, 2009).
So what the children wanted to say expressed their hopes of the judge changing his or her mind after listening to their feelings. The carers corroborated this, most of whom also believed that each judge should take into account the views of the children on a case by case basis.

4.5 What difference would it make?

Some children were uncertain whether it would make any difference to the sentence if the judge had listened to their feelings, and one simply said “it wouldn’t”. Despite this, six children and young people believed that their views might make a difference to the judge’s decision:

“He will give less time.” [for the prison sentence]
“Maybe stop giving the sentence.”
“Maybe it changes his mind.”
“Maybe my dad could come out.”

Such expectations may be unrealistic, but the interviews showed clearly that the children and young people wanted their views to be heard.

Three carers said that even if the judge listened to the children’s feelings, it would not make any difference to the sentence, though two of these carers added that is important to look at each individual case. Another carer mentioned that, if the judge had children, that “would make a difference”. Yet another mentioned the hope that listening to the children’s feelings would make a difference.

Another carer said that hearing the children’s feelings would not make any difference to the sentence, adding the fact that punishment is needed. However she also believed that, in her daughter’s particular case, prison was not a solution, and instead that “she needs medical help, counselling, she doesn’t need any prison”. One carer said that children’s views would not make any difference because the judges “are not interested in that”. Another one talked about her own situation in which, even though they had a good Social Enquiry Report that described the impact on the child, it was not taken into consideration. As we can see it is important to consider the information about the impact of parental imprisonment is going to have on the family and children.

Six children (of the 11 interviewed directly) clearly believed that expressing their feelings to the judge would make a difference to the sentence, though of the remaining five children, one had doubts about this, two believed that it would not make a difference and two did not know if it would make a difference. Carers equally
showed varying opinions on this question, but most of them considered that the presence of a child should make a difference to the judge’s decision.

5. An adult perspective of parental imprisonment

In this pilot study, an opportunity arose to speak to a 27-year-old adult participant who spoke of her father’s arrest when she was younger. Her story provides a useful postscript to the experiences of children and young people described so far. What follows is a summary of this young adult’s experience of her father’s imprisonment:

Mary (not her real name) did not live with her father before the arrest, though visits to the prison took place monthly. She described her experience as a “big secret” at the time, because she did not have many people with whom she could talk about it. She also talked about the impact of the imprisonment had on her father, in which she said that it was harder for him, especially because he did not see her “growing up and he missed a lot”. Although she mentioned the good relationship she has with her father now, she also posed questions of how things might be if her father had not been sent away. However, she knew that she could keep in touch with him, because “he tried so hard to be there every time” that she needed him.

Mary revealed that, as she grew older, she started to have a real perception of how long the visits were going to take, the exact moment that they had to say goodbye and how long it would be to see her dad again. She had concerns relating to his parole because he had “a lot of trouble” in terms of the bureaucracy regarding his many house moves as well as the continuous loss of and contradictory information provided by the parole office.

Mary highlighted that, when a child has a parent in prison, it is very important to have someone to speak to who is not “part of the situation”, who is independent and objective. It is a very hard period of time in the child’s life where “a lot is going on”, and sometimes it is difficult to know how “I could keep going on”. Sometimes, and in spite of appearing to have a lot of people that a child could talk to, it seems that there are not “a lot of options of whom to speak with”.

In her view, the court does not take into consideration children’s feelings at all. She also mentioned her doubts about any change of sentence following input from children of offenders. She added that, from what she has been told by other people, it would not make any difference.
With regard to the way to tell the judge about her feelings she said that should have the opportunity for the other parent or the grandparents to speak up for the child. Furthermore, at the time of the parole hearing, the children also should have the chance to speak to the parole board. Otherwise they could feel that they are being taken “out of the process” and they are “dismissing the relationship” between the child and the imprisoned parent.

As we can see, Mary’s opinion as an adult is very similar to the children’s views and this is a reminder of the long lasting effects of parental imprisonment. During the interview, it was quite obvious as she told her story that the impact of her father’s imprisonment continues. As she is older, she can now better understand the wider consequences for her.
6. Final comment

The interviews have given an insight into the perspectives of children and young people (and some of their carers) about the experiences of the imprisonment of a parent, the impact it has had on their lives and their thoughts on how their views might be taken into account.

Experiences

• Parental imprisonment leaves a significant mark on the children and young people involved.
• Most of the children of this study felt sad, angry and even cried when they first learned or when they talked about their feelings about their parent’s imprisonment.
• The majority of the interviewees heard about their parent’s imprisonment from a grandmother. They also perceived her as the person who was always there for them and who gave the necessary support.
• The grandmother was the person who gave most of the family support necessary for the child to recover from a traumatic event.

Impact

• The impact on the child’s life mainly depended on whether the child lived with the parent prior to the imprisonment. This finding suggests a higher probability of recovery from the trauma of parental imprisonment as well as a protective factor to promote the children’s resilience if they did not live with the parent.
• Most of the children showed concerns about their imprisoned parent, and many exhibited anxieties inappropriate to their age.

Taking account of views

• The interviewees highlighted the importance of the judge listening to the children’s feelings.
• The preferred way of telling the judge their feelings varied from talking with the judge themselves, having someone speak for them or writing a letter.
• Most of the children revealed their belief in the difference of the sentence if they expressed their thoughts to the judge.
PART III – DISCUSSION AND CONCLUSIONS

1. Discussion

These key messages from the interview findings have resonance with the themes identified in the literature review in Part I.

It is important to note the increasing number of children likely to have experiences such as those described in the previous sections. Each year the number of people in prison is increasing (Hagan, 1996; Walmsley, 2005) and consequently the number of children who suffer because of having a parent in jail is also growing. This leads to more children living with the stigma and the outcomes of having an arrested parent (Bernstein, 2005).

In Scotland, the 16,500 children each year with a parent in prison (Families Outside, 2009), and specifically the children of imprisoned mothers, are at an elevated risk in a number of areas. They characteristically experience poverty (Baunach, 1985; Johnston, 1995a; Kampfner, 1995), troubles in school (Sack, Seidler & Thomas, 1976; Trice, 1997) and placements in different houses with different caregivers (Johnston, 1995a; Norman, 1995; Sack, et al., 1976). In England each year, only 5% children who experience a mother’s imprisonment remain in their homes while the parent is in prison (Gardiner, 2009). Estimates from Scotland increase this proportion to 17% (HM Inspectorates of Social Work Services and Prisons, 1998), but the percentage who remain in their own homes during a mother’s imprisonment is still surprisingly low.

The impact on children’s health and wellbeing is well documented. Children who have had a parent in prison have been treated as a single group with one specific service need, but the many consequences they face will require a multi-agency response (Johnson & Waldfogel, 2002). After a parent’s imprisonment, children experienced many different changes in their lives. Frequently they develop psychological problems such as depression (Boswell, 2002; Murray & Farrington, 2005), feelings of failure (Wright & Seymour, 2000), sleeping disorders (Lee, 2005), eating disorders, and problems in school (Sack, 1977; Loucks, 2004; Murray & Farrington, 2005; Woldoff & Washington, 2008).

Bowlby’s attachment theory (1973) describes parental loss as a type of departing or rejection, which causes short- and long-term difficulties in the children’s lives. Additionally, the children of incarcerated parents can experience worse effects,
especially regarding antisocial behaviour, as the children may see the parents’
behaviour as a model to follow (Murray & Farrington, 2005).

As shown from some of the participants in our study, the psychological
consequence of witnessing or taking part in a traumatic episode could be reflected
through their whole lives (Davis, 1999). In our study, seven children were present at
the moment of the parent’s arrest – an event which is particularly traumatic for
children (Ortega, 2009). For that reason, it is crucial to give specific training to the
police (Marshall, 2008; Ortega, 2009), to have someone who makes sure the arrest
is done in a different way if a child is present (Wolleswinkel, 2002) and to have
written protocols for police practice in relation to children and families (Nolan, 2003;
Ortega, 2009).

1.1 Isolation and trauma

To prevent or minimise these consequences it is extremely important to intervene
early to recognise the potential needs and to help children to cope (Davis, 1999). In
this current pilot study, as we have seen, support for children during a parent’s
imprisonment was mainly given by the grandmother. This emotional, financial and
social support has been crucial for most of the children. Despite many children
having such support, some children (five) in our study did not have anyone who could
explain the traumatic event to them. The same applied to children who said they had
no one to ask them what they were feeling; four children out of the 11 directly
interviewed said that no one had asked them.

As Snyder-Joy and Carlo (1998) suggest, it is important for the child to have
someone close who can discuss the traumatic episode, otherwise this could intensify
the emotional distress. Allowing children to have someone to speak with is a good
way to ensure that the child understands what will be different from now on and also
ensures that the child has the necessary support (Prisoners’ Families Helpline,
2009).

This pilot study reveals that the changes made in the children’s lives were many:
they had to change their routines to visit the parent in prison, they had to change
homes, modify their habits, face changes on days of celebration such Christmas and
birthdays, and change the standard of living they were used to. Some carers also
talked about the difficulty of raising the children alone, of dealing with the children’s
misbehaviour and giving up their own job to take care of the children.
Ten of the 19 children in this study no longer have the parent in prison. Of these ten, only three went back to the parent’s house; the other seven currently live with either the grandmother or the (non-imprisoned) mother. Of these seven, however, only two lived with the imprisoned parent before the arrest. Of the 10 who still have a parent in prison, eight lived with the parents before the arrest. Where they will live and with whom post-release is not yet known.

Wider research reveals that many children recover from difficulties, which could have a small impact in their later life (Newman & Blackburn, 2002). However, the presence of protective factors is essential to explain how the children can cope (Getting It Right For Every Child, 2008). These protective factors can help the children recover from a traumatic event and therefore promote resilience (Newman & Blackburn, 2002). In our study we identified family support as an important factor for resilience, e.g. the fact that the 10 children who no longer had a parent in prison already lived apart from that parent before the arrest and imprisonment and consequently had other supports already in place. In that way, we could say that they had one additional protective factor that should increase their resilience.

However, saying that does not mean that the parental imprisonment did not cause them any trauma. The feelings mentioned by the children when they first learned about their parent’s arrest prove the trauma that this episode could cause in a child’s life. They were mainly feelings such as sadness, crying and anger, which the children describe regarding the parent’s arrest. These children also exhibited signs of post-traumatic stress disorder, which were visibly present in situations such as repetitive play or drawing all the time in a way to minimise the impact of that episode (APA, 2000). Other symptoms were the terrible fear of losing the current support, regressive behaviour, aggressiveness, anxiety and concerns not usual at the child’s age, perceptible in expressions such as hope that parent would: “get his own house”, “being good, not drinking”, and “get back the old life again”.

Some authors suggest that the children of imprisoned parents live under recurrent stresses in a continuing trauma which could act as a barrier to develop tasks successfully (Johnston, 1995a; Norman, 1995; Sack, et al., 1976). Research also proves that having a parent in jail increases the probability of developing antisocial and delinquent behaviour in the future (Murray & Farrington, 2005).

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Footnote 5: Getting it Right for Every Child (GIRFEC, Scottish Government, 2008) is a programme aiming to improve outcomes for all children and young people. GIRFEC also tries to help all professionals focus their work to make a positive difference for children and young people (Scottish Government, 2008).
separation between parent and child caused by parental imprisonment leads to worse damage in the child’s life when compared to other types of separation (ibid.). Moreover, the children who face a separation from parental imprisonment before their birth have a reduced danger of delinquency than children who experienced this separation post-natally (ibid.). This finding from the literature review reinforces the urgency of looking to the children’s needs to prevent future damage in their lives.

1.2 Potential support

Both the literature and the findings from the interviews emphases that it is essential to make every attempt to support children of imprisoned parents. The Scottish Parliament Equal Opportunities Committee (2009, p. 4) refers specifically to the children of imprisoned mothers as the “innocent victims”. Moreover, children of imprisoned mothers have an increased risk of developing behavioural and mental health problems (Gardiner, 2009).

A number of options are available to support children with a parent in prison. One, of course, is to reduce the use of imprisonment in the first place, particularly where this affects dependent children (Family and Corrections Network, 1995). Imprisonment of a mother in particular will have a huge impact on the whole family (Gardiner, 2009; Scottish Parliament Equal Opportunities Committee, 2009). In our research, some of the carers who have their own daughters and sons in prison believed that prison is not the right solution for them, because what they really need is a health intervention.

Another option is the role of the health professional. Health professionals would benefit from guidelines regarding the children of imprisoned parents, as these professionals can easily be the connection to a successful early intervention (Hope House, 2009). This could include assessment to identify possible trauma. This would require adequate training for people who work closely with children, as well as multi-disciplinary working (ibid.). Karp (2007) similarly states that professionals such as teachers and social workers should pay special attention to the children of imprisoned parents. For example, schools could have programmes for these children, allowing them to share their problems with other children and to understand that others could have similar problems (ibid.).

Another option for supporting children with a parent in prison is to provide the children with support and intervention programmes (Parke & Clark-Stewart, 2002). This kind of intervention could be delivered through diverse means and developed in
schools, clinics or even in the prisons (*ibid*.). Such programmes allow children to express feelings of shame that they may feel about having an imprisoned parent and especially to meet with other children who have experienced similar feelings (Kahn, 1994).

Weissman and La Rue (1998) describe one intervention called the *Youth Advisory Program*. This programme is for adolescents and aims to deal with concerns such as self-esteem, loneliness, embarrassment. It helps them learn ways to deal with the distress of having an absent parent such as through choosing positive options and setting targets (*ibid*.). In this way, younger children who are more likely to be involved in criminal behaviour or who have a higher probability of developing delinquency behaviour later could be diverted from this (Parke & Clark-Stewart, 2002).

Children of imprisoned parents deserve our attention because they are a vulnerable group experiencing potentially severe trauma. If the experiences of this vulnerable group are ignored, the problem may be perpetuated and have a continuing impact on children. The impact of parental imprisonment for some children may end in them experiencing the permanent effects of social exclusion, perpetuation of the crime, poverty and imprisonment (Hope House, 2009). The children in our study are not only at risk of reduced resilience, but they also have others risk factors such as difficulties in communication, parents with alcohol or drug problems, parents with criminal history and poor friendship networks, few social resources and fragile housing (Cicchetti & Rogosch, 1997). Addressing such issues successfully requires a multi-agency approach, with the first step being to identify these children (Hope House, 2009), followed by a recognition of their needs at crucial stages, such as through the use of Child Impact Statements in court. Furthermore, the current system of Social Enquiry Reports is not sufficient to identify and address the children’s need (Loureiro, 2009). The prime purpose of the SERs is to provide information about the prisoner; they are focused on the offender and not on the needs of the children (*ibid*.). This situation could reinforce the need of developing a tool to conduct child/family impact assessments.

The current study and the wider research evidence highlights the need to develop much more comprehensive connections between imprisoned parents and their children. For a long time the children of imprisoned parents have been described as the *orphans of justice* (Shaw, 1992), beyond victims of crime (Matthews, 1983) and the *Cinderella of penology* (Shaw, 1987). The authors describe the importance of the
consequences that parental imprisonment has on children. Moreover, as Shaw (1987) noted if we do not attend to this, we could risk penalising innocent victims and overlooking a group in imminent danger.

1.3 *Taking children and young people’s views into account*

While the trauma of the process of experiences in court is evident, it is also about taking children and young people’s views into account and what the children would like to say to the judge, if they had the opportunity to do it.

In respect of most of the children’s feelings, the sadness of the episode was revealed in the words they wanted to express to the judge, e.g. they want their dad/mum back at home, and they miss them. When listening to the children, it was also clearly evident that many clung to the hope that their feelings would make a difference to the sentence given by the judge.

Out of all the children’s responses (19 children’s experiences included in the study), nine children and young people said that it is important for the judge to listen to their feelings about their parent’s arrest. In this way, the children could feel that their best interest is being taken into account and that they can give their opinion in situations that concern them (UN Convention on the Rights of the Child, 1989). A way to do that was by speaking themselves with the judge or having someone who could speak for them and explain the impact of imprisonment on their lives. Relevant decision-makers would beneficially consider the impact of imposing a custodial sentence, taking into account the wellbeing and safety of the children (Advisory Council on the Misuse of Drugs, 2003). Occasionally, in these situations the older sibling has to substitute for the absent parent during that time, trying to maintain the family unit (Wolleswinkel, 2002).

2. Conclusions

Very often children’s rights are forgotten, and children and young people are rarely taken into account in decisions such as sentencing. Children are dependent on government and adults, but they are also very vulnerable (Paton & Munro, 2006). After analysing the results of this research, and in spite of the limitations due to the fact that this is a pilot study based on a small sample of qualitative interviews, the findings show clearly that the imprisonment of a parent has a notable and largely negative impact on children who may already be vulnerable and isolated.
Key findings include:

- Children of imprisoned parents are the innocent and overlooked victims of the offence.
- A number of issues affect the children of imprisoned parents. They are potential at higher risk of developing post-traumatic symptoms and increased risk of developing behavioural, mental health and general health problems as well as of engaging in future criminal behaviour.
- Children of prisoners do not have enough support to deal with such traumatic events and often do not speak about it with anyone at all.
- The children’s best interests should be taken into account for the decisions that affect them.

One of the main recommendations arising from this study is the need for more research on the impact of parental imprisonment on children. This research should:

- Ideally ‘unpick’ the relationship between parental imprisonment and the child’s risk of future imprisonment.
- Explore any potential differences between the impact of a prison sentence compared to a period of custody on remand.

Future research needs to explore also in more depth the real consequences for children who are victims of parental imprisonment, including the different outcomes when a mother or a father is sent to prison; the impact on a child’s relationship with an imprisoned parent, especially if it has previously been a positive one; the level and quality of the support received and outcomes of any support; and a more representative sample of children’s views and the changes in their lives.

Notwithstanding the recognition of the need for further research, there are a number of tangible points which could be taken forward, namely to,

- link more closely the needs of prisoners’ children and families to the wider Scottish policy context, such as the Getting It Right for Every Child (GIRFEC) framework;
- review Social Enquiry reports and other mechanisms to ensure relevant information about children and families comes before the court;
- pilot the use of Child and Family Impact Statements in court; and
- require that in the criminal justice legislation remand and sentencing decisions take the impact on children and families into account.
APPENDIX 1a: Questions for the Interviews

Questions for the Small Children

I would like to ask you a few questions about what happened with your father/mother. Can we talk about this a bit?

(General introductory questions)

1. [If interview is at the prison or Visitors’ Centre] Who are you here to visit? [If interview is not at the prison or Visitors’ Centre] Is your mum or dad in prison? Or Who is in prison?

2. How did you find out that [your dad] was here/in prison?

3. How did you feel when you first learned about it?

4. Did you live with [this person] before [he/she] went to prison?

5. Who do you live with now?

Thinking back, can you remember when this person was arrested, - this means being taken to the police station and being kept there by the police.

(Questions about the arrest)

6. How did you feel about [this person’s] arrest?

7. Were you there when it happened?

8. Who talked to you about what happened (if anyone)?

After the arrest….

(Section about the sentencing and imprisonment)

9. What changed in your life because [this person] went to prison/what’s different? What changed in your life after your father/mother was sent to prison?

Do you know what a judge is? He (or she) is the person in charge – the one in court who decides what happens to the person who has been arrested.

10. Do you think your feelings about [this person’s] arrest were important to the judge? Do you think they should be important?

11. Did anyone ask about your feelings? Who? Or
APPENDIX 1a: Questions for the Interviews

12. Do you think it’s important for the judge to listen to your feelings?

13. If yes, how should they do this? Would you want to speak in court, or have someone speak for you, or have someone write a note for the judge, or…?

14. What would you want to say to the judge?

15. Do you think this would make any difference to the sentence (the punishment ordered by a judge)? Should it? Why?

Section about feelings and worries
I would like to ask how you are feeling about all of this…..
16. what are your worries now?

Or

ASK do you have any worries?

17. Do you have anyone to talk about [this person’s] imprisonment?

Or

Do you have anyone to talk about what happened with your father/mother?

18. When you are worried about something, who are you most likely to talk to? Does this help? How?

So finally coming back to being here today,

(A section about current experiences of visiting prison)

19. How often do you visit [this person]?

20. How do you feel when you come to the visits?

A final question – light weight
When is your (mum/dad) coming out of prison? What are you looking forward to most about this?

Or
When did your mum/dad come out of prison? What was the best part about this?

I understand that this could be really difficult for you, so if you need to talk with someone about this, you can talk with people here in the visitors’ centre.

Or

If you would like to talk to someone and don’t know how to start, show this booklet to someone – and it doesn’t have to be an adult, it could be a friend. – Give the Families Outside book_ Emma’s story

Thanks for talking to me about this. You’ve been really helpful!
APPENDIX 1b: Questions for the Interviews

Questions for young people

I am doing research about the views and experiences of children and young people who have had a family member sent to prison. I would like to ask you a few questions about that; is that ok?

1. [If interview is at the prison or Visitors’ Centre] Who are you coming here to visit? [If interview is not at the prison or Visitors’ Centre] Who is in prison?

2. How did you find out that [your dad] was in prison?

3. How did you feel when you first learned about it?

4. Did you live with [this person] before [he/she] went to prison?

5. Who do you live with now?

6. How did you feel about [this person’s] arrest?

7. Were you there when it happened?

8. Who explained to you what happened (if anyone)?

9. What changed in your life due to [this person’s] imprisonment/what’s different?

10. Do you think your feelings about [this person’s] arrest were important to the court? Or

   Do you think they should be important?

11. Did anyone ask about your feelings? Who?

12. Do you think it’s important for the court to listen to your feelings?

13. If yes, how would you want to do this? Would you want to speak in court, or have someone speak for you, or have someone write a note for the judge, or…?

14. What would you want to say to the judge?

15. Do you think this would make any difference to the sentence? Should it? Why?

16. What are your biggest concerns now?
APPENDIX 1b: Questions for the Interviews

17. Do you have anyone to talk about [this person’s] imprisonment?
18. When you are worried about something, who are you most likely to talk to? Does this help? How?

19. How often do you visit [this person]?

20. How do you feel when you come to the visits?

A final question – light weight
When is your (mum/dad) coming out of prison? What are you looking forward to most about this?
Or
When did your mum/dad come out of prison? What was the best part about this?
I understand that this could be really difficult for you, but if you need to talk with someone about this, you can talk with people here in the visitors’ centre. We also have a Helpline you can ring for free [give Helpline card].
Or
If you would like to talk to someone and don’t know how to started, show this booklet to someone – and it doesn’t have to be an adult, it could be a friend. – Give the Families Outside book_ Jenny’s story

Thanks for talking to me about this. You’ve been really helpful!
Questions for the Interviews

Questions for Carers

I am doing research about the views and experiences of children and young people who have had a family member sent to prison. I would like to ask you a few questions about that; is that ok?

1. Which family member is in prison?

2. How did he/she find out that his/her dad/mum was in prison?

3. How did he/she react when he/she first learned about it?

4. Did he/she live with [this person] before [he/she] went to prison?

5. Who does he/she live with now?

6. How did he/she react to [this person’s] arrest?

7. Was he/she there when it happened?

8. Who explained to him/her what happened (if anyone)?

9. What changed in his/her life due to [this person’s] imprisonment/what’s different?

10. Do you think the impact of [this person’s] arrest on [the child/young person] was taken into account in court? Do you think it should be?

11. Did anyone ask him/her about his/her feelings or about the impact of the imprisonment? Who?

12. Do you think it’s important for the court to take into account the impact on the child?

13. If yes, how would you think they could do this? Would it be better for the child/young person to speak in court, or have someone speak for him/her, or have someone write a report for the judge, or…?

14. What you think he/she would want to say to the judge? What do you think the court should have taken into account?

15. Do you think this would make any difference to the sentence? Should it? Why?
APPENDIX 1c: Questions for the Interviews

16. What are your biggest concerns now?

17. Does he/she have anyone to talk about [this person’s] imprisonment?

18. How often he/she visits [this person]?

20. As far as you can tell, how does he/she feel when he/she goes to the visits?

A final question – light weight
I understand that this could be really difficult for you, so if you need to talk with someone about this, you can talk with Tracey or We also have a Helpline you can ring for free [give Helpline card].

Thanks for talking to me about this. You’ve been really helpful!
Child/Family Impact Assessments

About the project
Families Outside and Scotland's Commissioner for Children and Young People (SCCYP) are doing a short piece of work about the impact of a family member's imprisonment on children. We are talking with children and young people from Scotland to gather information about their experiences about having a parent in prison and to find out what they think their rights should be when this happens.

We want to explore the views and experiences of children and young people to see whether their views and needs have been taken into account. By taking part on this interview, you will have the chance to help make children’s lives better. You will also be helping to improve the understanding about what happens to children when a parent goes to jail.

How you can help us
We would like to ask you some questions in an informal interview that will take about 15-20 minutes. The researcher would like to speak with you on your own. However, if you would prefer to have a family member or a friend there with you, that would be fine. We would be very grateful if you would answer the questions honestly and openly so that we can find out what young people really think. Your answers are very important to us.

Some of the questions may ask about things that some people find quite personal, or may be difficult to answer. If any of the questions make you feel uncomfortable or you don’t want to answer them, you do not have to.

• Taking part is voluntary; that means you can choose to stop at any time.
• There is no right or wrong answer: it is not a test. It is your view which is important to us.

Telling us you agree to take part
We would be very grateful if you agree to speak to us. We would now ask you to complete the attached form. Completing this form tells us you have been given information about the project and that we answered any questions you may have about the project. It also lets us know that you agreed to take part in the research.

Thank you for your help.
Tânia Loureiro
Researcher, Families Outside
Please read through the following statements and indicate your agreement by signing below:

- The researcher has told me about the research project and answered any questions I had about it.
- I agree to speak with the researcher and understand that everything I say is confidential unless I or someone else is at risk of harm. If the researcher is worried about this, I understand that she will tell me.
- I understand that I do not have to answer any questions that I do not wish to.
- I understand that my name and personal details will not be used in any way that could identify me individually in the report or in any publicity about the research.

Your name: ____________________ Age: _____
(please print your name here)

Signature: ______________________
(Please sign your name here)

Date: ______________________

Researcher’s Signature: ______________________
Child/Family Impact Assessments

About the project
Families Outside and Scotland’s Commissioner for Children and Young People (SCCYP) are doing a short piece of work about the impact of a family member’s imprisonment on children. We are talking with children and young people in Scotland to gather information about their experiences about having a parent in prison and to find out what they think their rights should be when this happens.

We want to explore the views and experiences of children and young people to see whether their views and needs have been taken into account. By allowing your child to take part in this interview, you will have the chance to help make children’s lives better. You will also improve the understanding about what happens to children when a parent goes to jail.

What does it involve?
We would like to ask your child some questions in an informal interview that will take about 15-20 minutes. We would prefer to conduct the interview with your child on their own. However, if you want to be present, that would be fine.

• Taking part is voluntary; that means your child can choose to stop at any time.
• Please note that there is no right or wrong answer: it is not a test. It is to gain your child’s view, which is important to us.
• We follow good practice on interviewing children and young people.

Consent Form
We would now ask you to complete the attached consent form. Completing this form tells us you have been given information about the project and that we answered any questions you may have about the project. It also records your agreement for your child to take part in the research.

Thank you for your help.

Tânia Loureiro
Researcher, Families Outside
APPENDIX 3b: INFORMATION AND CONSENT
FOR PARENTS AND CARERS

Please read through the following statements and indicate your agreement by signing below:

 The researcher has told me about the research project and answered any questions I had about it.
 I allow my child to speak with the researcher and understand that everything that he/she says is confidential unless he/she or someone else is at risk of harm. If the researcher is worried about this, I understand that she will tell me.
 I understand that he/she does not have to answer any questions that he/she does not wish to.
 I understand that his/her name and personal details will not be used in any way that could identify him/her individually in the report or in any publicity about the research.

Name of Parent/carer/guardian: __________________________

(please print)

Signature: __________________________

Date: __________________________

Child's name: __________________________ Age:_____

Researcher's Signature: __________________________
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