

Getting it right for families affected by imprisonment: Lessons from ten years of research

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Introduction

This briefing paper draws on five PhD projects conducted in Scotland between 2011 and 2021, all of which explored how imprisonment impacts on families, mothers or children. PhD projects are unique in allowing researchers the luxury of time to form relationships with participants, arguably producing richer data than would otherwise be possible. As PhD theses and academic publications can be lengthy and inaccessible, this Briefing Paper draws together key learning from this substantial Scottish evidence base in a more accessible format.

When reflecting on our shared learning over the last ten years, it has been impossible to ignore how the Covid-19 pandemic has changed nearly every part of daily life. We have therefore collaborated with the Scotland in Lockdown project team to include findings from their research with families affected by imprisonment.

While all of these projects set out to explore different questions from different perspectives, there are six common themes running through their findings:

1. Families affected by imprisonment are not all the same
2. The criminal justice system can see disadvantaged people as risky people
3. The effects of imprisonment on families are largely negative
4. The views of children and young people are often overlooked
5. Families are citizens whose needs should be met
6. Covid-19 has compounded difficulties for families

That these themes were shared across projects – together with the large number of participants we were able to reach – gives us confidence that we are able to draw out useful and robust findings and implications for both policy and practice.



Research methods

We used a range of methods to collect data, including: a systematic review of the evidence regarding parenting programmes; over 800 hours of observation at a prison Visitors' Centre and an arts collective for young people with a family member in prison; and creative and participatory methods. We interviewed adults, children and young people both who were supporting a family member in custody, or who had been imprisoned themselves, and also criminal justice professionals.

The Scotland in Lockdown study focused on the experiences of marginalised communities in Scotland during the first six months of the pandemic, consequently reflecting a snapshot of a particular moment in the unfolding pandemic. The study included research data from partner organisation SPARC, who conducted a community consultation; interviews with families, professionals supporting families affected by imprisonment, and people who had recently left prison; a survey of prisoners and a survey of service providers.

Together, these projects draw on the accounts of over 100 participants. We have used quotations throughout this paper to try to give readers a better sense of their experiences, but have changed potentially identifying information to protect their privacy and anonymity.

Families are not all the same

The last ten years have seen families in Scotland become increasingly diverse: the legalisation of same-sex marriage is a welcome development, numbers of heterosexual marriages are falling, and rates of cohabitation and second marriages continue to rise. Lockdown restrictions have brought home to many the value of the care and support provided by grandparents, wider

family and friends; highlighting that for a substantial number of people the line between those who are “family” and “not family” can be at least a little blurry.

These trends are reflected in research with people in prison. When people in custody were asked who was most important to them, their answers covered a broad range of relationships, including: children and step-children, nieces and nephews, kinship carers, aunts and uncles, grandparents, friends, and even pets. They also talked about people who might be seen as family (such as a parent or spouse) who were not an important part of their lives. Given this diversity, it is important to think about family broadly. For example, rather than “visiting sessions for dads”, it can be more helpful for prisons to offer “family fun days” or “family meals” which are open to a wider variety of relationships.

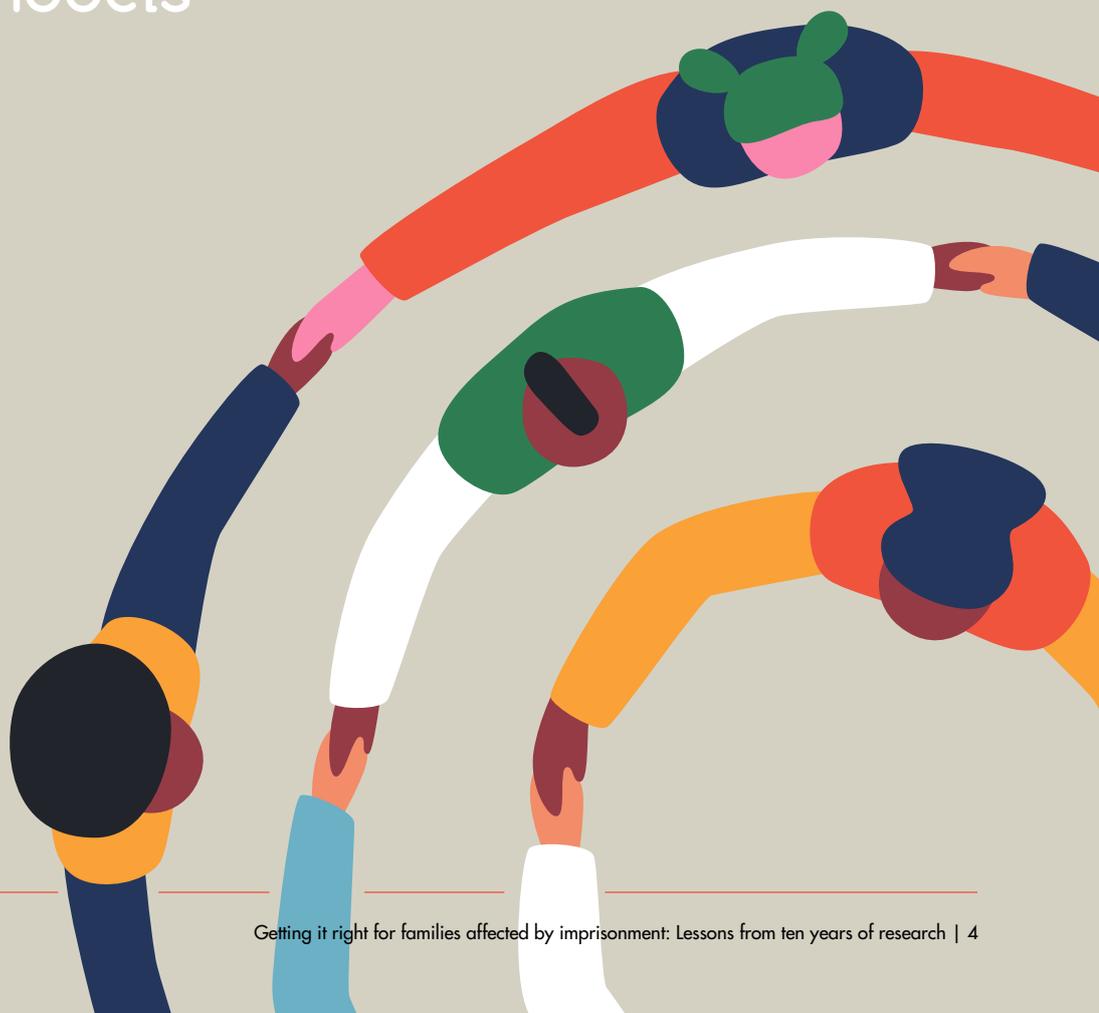
These examples of family fun days or meals are not only more inclusive, they also recognise that family relationships are made (and maintained) by doing “family things”. These can be both mundane (such as cooking meals, watching TV, doing homework or following sports) or special and celebratory (such as giving a birthday present). Opportunities for high-quality family contact, and to keep doing these “family things” despite imprisonment, were highly valued by participants across all projects.

“The Eid celebration was really appreciated, it is just really good that the prison are supporting different religions and making an effort....It was great to be able to have more of my family there and be able to do something we would do at home.”
(Yasmeen, interviewed in prison)

However, recognising the diversity of families affected by imprisonment requires more

than looking beyond traditional, (often white, middle-class and heterosexual) nuclear models of the family. Attention must also be paid to the differences in families' experiences, circumstances and resources. While some families had little or no prior experience of imprisonment or criminalisation, other participants described being imprisoned at the same time as another family member (often a sibling or parent), or being remanded or charged at the same time as their partner. This finding suggests that while it may be tempting to think of family as something which exists "outside" of the prison, this is not always the case.

“Recognising the diversity of families affected by imprisonment requires looking beyond traditional models of family”



Risk and disadvantage

That some participants experienced multiple or simultaneous periods of imprisonment should not surprise us, given what we know about imprisonment in Scotland. Not only does Scotland have one of the highest imprisonment rates in Europe, but we also disproportionately imprison people living in poverty.

This means that the families and communities we imprison have often experienced adversity and victimisation. Many families described experiencing hardships including (but not limited to): poor mental health, long-term illness, learning difficulties, exclusion from employment, poor experiences of education, histories of problem substance use/addiction, and unstable or low quality housing. Some participants also felt that they have been let down by professionals in the past:

“I woudnae want to be a social worker [after] what they done to me. I took drugs and they dinnae help you - they dinnae help you, it’s like you take drugs and you are a bad parent and they take the child off you.”

(Tracey, visiting her partner)

When families interact with the justice system, these adverse experiences can be seen as risks to be managed rather than needs to be met. For example, where multiple family members are serving sentences at the same time, whether in the same or different prisons, contact between them can often be felt to be behaviour dependent and viewed in terms of risk rather than rights-based.

“So, again, they, they would take him doon to my hall and I’d speak to him, sitting in this wee office room, and then, I think that was, like, the only time that I got, like, to sit doon and have a chat wae him but, other than that it was just me and him and ma parents and that. [...] And they try and make you not see him as much as they can, just because they know that you’ll back each other up, more fights, all that.”

(John, young person imprisoned alongside his brother)

Similarly, efforts to engage with families and improve outcomes in the future are often focused on changing behaviours rather than circumstances. This can reinforce ideas that families “should” look or act a certain way, without fully recognising the inequalities which limit some families’ choices. For instance, while there is some evidence that interventions such as parenting programmes can have positive outcomes – especially with regard to parenting knowledge and attitudes – parents with limited contact with their children may face considerable barriers to participation. Furthermore, offering additional visits alongside parenting interventions can privilege some forms of family (e.g. parents with young children) over others, and send the message that family contact can be conditional on participation, rather than a legal and moral right.



The impact of imprisonment on families

While sometimes imprisonment can bring relief for family members (e.g. imprisonment of someone who is abusing or causing harm to a family member), for the vast majority of families the effects of imprisonment are deeply distressing. Across the projects families reported: significant disruptions to their home lives and child care arrangements (and sometimes consequently being forced to give up work), losing their homes, difficulties with benefit entitlements, damage to their mental health, feelings of being judged, and even being victimised in their communities.

“It was in the news as well so everyone knew – they had a big photo and everything. Being in the news was a nightmare. I know that he has done wrong and that he deserves to be punished, but we are all punished.”
(Grandmother of Collins family)

Where families actively support the person in custody, such pressures can be heightened further still. Providing this support can be both emotionally and financially costly, as well as taking up a considerable amount of time and bringing families into regular contact with the justice system:

“I put in £20.00 a week. Then sometimes that doesn’t even do him because he needs money for stamps and he needs money for his phone, and he needs money for like essentials – shower gels... But then bus fares coming up here as well. So it really is, it’s horrible. People are like it’s not that expensive 20 pounds a week, but if you’re a single mum with two kids, and you have a house to run it is expensive.” (Sophie, visiting her partner)

This extra “work” of caring for children, co-ordinating visits and balancing budgets is disproportionately carried out by women; often wives, partners, mothers, girlfriends and sisters. This cultural expectation that women will do the bulk of this caring work disadvantages women in prison (who may not have someone in the community to take on this role), and places a heavy burden on the women who do provide this support.

Even where budgets are extremely tight, families may feel they have little choice but to cover the costs of phone calls and visits, as these are a key way for families to remain in contact. Given that very little financial support is available to families, we must take seriously the role of the criminal justice system, and the prison in particular, in creating, sustaining and deepening poverty amongst children and families.

The views of children and young people

There is no official data for the number of children affected by a family member’s imprisonment. The charity Families Outside estimates that there are 27,000 children in Scotland each year who experience parental imprisonment, but there are no estimates for those with other family members, including siblings, in prison.

The effects of imprisonment above can also, directly and indirectly, impact on children and young people. This can have repercussions on a range of aspects of children and young people’s lives – their physical and mental health, education, behaviour, and their role and responsibilities within the family. They feel a range of emotions including a sense of grief and loss, anger, worry and sadness. This can all continue even after a parent’s release.

Prison visits, telephone calls and letters are often restrictive ways of communicating for anyone, but can be particularly difficult for children. Very young children can struggle with telephone calls as being an effective means of maintaining a relationship and letter writing is not something that anyone, not least children, do to keep in touch with people today. Children can struggle to understand the rules and limitations in place at visits, be scared and intimidated by visit spaces, staff and processes, and be upset when having to say goodbye. Consequently, some families may choose not to visit with children.



Prison visit room by 'Amy'

Young people reported feeling that they are forced to choose between being a 'normal' teenager, with a social life, Saturday job and growing independence, and being held at home to be available for calls to a landline or spending a whole day at the weekend travelling for a visit. They can also feel invisible and ignored, as visits provisions often focus on toys and areas for younger children. Young people can also feel judged, stigmatized, and seen as at risk of future offending, rather than as in need of empathy and support.

"I was just another [McIntyre] [...] so, where they start treating you like just another [McIntyre], you behave like just another [McIntyre]." (Morven)

Children and young people with a sibling in prison can feel the same loss and emotions of sadness, anger and worry but are rarely acknowledged within research, policy or practice. There is instead a focus on those who are children in relation to their age (i.e. under 18) and their relationship with the person in prison.

"...I went to [the prison] and they were, like, 'Oh, how old are you?' I was, like, 'Right, I'm 14,' and they were, like, 'Oh that's perfect. So are you visiting your dad?' and I was, like, 'No, I'm visiting my brother,' and they were, like, 'Never mind, we can't help you.'" (Morven)

Experiences like Morven's further underscore the importance of recognising the diversity of families and family relationships. The criminal justice system exercises considerable power over families (for example, specifying how and when family contact can happen, and how families spend their free time), and the way in which this power is used sends important messages to families about their worth and value as citizens. If young people (and other family members) feel ignored, unsupported or stigmatised by the criminal justice system, this risks creating a feeling that the system is not "on their side".



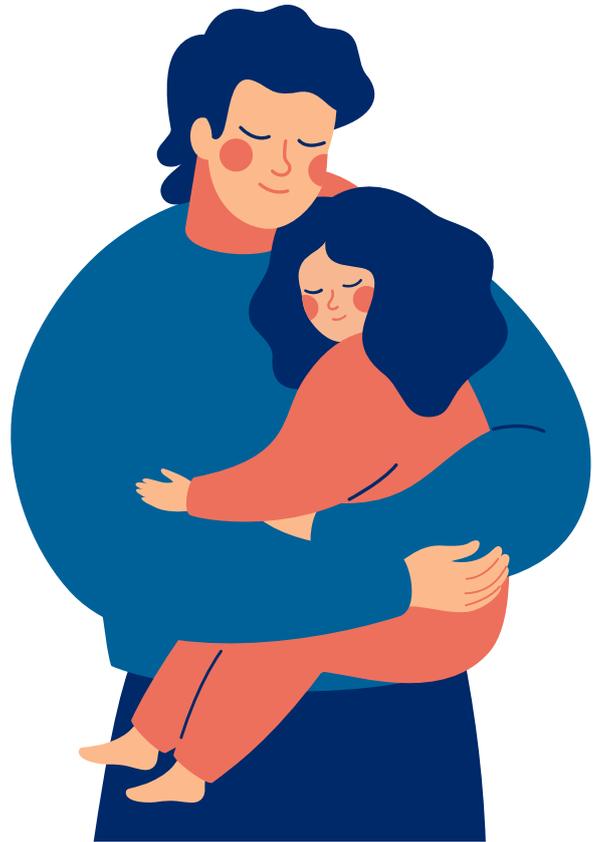
Meeting families' needs

Children and young people are not alone in feeling judged, as many participants across the projects reported feeling this way. This stigma can lead to families being treated disrespectfully by other friends and family, by others in their communities and by criminal justice institutions, including prisons. Families often say that they are made to feel like they've committed a crime themselves.

"...But at a basic level, it's a lack of respect and just basic customer service skills, people shouldn't be coming here to be disrespected, that's ridiculous. It's mind-blowingly ridiculous. And I think the effects of that attitude are absolutely pervasive..." (Staff member)

The research shows the wide-ranging benefits of family contact, with benefits felt by prisoners, families and by communities. For example, having positive family contact with a family member makes it less likely a prisoner will re-offend when they leave prison. As a starting point, positive family contact depends on families having good interactions with staff: for instance, when they phone the hall accommodation, when they hand in money or clothing or when they are visiting. However, these tasks can be stressful for families who often struggle to find information and learn the "rules" of supporting someone in prison; not least because these rules often vary between prisons.

"Everybody else is affected. And 'cause...I spoke to my mum this morning, and she said you know: 'When I'm in here, I know you're in here'. You do the time with your family and that's just how it is. It doesn't just affect the person; it affects everybody." (Jane, visiting her mum)



Although visiting is especially important to families and prisoners, it is often time consuming with sometimes lengthy travel to and from the prison, and lots of waiting and hanging around. It's also often expensive, and can be quite stressful for families, especially those with children. One way to make visiting more positive for families is through offering different types of visits that suit different families' needs. Family/child focused visits are more informal and offer parents and children the chance to play games, do arts and crafts and simply have "family time" that is more like what they'd have at home.

Prison visitors' centres are also really valued by families. These are separate spaces from the prison, and tend to be where families wait before going into the prison for their visit, and return to afterwards. The aim of visitors' centres in Scotland, the UK and elsewhere is to improve the visiting experience for families, including children.

Currently, not all prisons in Scotland have a visitors' centre, and there is substantial variation in how centres look and what they offer to families. Families report really positive experiences of prison visitors' centres, especially those that can offer them simple but important things like friendly, welcoming and informative staff, toilets and access to baby changing facilities, and food and drink, even if it's just a cup of tea or coffee and a biscuit. Families welcome having a safe and comfortable space, where they can have a bit of a breather (or a play).

The more relaxed families are, the more positive family contact is likely to be, and the more likely it is that benefits will be felt from this contact. Yet most importantly, we have to meet families' needs as citizens. Families have done nothing wrong.



The impact of Covid-19

While the previous sections have drawn on research conducted prior to the outbreak of Covid-19, the Scotland in Lockdown project explored the impact of the first six months of the pandemic on socially marginalised groups. For families affected by imprisonment, losing connection with loved ones in prison was a common experience. One mother explained that she hadn't spoken to her son for several months because he hadn't felt safe using the communal phone.

“[M]y son has underlying health conditions and chose not to use the communal phone because there is no sanitisation next to the phone so he wasn't able to clean the phone after the chap in front used it.”
(Mother with a son in prison).

Access to mobile phones and virtual visits have been a huge relief to families. However, the phone allowance of 300 minutes per month per prisoner, the equivalent of ten minutes per day, still felt far too little for families. Digital exclusion means the virtual visits haven't benefitted everyone, and while 'in person' visits have been available when public health restrictions allow, these restrictions have impacted on the quality of visits. For example, families are not able to hug their loved one.

The difficulties in maintaining contact have been a particular blow for anyone experiencing other pandemic related difficulties, such as the loss of a job, shielding or with caring responsibilities. Some described this limited contact as 'soul destroying':

“I was part of the shielding group. So it sort of doubly hit me, because me and my two boys were stuck in for 23 weeks. We couldn’t go out, we couldn’t see anybody, couldn’t do anything, couldn’t do shopping. And having that person who’s your cheerleader, and who just absolutely is in your corner, and can’t speak to you for more than five minutes, is absolutely soul destroying.”
(Partner of someone in prison)

The pandemic has also caused delays in the court and prison systems, creating distress and uncertainty for families. Although the Scottish Prison Service did set up a helpline for families, families found that information had been inadequate. Particular sources

of frustration were the poor communication about, and delays to, the mobile phones and virtual visits, and uncertainty over parole and release timelines.

In this context, support from services has taken on a new urgency. Moving support services online presents both challenges and opportunities: while the use of Zoom could increase possibilities for engagement, the lack of face-to-face contact may hinder supportive relationships, and digital exclusion and staff burnout are a concern.

These challenges created by Covid-19 further underscore the importance of meeting families’ needs as citizens: by investing in services to support them, maximising opportunities for high quality contact, and minimising the burdens placed on them by the criminal justice system.

Conclusions

To end, we want to offer some suggestions as to how the shared findings across these research projects can be used to take steps toward “getting it right” for families affected by imprisonment. Rather than make recommendations which may not be relevant to the wide range of people impacted by this issue, we felt it was instead more useful to pose some open questions for reflection.

While such reflections may identify areas for improvement, we intend that they might also assist with strategic planning and demonstrating good practice. We envisage that these questions could be particularly useful in this respect where organisations are able to show how their practices align with these research findings. Some useful sources

of evidence might be: data which is already routinely collected (e.g. how many young people attend visits?); procedures or policy documents (e.g. training on family diversity, or policies outlining how the needs of families are addressed); co-productive projects (e.g. involving families in the development of activities or resources); or other forms of feedback, consultation or evaluation.



Recognising that families affected by imprisonment are not all the same

- How does your organisation understand “family”? Who might be left out?
- What opportunities can you give people in prison to play an active role in family life?
- What opportunities do you give for families to do “normal family things”? Who decides what these “normal” things are?
- How do you support families or people in prison whose relationships might have changed over the course of their involvement with the criminal justice system?

Recognising need as well as risk

- Do the services, supports or activities available to families acknowledge their strengths and abilities? Or do they suggest that families need to be “fixed” or that they are risky?
- Do the services, supports or activities available to families suggest that they are responsible for reducing reoffending? Or that they are entitled to support in their own right?

Minimising the (largely negative) effects of imprisonment on families

- How do you help families to access services which ensure their basic needs are met?
- How can you help to maximise the financial resources available to families?
- How does your organisation or practice support families with the extra caring work that supporting a person in custody often requires?
- How does your organisation or practice challenge the social expectation that this caring will be done by women?

Responding to the (often overlooked) views of children and young people

- Does your practice or organisation provide meaningful opportunities for children and young people to share their views?
- How can your organisation make young people feel welcomed? If you work at a prison, is there anything for young people to do?

Mitigating the impact of Covid-19

- How do you or your organisation support families in accessing timely and accurate information?
- How can we tackle delays in sentence progression and the court process?
- How can you or your organisation address digital exclusion?
- How can your organisation protect front line professionals who provide support to families from stress and burn out?

Promoting families’ rights as citizens

- How does your organisation contribute to meeting the basic needs of families? If you work in a prison, is there somewhere for families to get something to eat, go to the toilet, wait in an informal (warm) space?
- What information do you provide to families to help them navigate the criminal justice system?
- How do you make decisions impacting families (e.g. visit times/numbers for family days/cost of phone calls/programmes of events/food available, etc.)? Do families have a way to input into these?
- What steps can you take to ensure families feel respected when they interact with the criminal justice system?

Contacts and further information

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The project report is available from: scotlandinlockdown.co.uk/findings

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