

DOING IT HARD

**A Study of the Needs of Children and Families
of Prisoners in Victoria**

A VACRO Initiative

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EXECUTIVE SUMMARY

Introduction

The Victorian Association for the Care and Resettlement of Offenders (VACRO) is a non-profit, non-denominational community organisation whose mission is the care of offenders, ex-offenders and their families. VACRO was formed in 1872 as the Discharged Prisoners' Aid Society, with the aim of providing assistance to prisoners on their release. Over time, VACRO has changed its focus to working more with prisoners' families, while continuing its work with ex-prisoners and providing programs and services to prisoners still serving their sentences. The range of programs and services provided by VACRO includes:

- support programs for the families of persons charged with major crimes
- support programs for families of persons charged with sex offences
- drug and alcohol education for families of offenders
- Bendigo Prison drug treatment program – family service
- prisoner welfare and practical support
- prisoner information and help line
- family liaison services at Fulham Correctional Centre, Port Phillip Prison and Melbourne Assessment Prison
- a volunteer support program.

Our experience has led us to the conclusion that the “children, who have a parent in custody, *do it hard* when compared with children in the general community.” However, little research, focusing directly on issues affecting prisoners' children, has been undertaken in Victoria. VACRO therefore commissioned research to identify specific areas of need of prisoners' children.

The primary aims of this research were to assess the needs of children of imprisoned parents in Victoria and to investigate the most appropriate ways in which VACRO can respond to these needs.

The research was conducted in selected prisons across Victoria. The prisons were selected to provide a range of the type of services available within the State, for both male and female prisoners, and included maximum, medium and minimum security level facilities. Both privately and publicly operated facilities were included. Prisoners who are accommodated at the prisons listed below, and their families, were included in the survey. These were:

- Melbourne Assessment Prison (M.A.P.)
- Port Phillip Prison (P.P.P.)
- Fulham Correctional Centre (Fulham)
- Loddon Regional Prison (Loddon)
- Metropolitan Women's Correctional Centre (M.W.C.C.)
- Tarrengower Prison (Tarrengower).

A total of 221 prisoners and caregivers of prisoners' children participated in this research. One hundred and ninety-one (191) interviews, using a questionnaire, were

conducted at these facilities – 111 with prisoners (101 male and 10 female) and 80 with caregivers of prisoners' children, who were visiting prisoners. Additionally, 30 prisoners were consulted through two focus groups, one held at Tarrengower Prison and one at Port Phillip Prison. These groups concentrated on service responses.

It is important to note that children were not interviewed in this study. As this was the first study of its kind in Victorian prisons, initial investigation of the needs of children through surveying parents and caregivers was considered to be critical.

The prison system in Victoria is comprised of a mix of both publicly and privately operated facilities. There are a total of 13 prisons – 10 public and 3 private. Two facilities accommodate female prisoners - one private and one public; the remaining facilities accommodate male prisoners.

The Office of the Correctional Services Commissioner in Victoria reported that the daily average number of male prisoners in 1997-98 was 2,545, compared with a daily average of 147 female prisoners, for a total of 2,692 prisoners. The system had a capacity of 2,951 beds in 1997-98, with 163 beds for women and 2,788 beds for male prisoners. Of these, 45% of the total were provided by the private sector: 43% of male beds and 77% of female beds in the Victorian Prison system.

The facilities across the State provide a range of specialist and mainstream services, within maximum, medium and minimum security level facilities. A more detailed profile of the six prisons where interviews for this survey were conducted is contained in Appendix 1.

Methodology

Prisoners with children and caregivers of prisoners' children were randomly selected for interview. The criteria for participation in the study for prisoners were being a parent and having had contact with their child(ren) within the past 12 months. There was no matching of caregivers interviewed with prisoners who were interviewed. Both groups were independently and randomly sampled.

The questions focussed on the key issues that VACRO wished to explore. These were:

1. Understanding the Respondents

- overview of the respondents
- nature of imprisonment
- imprisonment history
- family background
- children.

2. Prison Visits and Contact

- overview of visits and contact
- difficulties with visits.

3. Dealing with Incarceration

- prisoners' reactions
- caregivers' reactions
- children's reactions.

4. *Planning for the Future*

- living arrangements on release.

5. *Seeking Assistance – Support Services*

- what would help
- current supports used.

To provide additional information on specific concerns of mothers in prison and support services that would assist families, two discussion groups were held - one at Tarrengower Prison and one at Port Phillip Prison. A total of approximately 30 prisoners were consulted through these groups.

Other Related Research

Very little research has been conducted in Australia regarding the needs of children and families of prisoners. In fact, only three significant studies have been undertaken, two in New South Wales and one in Queensland (Hounslow, et al, 1982, Standing Committee on Social Issues, Legislative Council, Parliament of New South Wales, 1996, Cregan and Aungles, 1997). Importantly, no assessment of the needs of children and families of prisoners has been undertaken in Victoria recently. The only other study focussing on the needs of prisoners' families in Victoria was undertaken in 1964 (Zalba, 1964). Prisoners at Pentridge Prison and their wives were interviewed for this study.

Significant research has been undertaken in other countries. The literature review for this study examined the research in Great Britain, the United States of America and Australia. The key findings of this research are summarised below.

1. *No reliable estimates of the extent of need*

It is difficult to assess the extent of the needs of children of prisoners because no formal statistical information is collected within prison systems regarding the children of prisoners.

2. *Behavioural and emotional responses of children*

Imprisonment has a profound effect on children and there is considerable consistency between the findings of the few studies which have examined these effects. The behavioural and emotional effects on children identified include:

- fear and anxiety
- uncertainty about the justice system
- sadness
- belief that they did something wrong that caused the parent to leave
- anger and guilt
- confusion about their parent's behaviour and the conflict between this and how they have been taught to behave themselves
- physical symptoms, such as increased health problems
- regressive behaviour, such as bed-wetting
- shame and isolation (Seymour, 1997).

3. *Effect on development*

Studies also highlighted the effects on development of children, particularly young children. Johnston (1995) concluded that the normal developmental stages and growth milestones can be influenced by the trauma of imprisonment of a parent, resulting in aggressive behaviour, learning difficulties and maladaptive behaviour patterns, including offending behaviour.

4. *Disruption to care*

Many children experience disruption in their care when a parent is incarcerated. This may be the result of the primary caregiver being arrested or going to prison, or a consequence in changes in economic circumstances for the family that can result in forced re-location for the children and family. Multiple placements, care provided outside the child's normal community, with unfamiliar caregivers, or in foster care, or loss of the family home, were found to be common experiences for children of incarcerated parents (Zalba, 1964, Baunach, 1979, Koban, 1983, Johnston, 1991 & 1992, The Howard League for Prison Reform, 1993).

5. *Social stigma and secrecy*

Research conducted by Cregan in Queensland and reported in Cregan and Aungles (1997), concluded that the stigma of crime and the socially isolating effects on families is central to many of the difficulties that children and families face in dealing with imprisonment.

6. *Impact of imprisonment on the parenting role of prisoners*

The difficulties for imprisoned parents, particularly mothers, have been relatively well documented (Lowenstein, 1986, Shaw, 1987, Hairston, 1991, Johnston, 1991, Bloom, 1995, Hairston, 1995, O'Connor, 1996, Richards and McWilliams, 1996, Johnston, 1995, Caddle and Crisp, 1997, Cregan and Aungles, 1997). These studies have highlighted a range of parental concerns, including:

- the impact of parent-child separation, particularly when the mother is imprisoned
- the impact that incarceration may have on the lives of children, including possible offending behaviour and difficulties at school
- the disruption to care, particularly if children are placed in substitute care
- loss of parental authority over their children
- the economic impact on the family, particularly if the main income earner in the family has been imprisoned
- lack of communication with their children – losing touch
- sense of powerlessness.

7. *Impact of imprisonment on families and caregivers*

Some studies have examined the needs of families of prisoners. However, as Cregan and Aungles (1997) pointed out, families continue to face problems with the criminal justice system. They argue that this is a consequence of:

- *social effects* – financial hardship, disruption of prison visiting, loss of “couple” status, prisoners’ insecurity and disrupted schooling for children
- *institutional effects* – difficult interactions with custodial staff, learning the rules of the prison, difficulty in obtaining information about the prison system, “child unfriendly” visiting centres, lack of awareness of support services for families
- *personal (physical and psychological health)* – exhaustion, confusion, depression and insecurity, children acting out, including being involved in criminal behaviour, rejection of parental authority.

8. *Service needs and responses*

A range of service responses to meet the complex and special needs of children and families of prisoners have been developed in the U.S.A. and Great Britain. Importantly, these responses provide integrated and comprehensive services, focussing on the parenting needs of prisoners, the emotional and developmental needs of children and the need to support and maintain the relationship between children and their imprisoned parent.

Overview of the Findings

1. *Sample Population*

- Respondents in the study had a total of 365 children. The majority of these children were under the age of 10 (71%).
- A total of 191 respondents were interviewed – 80 caregivers and 111 prisoners, with a further 30 prisoners consulted through discussion groups.
- The composition of the sample was consistent with the Victorian prison population and represented six percent of that prison population.
- The majority of respondents identified their cultural background as Australian. Six percent identified themselves as Aboriginal or Torres Strait Islander.
- The majority of respondents were aged between 20 and 34 years.

2. *Previous Offending History*

- Forty-one percent (41%) of prisoners interviewed, and those referred to by the caregiver respondents, had been in prison previously.
- Thirty-seven percent (37%) of prisoners interviewed, and those referred to by the caregiver respondents, had served a Youth Training Centre (YTC) sentence – 40% of males and 28% of females.

3. *Family History*

- A high proportion of prisoners interviewed, and those referred to by the caregiver respondents, lived in single parent families as a child, with many indicating more than one living arrangement as a child.
- Thirty percent (30%) lived apart from at least one of their parents as a child – living alone, in substitute care, with relatives or in boarding school.
- A total of 40 percent (40%) of respondents indicated that the prisoner had a relative who had been imprisoned. Most of these were close family members – parent, sibling, son, grandparent, cousin and uncle.

4. *Prison Visiting*

- The majority of respondents, both prisoners and caregivers indicated that their children visited the prisoner frequently – weekly, fortnightly and monthly.
- The main reason given for children not visiting regularly was that the caregiver did not want them to do so. Travel problems were also a significant barrier to visiting.
- The most difficult aspect of visits identified by both prisoners and caregivers was that children get bored during visits. Other concerns included:
 - no or limited access to play equipment
 - lack of access to an outdoor area
 - lack of privacy with the prisoner for caregivers
 - lack of opportunity for the prisoner to spend time alone with his/her children
 - atmosphere of visits creating tension
 - prison restrictions on movement of the prisoner
 - waiting times for visits at some prisons.

5. *Dealing with Incarceration*

- The most frequently raised concern by prisoners was that they missed their children.
- Prisoners were also concerned about “not being there for the children” and “not knowing what was happening with the children”.
- Caregiver respondents were primarily concerned that it had become more difficult to communicate with the prisoner (their partner) since the imprisonment had commenced.
- Parenting issues were of concern to caregiver respondents in particular – not being able to get a break from the children, coping alone, making decisions alone and managing the children’s behaviour.
- Other concerns included:
 - children not wanting neighbours or friends to know about their parent’s imprisonment
 - concern that the relationship between the child(ren) and the prisoner was becoming distant
 - how to tell the children about the prison sentence
 - concern that the children would be singled out or ostracised at school
 - children missing their parent who was in prison.

6. *Children’s Responses*

- Sixty-two percent (62%) of respondents indicated that there had been some negative changes in their children’s behaviour since the prison sentence commenced.
- Other behavioural changes observed included:
 - more anger and aggression
 - problems at school
 - being quiet and withdrawn
 - being difficult on visits
 - resenting the prisoner
 - being “paranoid” about the police.
- The most common view of children, as indicated by their caregivers and prisoner parents, was their parent was “naughty” or had “done wrong”.
- While the majority of respondents had told their children that their parent was in prison, almost a third (31%) had provided another explanation for their parent’s absence or had said nothing.
- Some respondents indicated that their children perceived their imprisoned parent as a “victim” of the justice system – he had been “set-up”, it was “unfair”, he was a “hero”.

7. *Support Services*

- Almost half of the caregivers (49%) depended upon their family members and friends for support. Approximately one in five (21%) indicated that they used more formal support services. The others either did not require support or did not seek assistance.
- The most frequently raised need for support was the opportunity to speak with an independent person who understood the prison system.
- Support for families at home was considered to be important.
- Prisoners believed that a range of support services provided within the prison was important. This included the opportunity to play with their children in a more normal environment, relationship counselling and parenting and child development education.

8. *Living Arrangements on Release*

- The majority of caregivers expected the prisoner to go home to live with the family (76%) while less than half (47%) of prisoner respondents expected to do this.
- A high proportion of prisoners (73%) who were sentenced for 2 years or less expected to return home to live with their children and families or have contact with their children but not live with them.

Implications of the Results

1. *Lack of planning for services*

Victoria does not collect information about prisoners as parents. The consequence of this is that it is not possible to estimate accurately the number of children in Victoria who are affected by a parent being in prison. To facilitate effective service planning and delivery, it is important to have accurate knowledge of the numbers of children who may require support.

2. *Inter-generational offending*

These data present a disturbing outlook for children of prisoners. Based on the family history of their parents, the children of prisoners are more likely than children in the general community to:

- be imprisoned themselves
- have changes in their living arrangements, including living apart from their families
- develop a negative perception of the justice system.

3. *Recidivism*

A high proportion of prisoners had been in prison previously, with many also having served a Youth Training Centre sentence.

Comments from caregivers and prisoners indicated that there was an acceptance by many that the prisoner would continue to return to prison and this was an accepted part of their lives. Some prisoners regarded living in prison as easier than living in the community. There was a disturbing perception by several

respondents, particularly prisoners, that there was “no hope” for them – imprisonment was a way of life for them and some chose this for themselves.

This pattern of living and response to the imprisonment can give a strong message to children that serving a prison sentence is part of life – it was the culture for some families. This was also reflected in the strong pattern of inter-generational offending.

4. *Facilitating Effective Contact between Prisoners and their Children*

Concerns regarding contact and visits related to general comments about visiting and more specific issues relating to the regulations at particular prisons. These can be summarised as follows:

- prison visit centres are not conducive to enhancing positive parent/child interactions
- the facilities in visit centres generally contribute to increased difficulties in the interactions between parents and their children on visits eg, crowded rooms, inappropriate behaviour of some prisoners, lack of adequate play equipment (both inside and outside), lack of healthy food in canteens
- the distance that families have to travel for visits, and the associated costs, increase the stress involved in undertaking prison visits and contribute to decreasing contact between parents and their children
- some prison regulations associated with contact, such as seating arrangements and times of access for telephone calls, contribute to the tension of visits for children and inhibit contact between prisoners and their children
- families are often disadvantaged by the security classification system which determines where prisoners reside
- many children are prevented from visiting their parents in prison because of family conflict and the consequent unavailability of an adult to accompany children on visits.

Consideration needs to be given to making visit centres more child-friendly in ways that do not impinge on security, eg, pictures on the walls, colour schemes that enhance the atmosphere for children.

Difficulties Associated with Imprisonment

A high proportion of respondents indicated that they had observed negative behavioural responses in their children since the imprisonment commenced (62%). There may be a number of contributing factors, including:

- the caregiver’s reactions to the imprisonment
- the caregiver’s response to being a single parent
- increased financial pressures on the family
- a change in the children’s lives – possible changes in living arrangements or school
- grief response to the absence of their parent
- pressure associated with maintaining secrecy about their parent’s whereabouts

- the response to the arrest of their parent and the impact of the court process, particularly if these had been traumatic and well publicised in the media.

Children's knowledge and perceptions of their parent's imprisonment were also important. A high proportion of respondents indicated that one of the most difficult aspects of dealing with the imprisonment was how to tell the children. This was reflected in the large number of respondents who had provided another explanation to the children about their parent's absence or had told the children nothing. An atmosphere of mistrust and deception may develop if children find out that their parents have lied to them.

Seeking Assistance

The majority of those interviewed did not seek assistance with their family difficulties or managing the problems they faced in dealing with the incarceration. This was often because they had difficulty in talking about their problems and felt ashamed of their situation.

While a range of support services for families is provided within the community, the majority of these services have high waiting lists and are unable to meet community demand. These services have several difficulties in meeting the needs of families and children of prisoners:

- They often do not have the expertise and knowledge of the complexities of working with children of prisoners.
- Many of these services are targeted primarily at children regarded as at risk of abuse or removal from their families. This means that many families are fearful of approaching services themselves or are unable to access the services until the difficulties within the family are extreme.
- Families are often reluctant to seek support from these services, due to their reluctance to speak about the imprisonment.
- The service provision operates in isolation from the prison system and thus is not able to address the needs of children in a holistic manner. This particularly relates to concerns regarding contact with the parent in prison and opportunities to develop and enhance the relationship between the children and their imprisoned parent.

Specifically, the following service needs have been identified through this research:

- specialist counselling services for children
- specialist counselling and support for caregivers of prisoners' children
- relationship counselling that can be conducted in the prison
- family-oriented visiting centres within the prison
- support groups for children of prisoners
- support groups for prisoners who are parents
- support groups for caregivers of prisoners' children and families
- child development education for prisoners
- practical parenting education for prisoners, with opportunities to learn and develop with their children as part of the program

- opportunities for prisoners and their children to play together in a supportive environment
- support for children to visit their parents in prison without their caregiver, in order to spend time alone with their parent
- opportunities for prisoners to participate more fully in decision-making for their children and so take some responsibility for their care.

While some of these services are currently being provided, mostly by VACRO and some other agencies, service delivery is largely *ad hoc* and there is an absence of planning for the unique needs of the children and families of prisoners.

Meeting the Needs of Children and Families of Prisoners

There is a need to develop integrated and holistic services, operated by organisations that have expertise in working in the prison system and are staffed by professionals who understand the difficulties that confront children and families of prisoners. These services need to:

- be linked with the range of support programs offered within prisons
- include a range of service options and approaches for families and children
- be linked to a range of community-based supports for families and children
- be comprehensive in their approach
- be able to respond to the complex and varied needs of the children of prisoners.

In addition to these service responses, the needs of children who spend holidays in the prison with their parents were highlighted in the research. The lack of activities for young people was raised as a concern. Activities in the local area, or specific activities within the prison for these young people to be involved in with their parents or on their own, would assist to foster more positive relationships and minimise the sense of the children being “locked up”.

Changing the Paradigm

The cycle of offending behaviour needs to be broken. While integrated service delivery can assist in addressing the needs of the children and prisoners, there is a critical need to consider the response of the judicial system to offending behaviour. Options to be considered include:

- alternatives to imprisonment, whether these are community-based correctional orders, development of alternative prison models or other diversionary programs
- recognition of the impact of offending behaviour and imprisonment of a parent on children
- consideration of the needs of children of prisoners in the sentencing process.

The primary focus of the prison system is the care and welfare of prisoners. However, this research has highlighted the strong inter-connection between prisoners and their children and the impact of imprisonment on children, including future offending behaviour. If the prison system is to focus on rehabilitation and not

just punishment, interventions that focus on the prisoner within the context of his/her family must occur.

This implies a paradigm shift for prisons – moving from a focus on the care of the prisoner alone to focussing on the care of the prisoner and his/her family.

This includes consideration of:

- pre- and post- release programs, to support prisoners in being re-united with their families
- developing more child-friendly visiting areas
- family circumstances in the placement of prisoners
- enhancing and developing opportunities for positive interaction between prisoners and their children, including access to telephones at times when children are available, providing books and other activities and healthy food in the canteen.

Implications for Further Research

This study is just a first step in understanding the needs of children of prisoners in Victoria and developing appropriate service responses to meet these needs. The following are highlighted as areas that require further examination and that can build on the data collected in this research:

- examination of the special needs of children of female prisoners
- research into the needs children residing in prison
- the parenting needs of prisoners, particularly those whose children reside with them
- research into the needs of pregnant prisoners, including pre- and post-natal support services
- listening to the children of prisoners and involving them in further research
- developing a more comprehensive understanding of the effects of imprisonment and understanding the impact of these effects over several years.

List of Recommendations

Recommendation 1

That VACRO present a case for collecting information on the parental status of prisoners to the Department of Justice. The model used by the Forensic Psychiatric Services in Victoria could be extended to the whole of the Victorian prison system.

Recommendation 2

That VACRO pursue the development of early intervention programs, aimed at supporting children and breaking the cycle of offending, within selected prisons in Victoria. These programs need to be:

- supported by the Department of Justice and the individual prisons
- adequately funded
- evaluated in both the short and long term
- incorporate research components into the service design.

Recommendation 3

That VACRO discuss the outcomes of this research with the Department of Justice with a view to:

- shifting the paradigm of prisons from care of the prisoner alone, to care of the prisoner and his/her family and
- establishing an integrated approach to breaking the cycle of offending behaviour.

This implies consideration of:

- alternatives to imprisonment
- development and funding of programs and services within prisons that focus on early intervention
- pre and post release programs that support the relationship between prisoners and their children
- maintaining family contact in sentencing and placement of prisoners
- specific programs for children and young people who stay with their parents in prison.

Recommendation 4

That VACRO investigate opportunities to undertake a comprehensive assessment of the needs of children whose mothers have received a custodial sentence.

Recommendation 5

That VACRO investigate opportunities to undertake research into the needs of pregnant women in prison and the pre- and post- natal support provided to them.

Recommendation 6

That VACRO investigate opportunities to undertake a comprehensive assessment of the needs of children residing in prison with their parents, either permanently or on a short-term basis during school holidays.

Recommendation 7

That VACRO incorporate research components in the design and implementation of any service delivery models developed to further address the needs of children of prisoners, including:

- strategies for documenting children's stories
- development of a longitudinal study to examine the impact of imprisonment on children over time.