

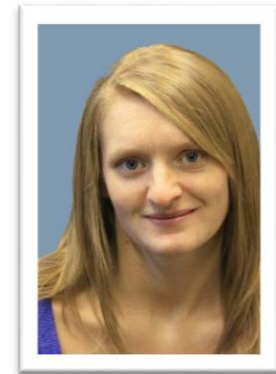


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## January's Feature Article

### Incentivising Prison Visits: New Research Findings on the Needs of Children with Imprisoned Mothers and Fathers

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In April 2013, the Justice Secretary announced plans to make significant reforms to the Incentives and Earned Privileges (IEP) Scheme in adult male prisons throughout England and Wales<sup>1</sup>. This represents just one step in achieving the coalition government's proposals to toughen prison regimes and enforce harsher penalties for prisoners who fail to meet expectations<sup>2</sup>. Despite the proposed reforms to the Scheme, it appears that extra visits and access to Family Days will continue to be offered as a reward to male prisoners who behave responsibly and engage with sentence plan objectives. This is in contrast to the female estate where visiting arrangements were detached from the IEP Scheme five years ago – this was based on recognition that incentivising contact was incompatible with meeting the needs of imprisoned mothers and their children. This paper presents findings from in-depth interviews with families affected by parental imprisonment in England and Wales. It emerged that early, frequent and good quality visits are equally important in meeting the emotional needs of children with either a mother or father in prison. It is argued that including visiting arrangements as a key earnable privilege is incongruous with the United Nations Convention on the Rights of the Child (UNCRC) since restricting the frequency of visits and access to Family Days is clearly not in the best interests of most children. It is recommended that to effectively meet the

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<sup>1</sup> <https://www.gov.uk/government/news/toughening-up-prisoner-privileges>

<sup>2</sup> Ministry of Justice (2010) Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders. London: The Stationary Office



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**rights and needs of children, arrangements for contact should also be detached from the IEP Scheme in the male estate.**

Since the introduction of the IEP Scheme in 1995, its aims have been to encourage prisoners to comply with prison rules and participate in rehabilitation-related activities:

*“Encourage responsible behaviour by prisoners; encourage effort and achievement in work and other constructive activity by prisoners; encourage sentenced prisoners to engage in sentence planning and benefit from activities designed to reduce re-offending; and create a more disciplined, better-controlled and safer environment for prisoners and staff.”<sup>3</sup>*

To date, prison establishments have been required to operate an IEP Scheme based on three tiers (Basic, Standard and Enhanced). Prisoners can move up or down the tiers according to their behaviour around the establishment and engagement with sentence plan objectives. Under the new reforms, it has been proposed that a fourth “Entry Level” will be introduced, and the behaviour of prisoners will be monitored during their first two weeks in custody before they are formally allocated to either the Basic or Standard Level<sup>4</sup>.

Prisoners at the Enhanced Level are eligible to receive extra privileges. These have traditionally included the opportunity to wear their own clothes, improved prison wages, increased frequency of visits and access to Family Days. All prisoners are entitled to two visits lasting 60 minutes every four weeks<sup>5</sup>, but in some prisons, Enhanced prisoners can receive up to five or six visits per month. Family Days are typically extended visits characterised by fewer security restrictions than standard visits (e.g. on physical interaction) and activities designed to support interaction between imprisoned parents and their children (e.g. craft or sports activities).

In male prisons, the number and type of visits available to prisoners and their families has remained firmly linked to prisoner behaviour. However, in the female estate, visiting arrangements were

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<sup>3</sup> Ministry of Justice (2011) Incentives and Earned Privileges PSI 11/2011. London: Ministry of Justice

<sup>4</sup> [www.gov.uk](http://www.gov.uk); see n.1

<sup>5</sup> <https://www.gov.uk/staying-in-touch-with-someone-in-prison/visiting-someone-in-prison>



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removed from the IEP Scheme several years ago. This emerged out of recognition of the importance of visits in meeting the emotional needs of imprisoned mothers and their children.

The introduction of the Gender Equality Duty (GED) in 2007 placed a requirement on all public authorities (including prisons) to meet the diverse needs of men and women<sup>6</sup>. This does not mean that men and women should be treated the same, but that practices should meet their gender-specific requirements. The GED does not explicitly state what the gender-specific requirements of men and women are - instead it is left to public authorities to determine.

The Corston Report, also published in 2007, highlighted that enforced separation from children due to imprisonment causes mothers great anxiety and distress, and has deleterious consequences for their mental health<sup>7</sup>. The report also stated that maternal imprisonment has a disproportionately negative impact on children and families - *“Women’s imprisonment has a harsher effect on the lives of their friends and families and most especially their children, whose lives can be devastated...”*<sup>8</sup>. According to Baroness Corston, the needs of imprisoned mothers and their families were not being adequately addressed by a prison estate primarily designed to cater for male offenders.

In response to the GED and Corston Report, Prison Service Order (PSO) 4800 was created to ensure that the specific requirements of women prisoners and their children were met. Crucially, it recognised that *“losing a parent to imprisonment is often an extremely damaging life event for a child”* and instructed the removal of family contact from the IEP Scheme in female establishments<sup>9</sup>:

*“Children should not be penalised from visiting or contacting their mother because of the mother’s behaviour. The number of visits by children should not be restricted in order to serve the needs of an incentives scheme. Incentives schemes therefore should never be linked to access to family visits.”*

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<sup>6</sup> Equal Opportunities Commission (2007) Gender Equality Duty: Code of Practice, England and Wales. London: Equal Opportunities Commission

<sup>7</sup> Home Office (2007) The Corston Report: A report by Baroness Jean Corston of a review of women with particular vulnerabilities in the Criminal Justice System. London: Home Office. Page 20

<sup>8</sup> Home Office (2007) Page 21; see n.7

<sup>9</sup> Ministry of Justice (2008) Women Prisoners PSO 4800. London: Ministry of Justice. Page 17



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PSO 4800 represents a significant advance in terms of recognising the needs of children affected by maternal imprisonment. It seems unlikely that the new reforms to the IEP Scheme in the male estate will demonstrate similar consideration for children's needs. Speaking at a recent conference, the Justice Secretary stated that there was no intention to remove the frequency of visits and access to Family Days from the IEP Scheme in the male estate; in his view they are too effective an incentive in promoting compliance with prison rules and engagement in rehabilitation activities<sup>10</sup>.

The reluctance to remove visiting arrangements from the IEP Scheme is cause for concern since empirical research has demonstrated that visits are also important in sustaining the emotional wellbeing of imprisoned fathers and their children. More frequent visits are associated with an improved sense of involvement in the child's life, more satisfactory parent-child communication, and better emotional adjustment and more effective coping skills on behalf of the child<sup>11</sup>. Child-friendly prison environments (i.e. those created on Family Days) have also been demonstrated to be crucial in protecting children's emotional wellbeing when visiting their father in prison<sup>12</sup>.

### **The Study**

The COPING Project was a large-scale study of the impact of parental imprisonment on children<sup>13</sup>. The project was conducted in accordance with strict ethical guidelines, and approval was obtained from the School of Human and Health Sciences Research and Ethics Council at University of Huddersfield, The National Offender Management Service in the North West, and the Ministry of Justice.

As part of the project, semi-structured interviews were conducted with 46 families who had a parent or carer in prison in England and Wales. Interviews were undertaken with the child or children in the

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<sup>10</sup> Wright, J. MP (2013) Keynote Speech. In: Pact Conference - Transforming Rehabilitation: Transforming Relationships, 23<sup>rd</sup> August 2013, London

<sup>11</sup> Murray, J. (2005) "The effects of imprisonment on families and children of prisoners". In: Leibling A and Maruna S (eds) *The Effects of Imprisonment*. Devon: Willan Publishing

<sup>12</sup> e.g. Poehlmann, J., Dallaire, D.A., Loper, A. and Shear, L.D. (2010) "Children's Contact With Their Incarcerated Parents: Research Findings and Recommendations". *American Psychologist* 65(6): 575-598; Nesmith, A. and Ruhland, E. (2008) "Children of incarcerated parents: Challenges and resiliency, in their own words". *Children and Youth Services Review* 30(10): 1119-1130

<sup>13</sup> The project was funded by the European Union Framework Seven programme (grant agreement number 241988) and was undertaken by the University of Huddersfield in partnership with POPS (Partners of Prisoners and Families Support Group)



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family (n=66), their non-imprisoned parent/carer (n=45), and wherever it was possible to gain access to the prison, their imprisoned parent/carer (n=26).

The target age-range for children was 7-17 years old; they had a mean age of 11.6 years (standard deviation=2.9). Slightly more boys than girls participated in interviews (39 compared to 28), and most children were white (n=58).

All children in the sample had just one parent/carer in prison. This was most often their biological father, step-father or mother's partner (n=50), but there were also a reasonable proportion of children with a biological mother in prison (n=16). Most children had visited their parent in prison at least once (n=59).

In most cases, workers from Partners of Prisoners and Families Support Group (POPS) established contact with families as part of their normal work at prison visitor centres, predominantly in the North West of England. Families initially completed a questionnaire-based survey, and those who indicated that they would be willing to progress to in-depth interviews were subsequently contacted by telephone to arrange a convenient time.

Interviews with children and their non-imprisoned parent usually took place at the family home, and were conducted by a combination of researchers from the University of Huddersfield and workers from POPS. Involving POPS in the interviews was found to be advantageous since they often had an existing rapport with families. The contact that POPS' had with families post-interview also enabled ongoing support where necessary. All imprisoned parents were interviewed by University of Huddersfield researchers, but were informed that POPS were available to provide support after the interviews should this be required.

The interviews were designed to elicit information about the impact of parental imprisonment on the child and included questions about family relationships, physical and emotional wellbeing, school, social life, and involvement with support services. Of particular relevance to this paper were questions relating to the child's experiences visiting their parent in prison, for example *"Please can you say how you have found visiting the prison?"* and *"How important are these ways of keeping in contact for you?"*.



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Interviews were recorded and fully transcribed, and with the help of qualitative software analysis tool NVivo (QSR International, 2013), a thematic analysis was carried out. University of Huddersfield researchers were responsible for coding of transcripts, and wherever possible this was done by a researcher who had visited the family.

## **Findings**

Analysis of the interview transcripts revealed several distinct themes in relation to children's experiences of visiting their parent in prison. Prominent amongst these themes were the importance of first visits, the importance of continuing contact, factors affecting the quality of visits, and the goodbye and aftermath.

### *The Importance of First Visits*

It was clear that the first visit to the prison was of crucial importance to children and families. First visits were helpful in terms of dispelling myths about prison conditions and the treatment of inmates, and providing reassurance that the imprisoned parent was safe and well. There were only a few families who experienced delays arranging their first visit due to prison administrative procedures and risk assessments, but the prolonged worry and distress that they felt during this time was paramount. Children and families often reported an immense feeling of relief following their first visit.

*"It took about a week for our first visit...but then we knew that he was okay, the kids knew that he was okay" (Non-imprisoned mother)*

*"The heavens opened. There were tears all round. All the kids were crying" (Non-imprisoned mother)*

### *The Importance of Continuous Contact*

Throughout the period of imprisonment, it was clear that imprisoned mothers and fathers were missed to an equal degree. Visits to both mothers and fathers were equally important in satisfying children's emotional need for face-to-face contact with their imprisoned parent. Visits provided a level of emotional connection that could not be achieved by indirect methods of communication such as telephone calls and letters (e.g. *"visits are important because you can actually see him"* Boy aged 12) Continuing visits also provided ongoing confirmation of the imprisoned parent's wellbeing.



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Following the initial visit to the prison, most children visited as often as permitted by the prison regime - usually weekly or fortnightly. Although most children were excited at the prospect of seeing their imprisoned parent, and enjoyed the time that they spent together, it was not uncommon for the prison environment itself to cause feelings of anxiety and nervousness. Children's determination to visit their parent on a regular basis, despite the discomfort that some experienced when visiting, provides an indication of the significance that visits held for them:

*"Yeah of course I will go to see him, I don't like being in the prison...but I don't care, I just want to see my dad" (Girl aged 10)*

*"I find it very hard in the prison but I like seeing my dad because it's better than nothing" (Girl aged 7)*

There were just a small number of children who visited less frequently or did not visit at all. This was usually in their best interests and attempts to encourage contact caused undue distress to the child. In these cases the parent-child relationship was often fraught either prior to, or as a result of imprisonment or offence, or the prison environment itself caused the child too much distress.

*"No he never liked it from the beginning. He cried his eyes out for the first about 6 months we took him. It was devastating..." (Non-imprisoned mother)*

#### *Factors Affecting the Quality of Visits*

Three factors affected the degree to which children enjoyed their visit and felt able to interact with their imprisoned parent - the prison atmosphere, restrictions on physical interaction, and the provision of meaningful activities.

There was a general consensus amongst families that the more secure the prison, the more intimidating it was for children to visit. Efforts to reduce some of the security restrictions for the purpose of Family Days were clearly appreciated by families. The atmosphere on Family Days was usually perceived to be more relaxed and informal. Family Days seemed to result in more enjoyable visits for children and more satisfactory interaction between children and their imprisoned parent.

*"You lost all the sense, sort of thing, that you were actually in a prison because it was just so normal compared to the other" (Boy aged 12)*



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*“You feel as if you can go in there and be yourself and you’re more focusing on your communication than you are on ‘oh I’m in a prison’ kind of thing...” (Girl aged 17)*

The opportunity to engage in physical interaction (e.g. physical displays of affection) was equally important to children with imprisoned mothers and fathers. Where restrictions were imposed on physical contact, this was a major source of dissatisfaction for children, and caused feelings of distress and anger. Younger children often found restrictions on physical contact difficult to comprehend, and parents could struggle to engage younger children in conversation for prolonged periods of time.

*“It was alright because we got to see him but like, he wasn’t allowed to get out of his chair or nothing, he just had to sit there. So we couldn’t actually do anything with him” (Girl aged 11)*

*“...the attention span, two and a half hours just sitting and talking, sitting and talking” (Imprisoned father)*

It was not often that prisons provided activities that children and parents could complete together. Although most prisons provided play areas for children, usually the imprisoned parent was not allowed to access them, further limiting the opportunity for parent-child interaction. These types of play areas also tended to be unattractive to older children. In the absence of suitable activities, children often became increasingly bored and agitated throughout the duration of the visit (typically 2 hours):

*“...after half an hour they have said their hellos and everything and then they are bored. So then they run around causing havoc” (Non-imprisoned mother)*

Family Days that imposed fewer restrictions on physical interaction and provided parent-child activities (e.g. board games or craft activities) were far more effective in protecting children’s emotional wellbeing and supporting parent-child interaction. The opportunity to focus on an activity together was especially useful for younger children who struggled to engage in prolonged conversation. Activities were also particularly beneficial in supporting parent-child engagement where bonds had become fragile.





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*"...they'd have something in common, something to talk about because he's been away for a long time. They've done nothing together so it's hard after a while for them to think of what to say to their dad" (Non-imprisoned mother)*

*"It's like playing games that you might play at home but then I felt a real sense of bonding with the kids again. I could just see it in her face" (Imprisoned father)*

### *The Goodbye and Aftermath*

Although the majority of children enjoyed their visits, the experience of saying goodbye to their mother or father at the end of visits often posed a big challenge for them. For some children saying goodbye was associated with a sense that they were leaving the parent behind or acknowledgement that it could be weeks before they saw them again. Family Days often enabled a more satisfactory goodbye- it tended to be less rushed and the opportunity to hug was less inhibited.

*"I like getting the feeling that we are going to visit my mam but I am all upset when we leave. A lot upset" (Girl aged 10)*

*"...it's not very nice really because you're saying bye yourself and you're feeling quite upset yourself and everybody else is crying" (Girl aged 10)*

Some children became increasingly upset as their visit progressed towards the end, and others employed coping strategies to deal with the goodbye, for example saying a brief goodbye and departing quickly.

*"Happy at first when he just came in...then getting sadder as he watched the clock go round" (Imprisoned mother)*

*"...he would be watching the clock all the time making sure it wasn't time for going, and how long he had got left. And then when it was time for going, oh it was horrible" (Imprisoned mother)*

For some children, visits were found to exacerbate the sense of loss for the imprisoned mother or father and they experienced severe levels of distress in the days following a visit. It could also be a



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time of increased curiosity about the imprisoned parent's situation and/or offence and it was not unusual for the non-imprisoned parent to be faced with a series of awkward questions.

### **Discussion and Recommendations**

Consistent with previous research<sup>14</sup>, the present study has highlighted the importance of frequent and good quality visits in satisfying the emotional wellbeing of children of prisoners. Regular visits have both immediate and longer-term benefits for a child, including reassuring the child that their imprisoned parent is safe and well and satisfying their emotional need for face-to-face contact with their parent. "Good quality" visits are characterised by welcoming and relaxed environments, freedom for physical interaction with the imprisoned parent, and the provision of meaningful activities to support parent-child interaction. On the whole, Family Days were found to be particularly effective in meeting the requirements of "good quality" visits. Family Days were found to reduce the emotional impact of prison visiting by minimising the anxiety, distress, and in some cases boredom, experienced during normal social visits. The degree of "normality" often achieved on Family Days was also found to be more conducive to facilitating engagement between children and imprisoned parents. This is likely to be more effective in maintaining existing bonds and strengthening those that have become fragile as a consequence of the parents offence and/or imprisonment.

In contrast to previous research, the present study has placed more emphasis on the importance of timely first visits in protecting children's emotional wellbeing, the difficulties associated with saying goodbye at the end of visits, and the adverse emotions experienced in the aftermath of visits.

The inclusion of both imprisoned mothers and fathers in the present study has also revealed some previously unreported findings - the gender of the parent in prison seems to have little bearing on how much that parent is missed and visits to mothers and fathers are equally important in protecting the emotional wellbeing of the child. The Corston report was paramount to improving recognition of the needs of imprisoned mothers and their children<sup>15</sup>, but findings from the present study contradict assertions that maternal imprisonment has worse effects for children. The previous comments about

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<sup>14</sup> Murray (2005); Poehlmann, Dallaire, Loper and Shear (2010); and Nesmith and Ruhland (2008); see n.11 and n.12

<sup>15</sup> Home Office (2007); see n.7



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the importance of early, frequent and “good quality” visits apply equally to both children with imprisoned mothers and fathers.

It is unfortunate that for such a long time prisoners’ behaviour has determined the frequency and type of contact that they will have with their children, thus exerting an influence on the extent to which the emotional needs of their children are met. Thankfully the importance of visits in meeting the needs of imprisoned mothers and their children has since been recognised and visiting arrangements have been detached from the IEP Scheme in the female estate. The male estate has failed to follow suit, and despite proposed reforms to the IEP Scheme, it appears that visiting arrangements will remain inextricably linked to prisoners’ behaviour.

When the IEP Scheme is contrasted with other policies, it is difficult to see how government officials could justify retaining visiting arrangements as an incentive. The United Nations Convention on the Rights of the Child (UNCRC), to which the UK is a signatory, states that *“the best interests of the child must be a primary consideration in all actions concerning them”*<sup>16</sup>. It also stresses that when a child is separated from one or both parents, they have a right to contact with them providing that it does not cause the child any harm<sup>17</sup>. Evidence from the present study clearly outlines that retaining visiting arrangements as a key incentive within the IEP Scheme is incompatible with meeting the best interests of children. It is therefore argued that incentivising contact defies international policy regarding children’s rights.

Children and families feature in several aspects of national prison policy, perhaps most notably policy surrounding reducing reoffending. This has made considerable advances in recognising the support needs of children and families, and it is difficult to see how incentivising contact could co-exist alongside such developments. The “National Reducing Re-offending Delivery Plan”, which identifies children and families as one of the seven pathways to reducing re-offending, places responsibility on prisons to protect the emotional wellbeing of children attending visits<sup>18</sup>. The importance of supporting

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<sup>16</sup> United Nations (1989) United Nations Convention on the Rights of the Child, Article 3, Paragraph 1. Geneva: United Nations

<sup>17</sup> United Nations (1989) Article 9, Paragraph 3; see n.15

<sup>18</sup> National Offender Management Service (2005) The National Reducing Re-offending Delivery Plan. London: Home Office



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children of prisoners is further re-iterated in “Reducing re-offending: supporting families, creating better futures”, which states that visits should be arranged with the needs of children in mind, visits should be a positive experience for children, and child-centred visits or Family Days should be regularly available<sup>19</sup>.

It is recommended that, in order to effectively meet the legal rights and emotional needs of children affected by parental imprisonment, the frequency of visits and access to Family Days should also be detached from the IEP Scheme in the male estate.

It is acknowledged that Family Days can only accommodate a small number of families and that resources limit the frequency with which these can be delivered. In practice it might be unfeasible to give all families’ access to Family Days, and therefore it is suggested that eligibility is assessed according to the needs of children. Findings from the present study indicate that children who struggle to interact with their parent under normal visiting conditions, or who find the normal visiting conditions highly distressing, benefit most from Family Days.

One limitation of the present study is that most of the children who participated were visiting their parent on a regular basis, and so it was not feasible to comment on their wellbeing in relation to children who do not visit their imprisoned parent. Research that has examined the impact of other forms of separation (e.g. divorce) has demonstrated that an absence of contact with the parent can lead to feelings of loss, rejection and insecurity; decreased self-esteem; and behavioural difficulties for the child<sup>20</sup>. Further research is required to examine the specific effects of the absence of contact between children and imprisoned parents. It is also suggested that future research might explore how first night procedures can operate to ensure timely first visits, and how children can be supported at the end of/in the aftermath of visits.

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<sup>19</sup> Ministry of Justice and Department for Children, Schools and Families (2009) Reducing re-offending: supporting families, creating better futures. A framework for improving the local delivery of support for the families of offenders. London: Ministry of Justice.

<sup>20</sup> Lee, C.M. and Bax, K.A. (2000) “Children’s reactions to parental separation and divorce”. *Paediatrics and Child Health* 5(4):217-218



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To conclude, all aspects of prison policy that exert either a direct or indirect influence on children should strive to conform with the UNCRC by making the protection of children's best interests a primary consideration. Whilst there have been commendable advances in some areas of policy, unfortunately it seems that the forthcoming reforms to the IEP Scheme will continue to fall short of meeting the rights and needs of children of prisoners.

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