ENVIRONMENTAL CRIME AND JUSTICE

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‘CLAIRE’ WAS BEAMING when Jim Murphy MP and Mary Fee MSP listened to her story at the launch of the Support for Children (Impact of Parental Imprisonment) (Scotland) Bill in early February. The Bill, supported by Barnardo’s Scotland, Families Outside, and NSPCC Scotland, is a step towards ensuring that the 27,000* children who each year in Scotland experience the imprisonment of a parent are no longer overlooked.

Claire has four children, all under the age of ten, and when her partner was sentenced earlier this year, no-one asked how this might impact on them. When one of her daughters eventually told a friend at school what had happened, that ‘friend’ passed it around the whole class, and Claire’s daughter experienced bullying in the form of name calling and isolation. “It really affected her”, Claire tells me, “she started banging doors in the house and just being really angry all the time.” Claire’s other daughter decided to tell people that her dad was working away. When their father was transferred to a prison in England (where the crime had been committed), at no point was the impact of this on the children considered. They haven’t visited since their dad’s transfer and are struggling to understand why they can’t see him so easily. “If he could just finish his sentence up here, it’d be so much easier for me and the children”, Claire says.

For such children, not being able to talk about the emotions associated with imprisonment (loss, anger, fear, loneliness, shock, sadness, sometimes mixed with relief) means that they often struggle to manage their confusion. Add to this, trauma (particularly if they have witnessed the arrest of their parent), stigma, and shame, and it is easy to see why many become isolated from their community, including school. No surprise either that one in three children affected by imprisonment develops a significant mental health problem compared with one in ten children in the general population.

The Support for Children (Impact of Parental Imprisonment) Bill aims to change this. Calling for a Child and Family Impact Assessment to be carried out, the Bill will mean that the specific needs of children with a parent in prison are recognised and that they and their care givers receive appropriate support. It’s about asking the right questions and listening to what children and families are saying.

It has been a long time coming. As Nancy Loucks of Families Outside points out: “Child and family impact assessments have been recommended by Scotland’s Commissioner for Children and Young People since 2007; by the UN Committee on the Rights of the Child in 2011; and endorsed by Together Scotland, SCCYP, and Families Outside in 2012. A growing number of the judiciary have also expressed their support for impact assessments. Families Outside looks forward to this opportunity to question the impact of imprisonment on the remaining children and families; to explore what a meaningful assessment process might look like; and to ensure appropriate actions are taken to mitigate the negative impact on children and families.”

And the children themselves, what do they want? Over this last year, we have been working with an increased number of children and young people as clients in their own right, and have been asking them that question. They have told us: 
“I want someone to ask how I am doing.”
“I want to be listened to.”
“I want to be involved in decisions that are made about me.”
“I want to be connected and included.”

That sounds exactly like the purpose of a Child and Family Impact Assessment. We need to stop doing things to people and start doing things with people and we need to take the wider view and focus not solely on the sentence in relation to the offence, but on those affected by the sentence. What made the biggest impact on Claire at the launch was that the politicians took to listen to her; it made her feel heard, valued, and respected. It’s time to make sure that every child affected by imprisonment feels that too.

Sarah Roberts is Families Outside’s child and family support manager. http://www.familiesoutside.org.uk/

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* The source for the figure of 27,000 children is a Scottish Government response to a FoI request from Dr Chris Holligan in 2012, extrapolating from the 2011 SPS Prisoner Survey.