



**INCLUDE YOUTH
RESPONSE TO NORTHERN IRELAND PRISON SERVICE
DRAFT FAMILY STRATEGY
2009 – 2014**

*“It’s maintaining family ties – they keep saying it’s important
but do nothing about it.”*

October 2009

Executive Summary

Include Youth has considerable experience of working with both prisoners and their families. In particular our Young Voices project has recently spent considerable time engaging with young people in Hydebank Wood on their experiences of family visits. Their comments have proved insightful in highlighting the dramatic importance of maintaining family contact and in addressing practical solutions to the development of family centred visits. We have drawn heavily on their comments in the preparation to this response.

While we welcome the NIPS efforts to establish a Family Strategy, we believe that this current draft falls far short of what steps need to be taken to create a truly family centred approach.

The absence of any detailed reference to support services tailored specifically to the needs of juveniles and women/ mothers is a glaring oversight. While we firmly believe that children (17 and under) should not be held in adult prisons, until such time as steps are taken to remove them, it is crucial that their particular needs are met under the current arrangements. A family strategy and visiting arrangements for 17 year olds should be different, specific and tailored to these children's needs. We are deeply disappointed that the needs of these most vulnerable groups in the prison system are not included in a five year draft family strategy.

We have drawn attention to a number of key and highly relevant documents which we believe should be referred to in the strategy, most noticeably, the United Nations Convention on the Rights of the Child and the subsequent Concluding Observations from the Committee issued in October 2008. The Strategy should also be reviewed to address all relevant Section 75 categories.

We support the thrust of all the Underlying Principles but provide evidence to suggest that many of these principles are currently not operating in current practice.

We note the intention to develop child centred and family centred visits. Our recent consultation with young prisoners and families highlight a number of key concerns with regard to visits:

- The need for more privacy during visiting.
- The need to relax the security arrangements for children visiting relatives in prison.
- An improvement in play facilities for visiting children, in particular, the need for an outside play area and a facility specifically for older children.
- An effort to make the general atmosphere of the visiting room more family friendly.
- Mothers in particular would welcome the opportunity to engage in everyday normal family activities with their children, such as feeding and changing. They are very supportive of the idea of a caravan being provided to enable closer and more private family contact.
- Longer telephone calls and financial assistance to make phone calls.

We welcome the focus on improved training for prison staff but would like to see the current plans to provide training extended beyond Family Support Officers only, to include all prison staff. Training should include children's rights, the impact of imprisonment on children and families and issues specific to the needs of juveniles and women/ mothers and child protection.

It is imperative that any monitoring, evaluation and review of the strategy includes an in depth analysis of prisoners and families experiences and views. The outworking of the strategy must go far beyond a simple number count – it is the value and quality of the family services offered which must be assessed.

Include Youth is keen to work in partnership with NIPS to further develop an innovative and creative approach to family services. This strategy, if properly thought out, has the potential to change the lives of many individuals and in particular of those children who come in contact with the prison system. We look forward to engaging in further discussion to develop that vision of a truly child and family centred strategy.

Introduction

Include Youth promotes best practice with young people in need or at risk. We achieve this through the development and promotion of resources, the provision of training, information and support of practitioners and organisations. We also undertake activities aimed at influencing public policy and policy awareness – both locally and nationally.

Include Youth promotes the development of positive choices and opportunities for vulnerable and challenging young people in the community, residential care or custody. Include Youth promotes the use of community alternatives to care and custody for children and young people.

Amongst the young people at risk with whom, and on whose behalf, Include Youth works are young people from socially disadvantaged areas, those with a learning disability, those with special needs, those who have been truanting, suspended or expelled from school, those from a care background, those who had a negative parenting experience, young people who have committed or are at risk of committing crime, misusing drugs or alcohol, undertaking unsafe sexual behaviour or other harmful activities, or of being harmed themselves.

Include Youth runs the Young Voices project, a participation project for young people who have been involved or are at risk of becoming involved in the criminal justice system, with the aim of supporting these young people to become involved in decision-making processes which impact on their lives. The project works across a range of settings including custody and the community. Currently the Young Voices Project supports young people in two groups in custody – one drawing its members from the Greater Belfast area and the second based in the Juvenile Justice Centre, Bangor.

The Give and Take Scheme aims to improve the employability and increase the self esteem of young people in need or at risk from across Northern Ireland. The Scheme works with approximately 135 young people from a care or criminal justice background. The Scheme aims to support young people to overcome particular barriers that prevent them from moving into mainstream training or employment and towards independent living

In addition, Include Youth runs the YOYO Practitioners Forum, which draws together professionals from a range of statutory, community and voluntary organisations working with young people at need or at risk, and meets on a quarterly basis.

General Comments

We welcome the opportunity to respond to the draft strategy and whilst we applaud some positive aspects contained within it, we are disappointed that the proposals are not as far reaching as they could have been. Given that the Strategy is covering a five year period it is imperative that it encompasses the specific needs of all prisoners and that it grasps the enormous potential of providing effective family services which can have a dramatic impact on the well being of families coming into contact with the prison service. We are of the opinion that while the Strategy in its present form attempts to meet minimum requirements, in places this is not even achieved and furthermore, it does nothing to advance family services in a creative and innovative way. We also believe that there are a number of glaring omissions, particularly in relation to the needs of juveniles and women/mothers.

In preparation for our response we have drawn on several pieces of consultation which Include Youth's Young Voices project recently conducted. The first is a series of interviews with parents in custody (both young men and women in Hydebank Wood) and with the teenage children of prisoners in custody and in the community, carried out in March 2009. The second is consultations with young people on the juvenile (ie. under 17 years old) landings of Hydebank Wood between April and July 2009.

Specific Comments

Chapter One – Introduction

The document notes that in developing the Strategy NIPS has taken cognisance of the NI Children and Young Persons' Strategy and Families Matters. We are disappointed that the NIPS did not also take cognisance of the recommendations from the United Nations Convention on the Rights of the Child (UNCRC) Committee in October 2008, in their Concluding Observations, particularly with regard to the situation of children with a parent in prison. Their comments on the situation of children deprived of their liberty and held with adult offenders is also directly relevant to this strategy.

Chapter Two – Legal and other obligations

We recommend that reference is made to obligations with regard to the children of prisoners under the United Nations Convention on the Rights of the Child (UNCRC). In its Concluding Observations published in October 2008, the UNCRC Committee noted their concern about *“The situation of children with one or both parents in prison.”*

They recommended that the State party:

“Ensure support to children with one or both parents in prison, in particular to maintain contact with the parent (unless this is contrary to their best interests) and to prevent their stigmatization and discrimination against them.”

Equality

The draft strategy fails to refer specifically to issues relating to juveniles and mothers and children. The strategy should be reviewed to address all relevant Section 75 categories and then published for consultation.

Human Rights

We would recommend that reference is made to other relevant human rights documents, such as UN Standard Minimum Rules for the Treatment of Prisoners and Revised European Prison Rules. United Nations Convention on the Rights of the Child, Beijing Rules.

Chapter Four – Underpinning Principles

Treat families with respect, decency and dignity.

We wholeheartedly support this underlying principle. However, our conversations with prisoners and visiting families suggest that this is not always how individuals feel they are treated. In particular, with regard to security procedures, children feel intimidated by the process and are fearful of the search procedures. Furthermore, many prisoners do not feel that prison staff treat them with decency and respect and have a sense that their privacy is undermined during family visits.

Provide safe and secure visiting facilities in a family friendly, neutral environment.

We support this underlying principle and will outline suggestions from prisoners and families on how this can be best achieved in the section below on Visits.

Work in conjunction with young people to develop facilities and services to assist in building and maintaining meaningful relationships with relatives in custody.

We support any steps to involve young people in building contact with relatives and custody and would suggest that this principle be broadened out to include ‘*children and young people*’.

Develop and publish minimum standards of service delivery for families when they engage with the Prison Service and audit performance against these standards.

There does not appear to be any mention of the outworking of this principle in the Action Plan. We do note that there is reference to developing standard procedures for the operation of Child Centred Visits, but would query that the underlying principle is broader in definition than the remit of the suggested action outcome.

Develop and display a Visitors’ Complaint Policy

We would welcome more detail on what the timescale is for developing the Visitors’ Complaint Policy. We would also suggest that the policy should be disseminated to the family and prisoner from the outset of the time in custody and that a young people’s version is also developed.

We have an underlying concern about the operation of the Visitor Complaint Policy given the general level of scepticism about the Complaints Procedure within the overall prison system. Recent research carried out by Include Youth in Hydebank Wood with young people on the juvenile landings between April and July 2009 suggests that there is a complete lack of faith in the complaints system. The young people feel they are unable to change things and do not believe they can make presentation in confidence and without reprisal. It is possible that this scepticism transfers onto the Visitor Complaints system and we would urge the NIPS to be mindful of this and make every effort possible to make the system open, accountable and transparent to families who may be unhappy with current practice.

Chapter Five – Action Plan

5.5

While we welcome the intention to address the issues that arise once a prisoner has been released into the community as a further area for development, we are disappointed that

the Action Plan does not address these issues now. It is vital that prisoners who have been released are supported to reintegrate into family life and we would urge that this area of work is addressed as a matter of urgency. There is strong evidence that strong and integrated resettlement support services go some way to reduce the likelihood of re-offending (*Reducing Re-offending: A critical review of the international research evidence, NIO 2009*).

Similarly, while we acknowledge that there is an intention to consider bespoke visiting facilities for women/ juveniles, we are very disappointed that the draft family strategy does not address the needs of these groups in its present form.

While we firmly believe that children (17 and under) should not be held in adult prisons, until such time as steps are taken to remove them, it is crucial that their particular needs are met under the current arrangements. A family strategy and visiting arrangements for 17 year olds should be different, specific and tailored to these children's needs. At present there are only two actions relating specifically to juveniles contained within the draft Action Plan. This is gross oversight and should be addressed as a matter of urgency.

Similarly, there are no specific actions included relating to women and women who are mothers. It is astounding that a draft Family Strategy designed to encompass the needs of all prisoners and to cover the next five year period does not address the needs of mothers within the prison system. We would question why services for these prisoners are regarded to be a 'further area of development once the Strategy has been implemented'. Why are these areas not being addressed **now** as an integral part of the Family Strategy? Where mothers of babies or young children are in prison, NIPS must provide fully staffed nurseries with trained staff (UN Standard Minimum Rules for the Treatment of Prisoners, Rule 23 (1) and (2) and Revised European Prison Rules (28.2). We would also recommend that an education programme be developed for criminal justice professionals, regarding the impact of imprisonment on mothers and children. International human rights standards on mothers and children and the recommendations from the Corston Report (2007) relating to mothers and children should be reviewed and incorporated into this strategy.

Key Issues Prior to a Person Entering the Prison System

Pre-Sentencing

We agree that it is vital to identify children in the pre-sentence report and that these responsibilities are drawn to the attention of sentencers. We also strongly support the suggestion that alternatives to custody be considered for those with childcare responsibilities. The Corston report recommended that ‘defendants who are primary carers of young children should be remanded in custody only after consideration of a probation report on the probable impact on the children’ (p9). We support these recommendations. Furthermore, the Council of Europe Parliamentary Assembly recommended that states ‘develop and use community-based penalties for mothers of young children’; avoid the use of prison custody, ensure that custody for pregnant women and mothers of young children is a last resort and is restricted to those who have committed the most serious offences and who represent a danger to the community (Council of Europe 2000, Recommendation 1469).

Court – Remand and Sentencing

We would ask the NIPS to consider developing information leaflets in a child and young person friendly format.

We would welcome more information on what form the facilities in court buildings for children who are accompanied by an adult will take.

First 24 hours and within first week in custody

We would suggest that the timescale to identify prisoner needs and make information available to Family Support Officers be reduced from 28 days to a shorter period of time.

During Custodial Sentence

We support the need to provide financial assistance with prison visits. We would also request that consideration is given to providing financial assistance for prisoners who wish to make phone calls to their home but do not have sufficient financial means to do so. In our work with families we have learnt just how important a lifeline it is for parents to be able to speak to their children on the telephone. Several parents have talked to us about the

financial constraints in making telephone calls to their children and have requested support to pay for these calls or to be allowed to receive incoming calls.

We support the intention to involve prisoners in significant family events where risk is appropriate. We would urge the need for decision making around this process to be transparent and equitable.

We would like to see a timescale allotted to the Action Outcome for 'Measures to ensure that a named officer on the juvenile landing will meet the parents/ carers of juveniles in their care will be developed'. We would also like to see proposed objectives for this meeting being developed. This Required Outcome does not adequately address the complex and particular needs of juveniles.

Regular Visits and Children's Visits:

While we welcome the reference to the need to develop Family Centred and Child Centred Visits on all sites, we would welcome more detail on the specifics of these outcomes. We would welcome information on the timescale for the development of standard procedures for the operation of Child Centred Visits.

Our recent consultation in March 2009 with families and prisoners on their experiences of visits highlight that there are a number of outstanding issues which need to be addressed if visits are to be truly family centred and child centred.

Several of the parents talked about the **impact visiting them in prison has on their children and in particular how the security measures affect them**. They talked about the children not liking being physically searched. There was a suggestion that the search be done with a scanner rather than having to actually make physical contact with the child. Several of the parents talked about their children being frightened by the guard dogs.

Several of the parents said they wanted to have **more visits and longer visits**, particularly those who only get to see their children once every month. They see the family visits as being critical to maintaining a healthy relationship with their children. Some also complained that they only got to have family visits when they had been in for quite a while.

We welcome the intention to continue to develop visiting facilities to provide a safe, clean and friendly environment conducive to maintaining family links. Our consultation carried out in March 2009 provides some suggestions as to how this could be achieved. The main points identified are outlined below:

Need for Privacy

Parents were asked what they thought could be done to help improve visiting arrangements. They would like to have longer visits and also to feel less like they are under constant scrutiny from guards during visits. The children and young people who have visited family members also talked about the tense atmosphere created by the attitude and behaviour of prison staff.

Security Procedures

The parents would also like to see a change in the security procedures with regard to children, to make it less intimidating for them. They believe that the emphasis should be on searching them more rather than focussing on their children, which is clearly an aspect of visiting which frightens young children. Young people who have had experience of visiting relatives in prison reiterate the sense of intimidation they feel with the security procedures. They also felt that some of the practices should be adapted to suit the age of the visiting child, in particular those with very young children.

Play Facilities

Being able to interact in normal play activities with their children is something that parents find essential to maintain a relationship. Several of the young fathers suggested that an outside play area needs to be provided. They also suggested that they should be allowed to go over to the creche with their children and have the opportunity to play with them in this environment. One mother suggested that the crèche should have tables next to it to enable this contact. The children and young people we spoke to who had experience of visiting a relative in prison talked about the lack of facilities there were for older children. They are very conscious that visits are not a normal environment in which to meet with their family member, but think that more could be done to make visits less boring for teenagers. They do want to spend time with their relatives but would like it to be done in a more flexible way, which would allow them to move about more freely and

to perhaps engage in activities. They find it abnormal that the prisoners are not allowed to move at all during the visit.

General Atmosphere

The young people had some good ideas about how the environment could be made more inviting for family visits, such as making the room more colourful, having a radio playing, providing magazines and more comfortable seats.

Engaging in Normal Family Activities

One mother suggested that there should be a facility for them to make up food and bottles for their babies. Mothers in particular crave the opportunity to engage in normal activities with their young children and would welcome any tailored facility which would allow this to happen.

Inconsistencies in Practice

There were issues of consistency in how family support initiatives were delivered. Some women complained that they were not able to see DVDs of their children while other women who made more of a fuss were able to access family videos. The male young parents were very aware of discriminatory practice when it comes to how mothers and fathers experience contact with their children. The fathers are annoyed that they are not able to see their children on their own.

General Views on how prison service supports families

Our work with young prisoners and families suggest that on the whole they do not believe the prison service is serious about improving family contact and that the range of policies and strategies developed are simply paying 'lip service' to supporting families.

Child Protection

Include Youth welcomes the action to provide staff training on Child Protection. We would stress the need for this training to be comprehensive and appropriate. The UN Rules for the Protection of Juveniles Deprived of their Liberty are clear that such training, as will enable them to 'carry out their responsibilities effectively' should include training in 'international standards and norms of human rights and the rights of the child, including the present Rules.' (Rule 85)

We recommend that all staff be given appropriate and comprehensive training in all aspects of child protection, including those who have little direct contact with children.

Chapter 7 - Training and Support

Training on Family Issues

We recommend that all staff dealing with prisoners should receive training on family issues, and that this training should not be limited to Family Support Officers only.

Training should also be provided to all staff on children's rights and how to communicate effectively with children and young people.

We would welcome more information on the detailed training programme to be given to Family Support Officers. It is imperative that the training programme includes children's rights and the particular needs of juveniles and women/ mothers.

Chapter 9 – Monitoring, Evaluation and Review Procedures

We note the intention to use the numbers visiting and requests for help/ advice as a key monitoring tool on the effectiveness of the strategy. The outworking of the strategy must go far beyond a simple number count – it is the value and quality of the family services offered which must be assessed. We welcome the inclusion of feedback from prisoners and families in the monitoring process, and would suggest that this information forms the main evidence base for monitoring and review procedures. Only through engaging with families and prisoners and gathering qualitative information on their experience of the family strategy will its impact be truly measured.

We would recommend that the Evaluation procedure goes beyond analysing Visitors' Survey to include qualitative evidence from prisoners and families.

Concluding Comments

We look forward to engaging in further debate about how best to take forward the Northern Ireland Draft Family Strategy. This is an extremely important document and if researched and written effectively has the potential to improve the family relationships and general well being of many prisoners and in particular children of prisoners. As it

stands Include Youth does not believe the strategy can deliver on that potential. The area of family work should be a chance to develop innovative and ground breaking approaches to how we deal with families in these circumstances. We would welcome the opportunity to further discuss how we can come closer to that vision.

Include Youth

October 2009