

**TITLE SLIDE**

Id like you to imagine that you are sitting at the back of a court room and that someone you care about is in the dock.

The judicial decision has been made and is now announced – your relative is to be sent to prison. You hear the words but you cannot take them in – even though you knew in advance that this might happen you just haven't allowed yourself to believe it really could .

So you sit in a state of shock as your relative disappears down to the cells, the Sheriff leaves the Courtroom followed by the other officials – soon everyone has left.

You are sitting there with so many thoughts and feelings

You have questions spinning round in your mind – but who do you ask for the answers ? :

The first questions :

When can I see him?

where is he being taken to?

what's going to happen to him now?

what does he need?

what can he have?

What about his belongings, what happens to them?

Will he be alright ?

Then some of the other questions start to seep in

what about his house – how will his rent get paid ? How are you going to access his bank account?

what about his car –it needs to be moved or it will get a ticket - he has the keys, how are you going to get them?.

What about his illness, you know all about it, the history of it, you have been to every out patient appointment with him and been able to speak to the nursing staff and be involved in his care, THAT ALL STOPS NOW,

And then you realise you have his medication in your pocket – he needs it soon Who do you tell ?

What if you are the wife or partner and he earns the money – how are you going to pay the bills?

What on earth are you going to tell the children about where their dad is

The list of questions go on and on and the impact of this moment will ripple on and on during the period of custody – and after .

And underlying all these questions is a sickening fear about whether either of you will be able to cope with this experience.

And still you are sitting there , on your own, in an empty court room. And There is nobody there to answer your questions

This picture I have painted isn't an imaginary one – it is an amalgam of the real experiences of many of the hundreds of callers to the Scottish Prisoners Families Helpline. The black hole in information at the Court and trial stage also emerged as the key area for action at our recent national conference)

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Every family is different and within families the experience of each member may also differ but the common areas of experience when a relative is imprisoned are a sense of being punished and stigmatised themselves, of not having access to information necessary to make sense of their situation and of being unrecognised, unsupported and disempowered.

Not just at court but during the whole of their contact with the criminal justice system from arrest through to release and life thereafter.

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Here are some quotes from teenagers who had lost a relative to imprisonment – eloquently summarising the impact on them- from a piece of our research which showed the effects from initial arrest, through trial, imprisonment and then release.

So – does it matter that families have such a hard time ? perverse and illogical as the argument is, it is often put to us that the offenders should have thought about the effect on their family before they committed the crime - and by logical extension its just too bad if the family suffer.

Well obviously as a rights based organisation working to promote the cause of an excluded group we would say yes it does matter – the family members of prisoners have not been tried or convicted of a crime and they therefore should not be punished or disadvantaged.

As well as this, the rationale for investing in the maintenance of positive family ties is well established :

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Prisoners are up to six times less likely to reoffend if strong family ties are maintained

not only this - Children who have a relative in prison are more vulnerable to later involvement with the criminal justice system themselves by a factor of 4.

We have a “What works” evidence base of at least 35 years of international research which emphasises the role that strong family relationships can play in contributing to the reduction in reoffending but....

We have a criminal justice system which barely recognises the existence of families, let alone the contribution they can make.

And , nowhere else in wider public or social policy, at central or local government level – inclusion ,early years , children and families , education, are families affected by imprisonment identified exist in those lists of factors which characterise vulnerable families.

I find this surprising because whilst I am no expert analyst of party policy it does seem to me that government and opposition parties all now promote themselves as the parties of the family. And – what the evidence on families affected by imprisonment indicates is an opportunity to hit a number of policy targets at one time and potentially save substantial resources on dealing with cycles of reoffending and incarceration now – and in the future

But, In practical terms, how do we expect the family who feel isolated and disempowered by the court room experience and much that follows, to be in a position to provide the robust family support which will help their relative stay out of trouble on their release ?

Its not realistic and its not a fair deal. Especially not for children and young people who can sustain damage to their social, emotional and educational development.

Let me give you some of the detail of this family experience. One of our activities this year has been to work with the Tayside CJ partnership to commission a review of current national and international research into families affected by imprisonment and to survey the needs of families in the Tayside area. We were very pleased to have this work carried out by Dr Nancy Loucks independent criminologist whose work many of you will know.

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The literature review highlighted the themes I have already touched on and which are graphically illustrated by the families who call us. Common experiences as I have described, impact on children for whom loss of a parent to imprisonment can be equivalent to a loss through death and of course while they are trying to deal with this, the remaining adult is trying to cope with their own stress without support, because noone thinks about the families needs ....

The research which indicates the effect of even very short periods of custody on families is very important and we would like to see every sentencer in Scotland have an awareness of this as they weigh up the risks and benefits of a custodial sentence, and its disruption to many families which are already vulnerable and in need of support in their community .

Nancy recommended the title Prison without bars for the report – a quote from a family member in Denmark which highlights the universality of the experience in terms of a sense of loss of control.

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The report is comprehensive – I cannot begin to do it justice here – I can email any one who would like it .

Again, the reports conclusion came as no surprise :

***“ No one organisation is responsible for the direct coordination and provision of services to prisoners’ families .....Further, the failure of so many services to recognise and plan specifically for prisoners’ families as part of their remit seems to be a glaring oversight that emphasises yet again the fact that this group is easily and usually overlooked.”***

This is why I feel it is essential to try and convey the individual experiences of families as a way of giving an audience a real sense of the impact.. We held a very successful conference recently with many family members present and have had overwhelming feedback that hearing them either directly or through the prerecordings which punctuated the day was the key factor in this success. And this brings me to my next point

While I cannot overemphasise the short, medium and long term impact of imprisonment on family life in general and particularly on children and young people,

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I do also feel an ambivalence about presenting a picture of families affected by imprisonment as helpless victims. It is better certainly than the other end of the spectrum where the perception of families is as “criminals who have not yet been caught” or “drug dealing scum “ and I quote directly

from staff working within the CJ system, though in our view their attitudes are only a reflection of broader public attitudes.

With this as a background culture, neglect of the issue is compounded by the absence of service standards, organisational performance indicators and staff codes of behaviour for any part of our CJ system as it relates to families. While this is the case what we will continue to see is small pockets of excellence developing where individual professionals have a commitment and interest in families – often lost when those individuals move on. This is not a best value approach. For example the Prison service with whom we do work very closely and constructively and I hope supportively, and they already know our views and concerns on this issue of sustainability and embedding – which I would say is as much about attitude and leadership as it is about resources.

I was delighted to be present at the opening of the St Margarets family centre at HMP Cornton Vale yesterday. Not just because of the difference that this resource will make to the experience of the prisoners and their families, but because of the clear message from the governor that involving families is not an optional add on, but a fundamental part of the prisons commitment to maintain and restore positive relationships for the many damaged women who are part of the prison community

On the other hand however, The chief inspector of prisons noted in one of his prison reports last year :

***the arrangements and facilities for visits are very good — were it not that they were even better before the virtual disappearance of Family Contact Development Officers  
..... It is recommended that steps are taken to ensure that the previously commended work of the Family Contact Development Officers is reintroduced and that their role is recognised as an integral part of the work of the prison.”***

This work was indeed commended and received a Butler Trust award. SPS have chosen to have a photo of those FCDOS receiving their award on the inside page of their publication celebrating 10 years of achievement in SPS. They are quite right to be proud of and highlight this development – why did they let it “virtually disappear “?

I am not highlighting this to cause embarrassment to our colleagues in SPS but to illustrate my point about the fragility of this work. Until we see what is currently often viewed as peripheral, incorporated into core business, positive work with families will always be an optional extra – vulnerable to falling off the edge as priorities change and budgets are squeezed

In France the Criminal Service for Reintegration and Probation introduced in 1999 identified three functions for prison staff which place families at the core of their work:

- Prevent the breakdown of family and community networks caused by imprisonment
- Keep family and social relationships stable during the period of imprisonment
- Prepare and support prison leave

In all honesty I do not know how this is working in practice so I refer to it to show how families can be at the heart of the mission and it would be very interesting to know what performance indicators and activity targets French prison staff work to.

Whilst we welcome the inclusion policy which SPS have introduced and its targets for employment and housing which are of course essential features for reintegration, I have a concern that family contact will always be the poor relation “third leg” of the stool because frankly it is so much more difficult to measure the messiness of human relationships and what success is in these terms than it is to measure learning certificates and points on a housing list.

I am sure that someone much more learned than me will know who said “Not everything that is important can be measured – not everything that can be measured is important ...” I would add to this maxim the idea of measuring meaningful things in meaningful ways – however challenging this proves to be.

So to return to the original point - how do we create an environment in which families are identified not as victims or as scum, but as potential partners in the reduction of reoffending

We support an evidence based approach to finding solutions but , in this area the what works agenda has its limits and we need a bit of bold experimenting, risk taking and most important – ways of asking families what they would find helpful to them – not what we think they need .

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Nancy loucks report again –

We know that maintaining family relationships helps the offender. What has not been sufficiently well evidenced is what works best to support families so that they can support their relative.

Obviously you cant research and evaluate services and approaches that don't exist – so here is a fantastic opportunity for Scotland to take a leading role in breaking new ground .....

Research into the complexity of needs and the effectiveness of responses is badly needed but we don't need to waste time on too many academic excercises.

The way to start developing the responses that we want to test is to ask the experts – and that's family members themselves.

The second part of the Tayside project has been a survey of 50 families with relatives in prison – with Nancy meeting with or speaking on the phone to half of these. This is a very good response and I would like to give credit to the officers at Perth prison who made a huge commitment to encouraging families to respond, with the purpose of the survey being to help the Tayside Local Authorities determine where best to spend their small amount of family support money allocated under the new throughcare strategy

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Look at the range of difficulties family members are dealing with .....

the direct impact of imprisonment - namely separation from a loved one and barriers to contact with that person - is the most trying for them. Some families worried about the implications this could have for the prisoner's ability to adjust on release, especially where home circumstances changed during imprisonment:for example –one partner said

“I was pregnant when my partner was taken into custody, now that I've had my child I worry that my partner will not have the same bond with him as he should have. I also worry about how my partner will react on his release now that there is a child in the house that wasn't there before.”

At the most basic level how can relationships be maintained if families cant get to the prison for visits ? – good visits are vital but Families outside research as well as this report revealed the fun-

damental problems. We found that 50 % of the families we researched spent between 5 and 12 hours on travel for each visit including a visit of maybe 30/45 mins

- No wonder relationships fall apart under those strains

Overall families felt that the most damage to them was to their emotional health: about two-thirds believed the emotional well-being of themselves and their family was worse off.

Sentiments of their own sense of imprisonment were not uncommon: “you feel like you’re in gaol yourself”; “I feel I’m paying the price for his mistake.” Almost as many people believed they had suffered financially due to the imprisonment and although the proportions are not as large, significant numbers also reported being worse off in terms of their physical health and safety, social and family life, state benefits, and family support.

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Clearly families would appreciate assistance on a wide range of issues. Better provision of information, particularly with regard to release and preparation for this, stood out as a priority. Family contact, especially good quality contact, was also a prominent request:

“I would like it if my partner could spend more quality time with his son. His actions should not punish the rest of the family. I don’t think it’s right that an innocent child should have to pay.”

And 50% wanted -Advice about how to keep their relative out of trouble in the future – an untapped resource.

What families are asking for is not complicated

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We summarise it as information, support and involvement

The Tayside families said – tell us where the sources of support are – and we’ll decide how and when to use them . Information about the CJ system – the peculiarities of prison regimes – what you can and cant take in –what you can and cant ask as well as specific information about their relative.

We applaud the SPS for creating family contact development officer posts – we continually encourage them to ensure that these posts are protected and given the prominence and management support they need to be effective,as well as developing methods of family involvement which impact far beyond the interface of visits areas.

But the interface with the prison is only one area – families need support for their own needs in their own right – from practical help like Info on housing rights or their financial position to emotional support for themselves – someone to listen – help them tell the children what has happened etc etc

A great deal of what needs to be done does not need to be initiated or delivered by a criminal justice agency or process although the reaction of criminal justice agencies to families is crucial and can mitigate or exacerbate their difficulties .

The problems faced by families require policy recognition and interventions across the areas of social inclusion /social care/ child protection /vulnerable children and families – and human rights.

Many families will **not** have a role to play in reducing reoffending through support to their relative – they do not maintain contact –they may have been the victims of the crime – they are **all** families affected by imprisonment and need support to manage this experience. The last thing FO want to do is encourage a hierarchy of deservedness based on a utilitarian view of families .....

But many families **do** want to play an active role in keeping their relative out of trouble and need assistance to do that and they need to be recognised as partners with all the radical implications this has for the Criminal Justice system - an increased individual and family focus – different way of measuring effectiveness –We think it's a challenge that must be grasped.

Whilst I have told you nothing about Families Outside the organisation, I hope that I have given you a clear idea of why we are needed – our annual reports and other info is available and

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Heres my contact details if you would like copies of the research reports I have referred to or a discussion on any other issues

Thankyou for inviting me to speak to you – it is a privilege to give a lecture to the Howard league – Families Outside feel this is a positive and hopeful indication that we are making pogress in achieving recognition for families affected by imprisonment in Scotland.

Thankyou