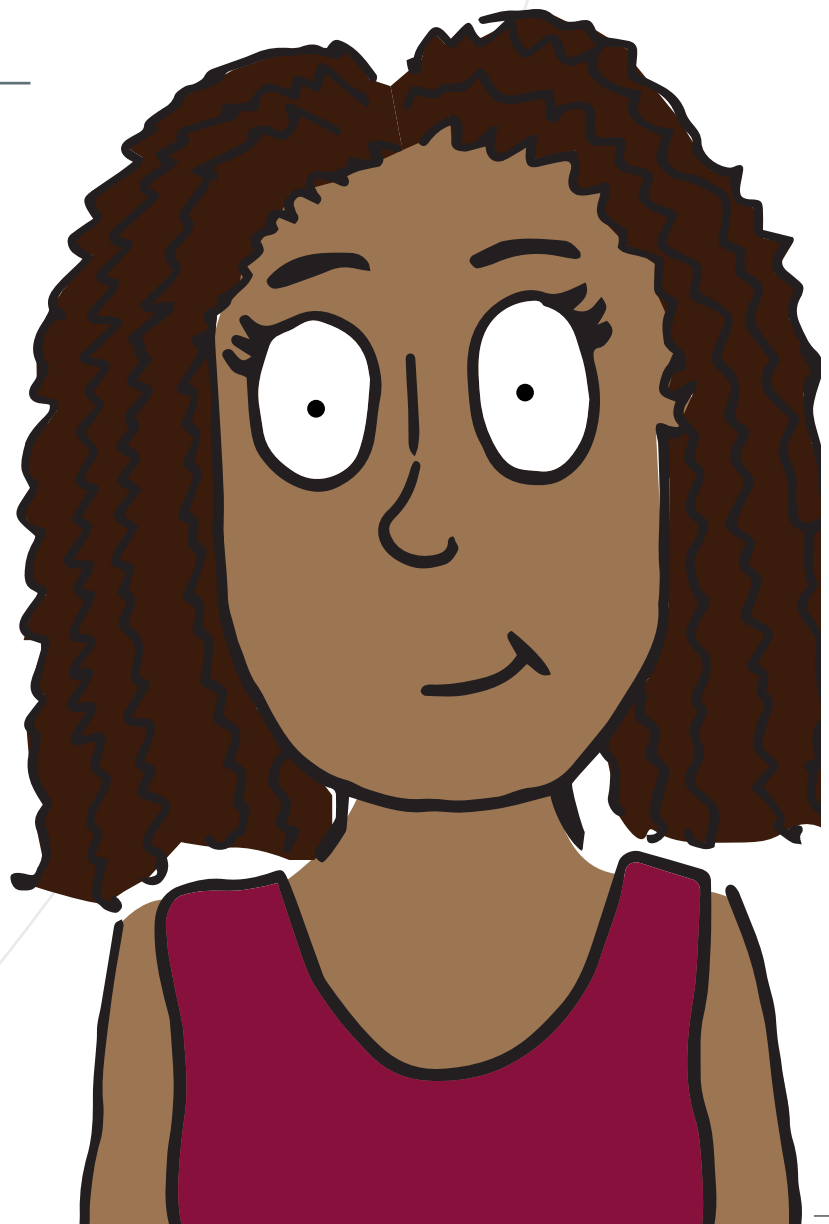


HEAR OUR VOICE

Recommendations for action
to safeguard children affected
by the arrest & imprisonment
of family members



Prisoners • Families • Communities
A Fresh Start Together



Not My Crime, Still My Sentence

Children affected by the arrest, trial and imprisonment of a family member are the “forgotten victims” of crime. Through no fault of their own they are caught up in a world that even many of us who have worked in the criminal justice sector for many years would find daunting, traumatic and stressful.

Arrest and imprisonment are necessary tools of the adult criminal justice system. Recognising this does not mean we cannot also understand that they can be hugely distressing for a child. We all feel empathy for kids who lose a parent or sibling; although the circumstances are different when a child's mum, dad, brother or sister is in prison, the effect can be remarkably similar, likened to 'bereavement without a body'. Feelings of loss, fear and anxiety can manifest in nightmares, behavioural issues, bedwetting, self-harm and substance abuse. Children who experience the arrest and imprisonment of a parent are more likely to suffer post-traumatic stress and mental health issues. At school and in society more broadly, they can feel stigmatised, almost as much as the offending family member.

Then there are more practical problems, like moving house, ending up homeless or impoverished. At school, grades can drop and instances of bullying increase. Combined, is it any wonder that the impact can last long after childhood – on educational achievement, job prospects and even the cycle of intergenerational crime?

Let's be clear from the outset though. Individuals who commit crimes must be challenged to accept their responsibility and understand the impact of their offending on children within their family, whether they be the child's parent, care-giver, or adult siblings. If they hadn't committed a crime the child would not be suffering the consequences. Indeed, one of the ways in which we can best hope to reduce re-offending by those in prison is through enabling prisoners to accept their responsibilities to their families, including the harm that they cause to their children and loved ones when they offend, and focus on new goals to be good dads, a family man, or a better mother.

But all of this cannot be an excuse to absolve us from the responsibility to safeguard children, and at the very least, to avoid causing additional and unnecessary harm. As professionals and people in positions of authority and power who come into contact with children, the police, courts and teachers, we all share a statutory legal duty to safeguard children and meet their needs. As 'Working Together to Safeguard Children' makes clear: 'Whilst local authorities play a lead role, safeguarding children and protecting them from harm is everyone's responsibility. Everyone who

comes into contact with children and families has a role to play...local agencies, including the police and health services, also have a duty under section 11 of the Children Act 2004 to 'ensure that they consider the need to safeguard and promote the welfare of children when carrying out their functions.' Article 3 of the UN Convention on the Rights of the Child, which the UK ratified in 1991, also states that the best interests of the child should be a primary consideration in all matters affecting children.

The statistics tell us that there is a very clear issue of an 'inter-generational cycle of crime'. As things stand, a child born to a parent who goes to prison is more likely to spend time in jail than in a university. Given this tragic fact, if as adults in positions of authority our role is to provide every child with the opportunities to fulfil their potential, or to protect the public and reduce crime, we surely all need to reflect on our attitudes and practice towards kids whose parents or siblings are offending? In the Hear Our Voice initiative, we have heard from children whose young lives have been profoundly affected, not only by the offence committed by a parent, but also by the way they have subsequently been treated or ignored by the police, the courts, and by schools.

The legal and moral duty therefore falls on us all. These children are just as innocent as any other victim of crime. It's time we started treating them as such.

So, we face a simple choice. We can continue to show indifference, and treat these children as the unfortunate collateral damage of their parents' offending. We can carry on doing what we do, and getting what we get. Or perhaps, with more awareness, more compassion, and more sense, we can recognise that these are children who are particularly vulnerable and who need all of us to work together to help them to cope with 'the hidden sentence'. Perhaps that way, fewer of these children will suffer and fewer will also end up offending, and we will reap the benefits of less crime and fewer victims. And perhaps instead more of the children who are the subject of this report will become police officers, teachers, magistrates or judges.

Every child matters. No child should be judged unworthy of support because of the offending behaviour of their parent. The recommendations for action are based on the lived experiences of the children and young people. We heard their voices. We hope you will too.

Andy Keen-Downs, CEO, Pact

**Louise King, Director,
Children's Rights Alliance for England**



Hear Our Voice

This report is the culmination of Pact's 'Hear Our Voice' project. This project built on a previous youth listening initiative, working with a group of young people in London who were making use of the Prisoners' Families & Friends Service. Pact organised a range of activities and listening events, which culminated in a new 'Charter for Children & Young People Affected by the Imprisonment of a Family Member.'

Following this initiative, we were struck by the power of what young people were saying about their experiences of when a family member was arrested and when the police entered the family home. 'Hear Our Voice' – kindly supported by Comic Relief and the Pilgrim Trust - was the result.

The project was a multi-stranded initiative. We researched best practice around the world to find out what works best when trying to address the issues highlighted above. We supported analysis into the impact of police actions in the home. We developed and rolled out training to hundreds of police officer and teachers, who we would like to thank for their engagement yet also challenge to further tackle the problems in the report. And of course, we engaged with and listened to young people, with lived experience, so that we rooted everything we did in their needs and aspirations.

Our grateful thanks go to the following:

All the children and young people and their families who engaged with this project, Sean Stewart (Sussex Police), Lou Roberts (Hounslow Police), Lewis Collins (Croydon Police), Jason Foy (Croydon Police), Richard Cooper (City of London Police), Kelly Hobbs (Tower Hamlets Police), Sean Channing (Tower Hamlets Police), David Hannaway (Haringey Police), Lorraine Hilder (Greenwich Police), Jayne McMahon (Southwark Police), Nsikan Etuk, Karen Masterson (Southwark Police), Caroline Adams (Sussex Police), Douglas Dowell (Magistrates Association), Jon Collins (Magistrates Association), Jo Easton (Magistrates Association), Anna Edmunson (CRAE), Jeanette Hall (HMIP), Kelly Goldsworthy (Probation service), Anna Jones (LBSU), Abigail Sloan (HMP Brixton), Jo Tilley Riley (author of the report Collateral Damage) and Dr Carlie Goldsmith (North), Andrew Legon (lead writer), Louise Potter (Pact Comms Manager), Dali Kaur, (Pact London Community Services), Kristina Dale (Pact Youth Worker), Katherine Copperthwaite (Pact Children & Young People's Advocate), Tim Powell (Designer and Animator).

EXECUTIVE SUMMARY

More children experience the arrest, trial and imprisonment of a family member than those who experience divorce. No one really knows the true scale, because no one collects relevant data. But estimates suggest that around 80,000 children each year witness the distressing arrest of a parent in their home, and over 200,000 children a year will experience the imprisonment of a parent. The recent report 'Collateral Damage'¹, which explored the impact on children of home arrests, asks us to imagine 'what it must feel like for a small child, warmly asleep in bed, to be woken by angry, shouting men in intimidating uniforms kicking down the door, tearing your bedroom apart and finally taking [away] your parent'.

Imagine again a child coming home from school to find out that one or both of their parents are no longer there to greet them; that their flat or house is no longer their home; that they need to be put into care or fostered. They can lose their family, friends, school and support network all at once.

The impact on these young people can be direct and devastating. They are significantly more likely to suffer from poverty and homelessness. Rates of emotional distress and behavioural problems can increase, affecting their education and increasing their risk of suspension and expulsion. They are two to three times more likely to suffer from mental health issues, like depression and post-traumatic stress disorder compared to their peers.

These problems can have far-reaching implications on a young person's life prospects. Ultimately, this group of children is vulnerable to becoming trapped in the intergenerational cycle of offending, with studies showing that six out of ten boys who have a father in prison go onto offend themselves.

The immediate cause of these problems is of course the criminal behaviour of the child's family member. Nevertheless, these issues can be compounded by the way these children are treated, by professionals involved in the arrest, trial and imprisonment of the child's relative, specifically the police, magistrates and teachers.

¹ J. Riley, Collateral Damage, 2016

This report looks at the best ways to minimise any additional inadvertent and unnecessary harm. Equipping police forces, courts and schools with the tools they need to help and support these children could mitigate many of the problems facing these innocent victims of crime.

Main findings of the report

Although there are specific findings relevant to the police, courts and schools (outlined in the sections below) there were findings common across the board.

- The forgotten victims of crime – although many thousands of children are affected each year, this remains a hidden scandal. Many police, magistrates and teachers are unaware of these children and the support they need. Low awareness levels translate directly into low levels of action.
- Mind the perception gap – even within the same police force, court or school there were big differences in knowledge and also differences in what actions, if any, were required to help.
- Training and guidance – for such an important issue, there is a scarcity of training and guidance on offer for the police, magistrates and teachers. Even where they are available, few people use them or even know about them.
- Postcode lottery? More like potluck – in the absence of awareness, training and guidance, practice among the police, magistrates and schools can differ wildly. This was the case even within the same postcodes, police forces, courts and schools. There is an urgent need to standardise core practice.
- Small changes, big impact - even small, cost-neutral changes to the practice of the police, magistrates and schools would make a big difference. There's no need for big legislative change or big spending.

Key recommendations:

What can be done to help these children? The number of children involved, and the issues they face can seem insurmountable. It's easy to assume that any solutions need to be overwhelming, involving policy change or big government-backed initiatives.

Thankfully, that's not the case. This project shows that even small changes can have a big impact on the lives of those affected. It is relatively easy and cost-effective to equip police, magistrates and schools with the tools they need to help these innocent victims of crime.

'The most significant example of a change in practice is in San Francisco...all police now have child development training, which includes getting down to a child's level; giving teenagers time; letting the offender say goodbye; and handing over teddies.'

The recommendations from the project are:

- **For the police**

- ◇ Find out the scale of the problem - a representative police force should run a short data project to provide a more accurate figure of the number of children affected by this issue
- ◇ Train the trainers - the National College of Policing should lead efforts to train all new police in this issue, with individual police forces ensuring those in post also receive training
- ◇ Mandatory guidance when executing a warrant - each police force should provide guidance for officers to help them execute a warrant, including ensuring the presence a dedicated child welfare/safeguarding officer and leaving families with a 'calling card' of useful information

- **For magistrates & judges**

- ◇ Take a proactive consistent approach when issuing warrants - routinely asking the police for a plan to show how they will safeguard dependent or directly affected children (whether or not they are present at the time of arrest) , including plans for their immediate care, and liaison with schools & children's social care.
- ◇ Training and guidance materials need to change - the Judicial College, Magistrates Association, Justice Clerks Society and Local Justice Areas should commit to review the training and guidance on offer to magistrates and see how well it addresses the issues of children affected by a home search or arrest.

- **For schools**

- ◇ Find out how many children need school support - a representative academy chain with schools across the country should track the number of pupils they support who are affected by this issue. Cross referenced with police figures should indicate how many are falling through the gap in support.
- ◇ Adopt the Pact framework for supporting families affected by arrest or imprisonment - schools should issue clear guidance on this issue, including nominating a designated staff member as first port of call for any affected families seeking information and support (<https://www.prisonadvice.org.uk/for-schools>)
- ◇ Teacher training - teacher training colleges and schools should include training modules on how to identify, engage with and respond to the needs of these families

These recommendations, easily implemented, would help mitigate the distress and trauma caused to children by the arrest, trial and imprisonment of a loved one. But the benefits would extend far beyond the individual kids who suffer so much – to the teachers educating these children and working hard to grow their potential, the police officers making our communities safer day in, day out, and the courts trying to ensure that justice is done, and that only the guilty are punished.

The Police

"I wish that the police would have explained to us what was going to happen next."

"I wish the police could have left us with some information about where they were taking my Dad."

The execution of a warrant in a family home - often described by children as a 'raid' - is an essential tool the police use to make our communities safer. Police do not enter a family home without good cause. It needs to be recognized that they only execute a warrant because they feel it is necessary to catch people who they think have committed a crime.

Nevertheless, children witnessing 'a raid' are innocent, and recent scientific research² backs up what children repeatedly told us during this project: it can be deeply traumatic. The charter of rights developed by children and young people as part of this project included four that focused specifically on this issue. How the police behave, what they say and the attitude they adopt when searching a home and making an arrest can have a 'profound impact on the psychological and physical well-being of a dependent child'³. So equipping the police with the tools to better support children is crucial.

A house raid is likely to be the child's first experience of the criminal justice system. Importantly, research has found that for some children, it resulted in 'a general hate for the police' – not because they came into the family home to execute an arrest warrant, but 'for the way [the police] did it'. Such actions can increase alienation towards the police, the criminal justice system and other authority figures, and in turn, we believe can contribute to offending later in life.

"I still think about that day all the time. You get flashbacks a lot. Not flashbacks, but you do drift off and think about it a lot, of course. That was a substantial moment in my life."

²COPING: children of prisoners, interventions and mitigations to strengthen mental health p.94

³Roberts et al, 'Children exposed to the arrest of a family member: Associations with mental health', <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4016966/>

FINDINGS

People need to understand that the police have a difficult role to play

During the training offered to police officers by Pact, one issue was repeatedly raised by police - it's important to recognise that the execution of a warrant is challenging and risky for the police. As one police officer we spoke to said, "risk mitigation and securing evidence is of primary concern." The police are asked to enter a stranger's home; they do not know what they will find or if they will face any resistance. Helping the police to protect children during the execution of a warrant requires a good understanding that - first and foremost - the police have a job to do. Starting from this point of mutual understanding is paramount.

"We have about 30 seconds to secure the premises and to secure whatever evidence is needed."

(Participant in Pact's police officer training).

Nevertheless, protecting any children who are present does not need to get in the way of that – the two are not mutually exclusive. In fact, equipping police with the tools and techniques to help these children means officers are able to meet their duties under Section 11 of the Children Act – to safeguard and promote the welfare of children when carrying out their functions.

Out of sight can mean out of mind – but the police want to do more

It's well established that there is little data collected by criminal justice agencies on children affected by the arrest or imprisonment of a family member.⁴ Combined with scarce (although growing) research into the problems they face, the issue can fly under the radar. During the project, many of the police officers we spoke to mentioned that they had not given much thought to the effect the execution of a warrant could have on a child.

"What I found most useful was consideration to explain what is happening to other family members. Not actually thought about it previously."

⁴ J. Riley, *Collateral Damage*, 2016

On a positive note, the project found the police open to understanding more. Engagement in the training provided by Pact was high and rated overwhelmingly positively. Many wanted to know more about the issue, including case studies of good practice, suggesting that the police want to know how they can help.

Although most police want to help, some do not see it as their job

Many police recognise the usefulness of better understanding the impact their actions can have on these children. Feedback to the training was very positive. But this was by no means universal. Much of the opposition stemmed from the idea that the children's parents should not have offended in the first place. It was "tough sh*t" that children's homes had to be searched, said one police officer. Others felt that they did not have time to focus on the children who might be present, or that the other family members should explain to the child what is happening.

"If the parent's weren't a****holes then we wouldn't need to be"

To be clear, the primary responsibility for the situation confronting these children lies with the family member and their criminal behaviour. It is not the police's fault that they have to enter a family home, or a magistrate's fault that they need to send someone to prison. Nevertheless, it's not the child's fault either. They are just as innocent as any other victims of crime, or any other child in need or at risk. Even if a small minority take a 'tough sh*t approach' to these children, the numbers affected could reach many thousands per year. Each and every professional who comes into contact with these children needs to be made aware of and act on the principle that the sins of the parent are not the sins of the child. Unnecessary harm can and must be prevented.

Police practice – postcode lottery or potluck?

Across the country the way these children are treated ranges across an entire spectrum, from heavy-handed to much more child-centred. Yet unlike so many other social issues in the UK, the support on offer is not a postcode lottery – it's more like potluck.

During the project, officers within the same police force claimed they always implemented best practice, while others said that they never do. During one training session for example, a police officer mentioned that highlighting this issue would have been useful were it not for the fact that it was presented "to a room of police who do everything presented already". Yet sitting just a few seats away, another member of the same force said the most helpful part of the sessions was "tips on how to engage and consider children's needs/welfare".

This suggests there are perception gaps about police behaviour when executing a warrant and the impact it can have on children. This is not the fault of the police. It is understandable given that the issues these children face are complex and, in many cases, only just coming to light.

“I understand its part of our role. However I do not understand the need for a training session on this.”

It would be useful to help the police fill in these perception gaps and ensure awareness and action is standardised. To achieve this across police forces, requires ongoing awareness raising, leadership, the will to change and clear guidance and training.

Guidance and training are lacking

There are minimal resources available to help the police feel well-equipped when dealing with children during the execution of a warrant.

The National Policing College does not tackle these issues in any of their modules. Nor is training provided 'on the job' for the vast majority of police. Previous research found that out of 39 police forces who responded to a FOI request, only one (Suffolk) provided training to officers that raised awareness of the issue of children being present at arrest. Just two made reference to being aware of children in the property. And both of those included children in the same category as dogs or animals that might be in the property.⁵

Where resources are available, but not mandatory, there is evidence to suggest they are not being used effectively. None of the groups that were trained during this project mentioned the Ministry of Justice and Action for Prisoners Families leaflets. Likewise, although the National Police Chief's Council has previously said that it “Promoted the i-HOP training run by Barnardos as an approach that attempts to highlight the impact of arrest and prison on children” not one police force made reference to it during the project.

Training and guidance are required to address the lack of awareness among police, and provide them with the tools to help these children. Even after a short one-day course by Pact on this issue, the majority of participants registered big increases in their knowledge and confidence.

⁵ J. Riley, Collateral Damage, 2016

The Police Recommendations

Recommendation 1: Shine a light on the scale

As long as this issue remains hidden and the scale unknown, there is never going to be the commitment necessary to address the problem head on. Nor will there be the data required to tackle it effectively. It's crucial that the following data is collected:

1. The number of children who witness the search of their home and the arrest, trial and imprisonment of a family member
2. If force was used in the arrest/search and whether the children witnessed it
3. Which family members were searched, arrested and/or imprisoned
4. The age of the children involved

Getting reliable answers to these questions would help the police - and other agencies involved in issues of familial imprisonment - understand the problem, build the political will to tackle it, and track what progress is being made to help those affected.

For police forces: To get a more accurate estimate of the scale of the issue in the short term, Pact supports the call from the Collateral Damage report to run a small data collection project in a representative sample of police stations over a one month period. During the booking process, data would be collected on the presence of children during searches/arrests.

In the longer term, to track progress, all police stations across the country should ask these questions and record the data as standard following an arrest/raid.



Recommendation 2: Training, and training the trainers

There is an urgent need to ensure the police feel equipped with the tools and training they need to help children affected by this issue. Even simple changes to police behaviour could have a big impact, including getting down to the child's level, removing their hat, and turning down their radio. Police would benefit from being trained in the following:

1. A brief introduction to child development and the effects of trauma on the child
2. How to effectively communicate with the child using developmentally appropriate language during an arrest.

For the National College of Policing: include these units in the curriculum of each basic law enforcement training class and as a component of in-service training each year for certified police officers.

For police forces: to ensure those police officers already 'in post' are trained, each police force should ensure they undertake a 'train the trainer' programme. They would then also be able to oversee any refresher courses that might be required throughout a police officer's career.

Recommendation 3: Mandatory guidance

Even where resources exist to help the police on the issues highlighted in this report, they are not well known. As such, it is recommended that any guidance developed on this issue should be made mandatory.

For police forces: Each police force should offer the following guidance for officers before, during and after a home arrest or search.

1. Consider the presence of children during pre-arrest planning:
 - When an arrest or search warrant is planned, police officers should consider issues like the age and likely location of any children when determining the time, place and logistics of executing the arrest and/or search; and whether it is reasonably possible to delay an arrest until the child is not likely to be present.

2. Include a dedicated child welfare/safeguarding officer

- Any action in the home likely to involve children should include a dedicated trained officer, who is responsible for safeguarding any children present. It is their duty to ensure the child is safe, that trauma is mitigated and that an explanation in developmentally appropriate language is provided to the child. One police force we spoke to suggested that they would often take a female officer for this purpose. We respectfully challenge the assumption that gender should be considered a qualification for this duty.

3. Leave a calling cards after a home raid

- Police should leave a 'calling card' after conducting a home raid, providing information regarding next steps and agencies that the families could contact for support. A scheme like this would combat the issue of families feeling confused, abandoned and helpless. This could include appropriate helplines and web-based information.

4. Follow up with the family

- Afterwards, police officers should ensure that follow-up is performed, by a police officer, social worker or other, if the child is temporarily placed with alternative carers.

Magistrates

The decision to send a child's parent to prison is not one that magistrates take lightly. Many will be well aware of the suffering these children can face – from mental health problems to educational issues.

It is only now coming to light that the impact of familial imprisonment can start even before sentencing, i.e. during a home search or arrest. While it's the police who conduct searches and arrests, it is magistrates who typically grant a warrant, giving the police the power to enter a family home where a child might be present. This means that they have a role to play, even at this early stage, to help ensure the needs of these children are met.

FINDINGS

Magistrates are offered little in the way of training and guidance on this issue

Guidance and resources on this issue are rare, either from the Judicial College or training that is provided 'on the job'. Where resources are available, but not mandatory, there is little indication that they are being used. None of the magistrates that we spoke to for this project mentioned the Ministry of Justice and Action for Prisoners Families leaflets targeted at courts.

There is guidance available in the Justice Clerks Society guidance on 'Dealing with Search Warrants' and this informs training for magistrates who need to issue search warrants. The guidance includes a section on 'Children and Vulnerable People' but it's very short and does not strongly encourage magistrates to play an active role in minimising any harm to children:

“We often ask the question: “Are there children or vulnerable people on the premises?” Whilst you are entitled to ask any relevant questions, it would seem to be an abuse of a Justice's discretion to refuse to issue a warrant on the grounds that there are vulnerable people on the premises. The manner in which the search is carried out is a matter for the police, rather than the Courts. A failure by the police to disclose material facts known to them may invalidate the warrant.”

Given that the problems associated with home searches and arrest are only just coming to light, the lack of guidance and its cautious tone is understandable. But as more evidence on this issue comes to light, the guidance available and whether it is sufficient, needs to be looked at carefully.

Magistrates have a crucial role to play

The guidance outlined above suggests that there's little magistrates can do to minimise the harm caused to a child during a home search or arrest. In a response to an FIO request about search warrants and arrest, a Local Justice Area responded to Pact that:

“Magistrates have no grounds to refuse a search warrant which is otherwise lawfully made out on the basis that there are children on the premises. The guidance and the training also clarifies that the manner in which the search is carried out is the responsibility of the police (or other applicant), not the magistrates. In other words, magistrates are in no position to refuse a valid application on the grounds that there are children in the premises, nor do they have power to dictate to the police how they carry out their search to mitigate any risk. That responsibility is the police's alone.”

Nevertheless, magistrates can still play a key role in helping children affected by this issue. Magistrates are entitled to ask the police questions about the presence of any children and vulnerable persons in the home that they're entering. Likewise they can ask relevant questions about the manner of the search.

Asking these questions can remind police of the importance of their conduct during the raid. Indeed, some police forces we spoke to suggested that these sorts of questions from magistrates were one of the biggest motivations for them to consider the needs of children.

Practice among magistrates is patchy

Given the lack of awareness and guidance, it's unsurprising that the project found big differences in how magistrates issue a warrant when a child may be present.

At one end of the spectrum are magistrates who are already taking a proactive approach to protecting the needs of children. For example, before magistrates issue a warrant in Sussex, they ask police for a plan that details how they will take care of any children on the premises. Without a clear plan in place the magistrates request that the police return when one has been developed.

This type of practice appears to be rare however. Of those who responded to the FOI request mentioned above, it was clear that the lack of magistrate power to refuse a warrant had been over-interpreted. Responses suggested that there was very little, if anything, that magistrates could do intervene. Building awareness of the options open to magistrates, and thereby raising standards to the level of those in Sussex, would go a long way to focusing attention on the needs of these children.

Magistrates Recommendations

Recommendation 1: **If you don't ask, you don't get**

Although there's no legal requirement for magistrates to ask the police about these issues, we all have a duty to safeguard children, and they should therefore feel empowered and entitled to do so.

For Magistrates: when issuing a warrant, magistrates should routinely ask the police for a plan to show how they will protect children on the premises. This should answer the following questions:

- Is the property a domestic property?
- Is it likely children will be present at the time of execution of the warrant?
- Is it possible, safe and reasonable to delay execution of the warrant to a time when children will not be present?
- Have the potential risks to any children present been considered?
- Will there be a dedicated and appropriately trained child safeguarding/welfare officer present?
- In the event that the child's parent/caregiver is to be detained, has consideration been given to who will provide care to the child?

If police do not have a plan that answers these questions, where possible and practical, magistrates should ask the police to return when they have a plan in place.

Recommendation 2: Training is essential

Training can help magistrates understand the impact on children of arrest/search warrants and ensure they recognise the role they can play as a safeguard.

For the Judicial College: The College should commit to review the training course for magistrates and see how well it addresses the issues of children affected by a home search or arrest.

Future training should include the following units in the curriculum:

1. A brief introduction to child development and the effects of trauma on the child
2. the impact of custodial sentences on children 'left behind'

For the Magistrates Association: The Association should provide contextual/awareness training to magistrates already in post.

For Local Justice Areas: When magistrates are trained on issuing warrants, they should be strongly encouraged to ask questions, as standard, about the presence of children and police plans regarding their safeguarding.

For the Justices' Clerks' Society: Given warrant training is – we understand - based on the Justices' Clerks' Society guidance, it is recommended that the guidance is changed to more strongly indicate

Schools

Schools are the one place that all children attend, irrespective of their family situation. They are on the frontline of the issues that arise when a child's family member is arrested and imprisoned – from anti-social behaviour and educational problems, to bullying, truancy and exclusion.

Schools have the opportunity to make a positive difference to these children. Offering the right support to a child during the crisis period of a family member's arrests and imprisonment can have a profound impact on their education, as well as the development of their character and potential.

“Then I was told I had to go to school the same day and that was even more devastating because I didn't know what people were going to say to me. I didn't know what was going on.”

“I went back to school. I felt different. I felt like I had done something wrong. I kept it all to myself. My friends didn't know.”

FINDINGS

Awareness of these children is low and many feel ill equipped to help

Despite the large numbers of children affected by this issue, knowledge of these children and the issues involved were low among teachers. Nearly 6 in 10 teachers that we trained did not think their knowledge, before receiving any training, could be rated as 'good'.

This lack of knowledge was not simply due to an absence of information. Awareness was also impacted by common misperceptions about crime. We encountered some teachers – from more affluent schools and areas – who did not think the issue was relevant for them, because

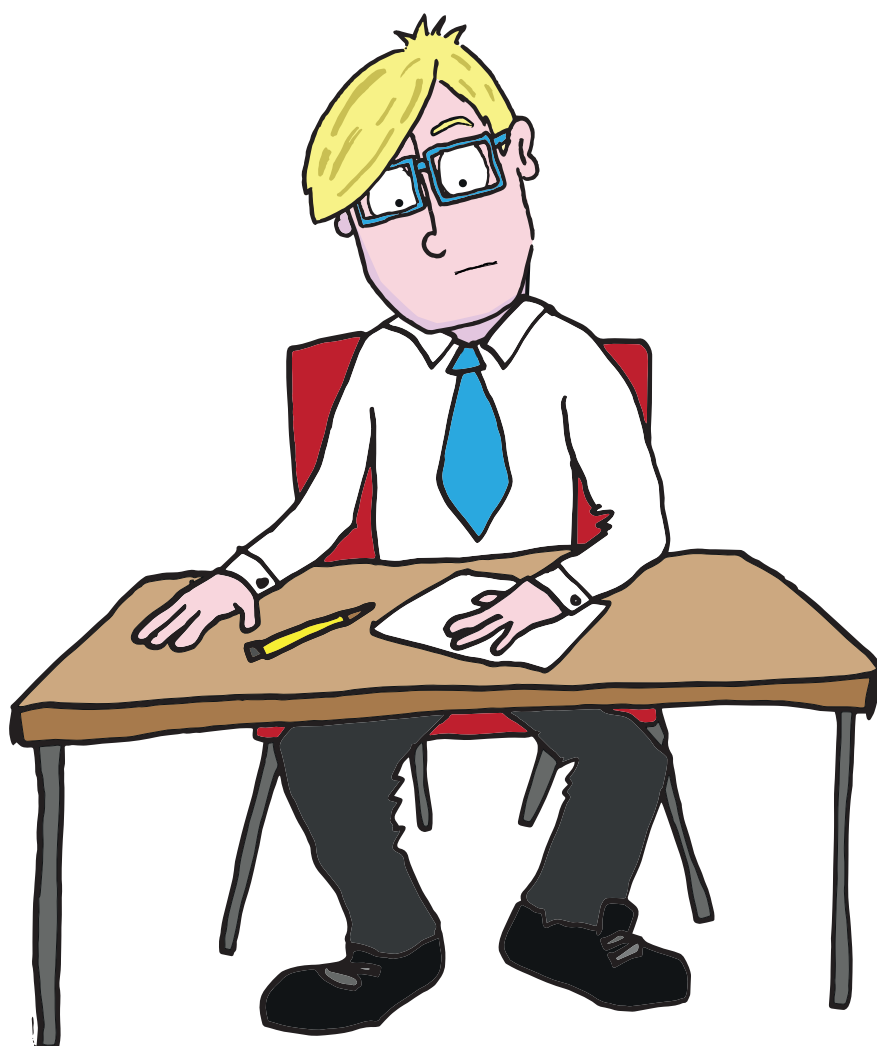
their school was not 'that sort of place'. It was also reported during our training that some schools thought that openly supporting a pupil with a family member in prison would represent a reputational risk to the school.

A lack of awareness about familial imprisonment translates directly into a lack of confidence when dealing with any children who may be affected. While schools are often excellent at providing support to the children of divorced or separating families, many did not know what to say or do if a child's behaviour suddenly changed because their parent or sibling had just been arrested. Nearly half of the teachers we spoke to did not feel confident providing support to a child with a family member in prison.

Stigma means that identifying pupils who need support is difficult

School staff are often the first people to identify when something is bothering a child; most teachers are aware of families going through separation. But although more children are affected by a parent in prison than divorce, many teachers trained during this project did not know any such children among their pupils.

This is largely due to the stigma associated with having a parent in prison. Young people who we worked with on the project repeatedly told us that they felt scared and embarrassed going to school.



“So many things were going through my mind, like whether people at school would ask questions like...why were there so many police vans outside your house?”

This stigma means families do not ‘speak up’ and seek support. And without understanding what a child may be going through or what support is required, the impact on a child’s education and behaviour can ripple through into young adulthood and beyond.

Teachers lack sufficient training to tackle this issue

Although teachers are trained in a variety of ways to help and support the children they teach, clearly there is a lack of sufficient training on issues of familial arrest and imprisonment. This is why so many feel ill equipped to support a child who may be suffering the consequences of a parent recently arrested or imprisoned.

Teacher training colleges do not cover the issue. Nor is training provided ‘on the job’ for the vast majority of teachers. Yet after just a short one day course on children and familial imprisonment, all of the participants felt confident or very confident supporting a child with a family member in prison. Standardised training would clearly help ensure that no child falls through the safety net that schools can provide to these children.

Schools Recommendations

Recommendation 1:

Find out the scale of the problem

Because of the stigma surrounding the issues highlighted above, it's important to try and identify the number of children who may be suffering silently at school. This will help build the case for action to help support these children.

For schools: a representative academy chain with schools across the country should track the number of pupils they support who are affected by this issue. This can then be cross-referenced with data from the police, and would give an indication of the number of children who require support from teachers and schools.

Recommendation 2:

Guidance

For schools: all schools should adopt a framework for families with a close relative in prison or at risk of a prison sentence. This can be displayed on the school website and should be available to parents on request. Information can be included in newsletters and parents will be advised that the school supports families affected by imprisonment at open days and other similar events. The framework (which Pact has developed and can now be downloaded and used free of charge) should include the following actions:

1. The school will appoint a designated person from the school staff team to act as the first point of contact for information and advice on this issue
2. The school governing board should nominate a governor to support the designated staff member
3. The school should include the imprisoned parent in their child's education
4. Absences from school should be allowed, where permission is requested and it is reasonable to do so in order to visit a family member in prison – the child should be helped to ensure they catch up on any missed work.

Recommendation 3: Train the trainers

Teachers need to be trained on the impact of the arrest and imprisonment of a family member and their educational and emotional needs.

For teacher training colleges: include the following units in the curriculum

1. How to identify, engage with and respond to the needs of children with a family member arrested, on trial or in prison

For schools:

1. Each school across the country should have at least one teacher who is trained to deliver the above training unit.
2. They should also receive basic advice and training on how to tackle the stigma surrounding familial imprisonment to foster a positive school environment, in which parents/care-givers are comfortable sharing information with a trusted individual within the school, and know the child will be appropriately supported. In particular, schools can focus personal, social, health and economic (PSHE) lessons and assemblies on the issue of imprisonment.



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