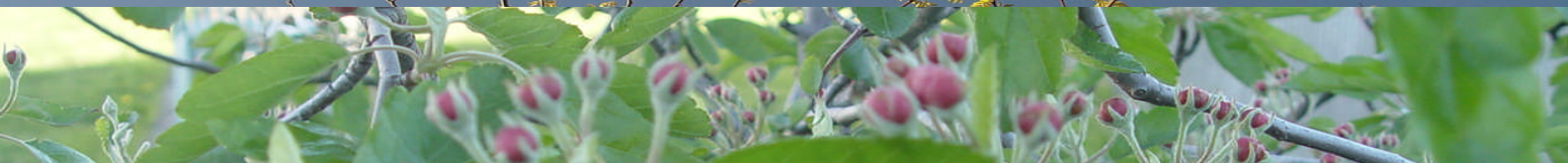




Invisible Children

First year report: A study of the children of prisoners



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The Lottery Community Sector Research Committee considers applications from community organisations to carry out research or evaluation projects. The fund supports projects that offer community benefits at a local, regional or national level.

Invisible children

First year research report
'A study of the children of prisoners'
2009

Liz Gordon



Invisible Children is the first-year report of a three year research project entitled 'A Study of the Children of Prisoners'. Please contact the project through the Research Director, Liz Gordon, at lizgordon@paradise.net.nz, or ph 03 980 5422, P.O. Box 2031, Christchurch.

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P.O. Box 10-290
Philipstown
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Telephone: +64 3 377 3990
Facsimile: +64 3 377 3991
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Over 40 caregivers and children let us into their lives and shared their hopes and fears with us. We hope that we have been able to faithfully represent your views through this study.

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Verna McFelin
Liz Gordon

Executive summary

The number of prisoners in Aotearoa/ New Zealand is being driven up by policies and practices that extend prison terms and imprison more offenders. This trend is set to continue for the foreseeable future.

There has been virtually no research undertaken in this country that examines the effects of imprisonment on the families and children of prisoners. The aim of this study is to begin to address that gap.

The research approach is community-based and collaborative, aiming to build the community sector's research capacity while undertaking high quality research.

The study will estimate how many children have a parent in prison, the social, health, family and educational needs of that group, the role of community organisations, what the international literature says and, over the 3 years of the study, develop a framework for community intervention.

The study received ethical approval from the MRHEC and support from the Department of Corrections. The method has three parts: a survey of prisoners, qualitative interviews with the caregivers of prisoners and some children and a series of interviews with government and community stakeholders. The aim is to accumulate knowledge over the three year research period.

The prisoner survey was undertaken in Paremoremo, Christchurch Men's, Christchurch Women's and Arohata prisons, and surveyed a total of 137 prisoners who had agreed to take part on a voluntary and informed basis.

A total of 46 interviews were completed with the caregivers and some children of prisoners. These were written up and collated into themes using the qualitative research tool NVivo.

A further 26 interviews were completed with government and community stakeholders. These were entered into a spreadsheet and analysed.

The concept of 'invisible children', the title of this first year report, is derived from the international literature but is seen as particularly apt at this point in the project. Invisibility relates to children in the arrest, sentencing, incarceration, visiting, and health, educational, social and economic effects of parental imprisonment. They are invisible in both policy and practice, and their needs are rarely a priority.

In support of this view, the policies and practices of a range of government agencies are discussed.

A child is present at about one in five arrests. This is an international estimate and our first year results support it. It appears that the needs of children are rarely considered in the arrest process, and we were given several instances of quite violent and disruptive arrests in front of children.

Children are not really welcome in New Zealand courts for their parent's trial, although a number do attend. In principle there is no room for contact between parents and children in the context of the court, and that is unlikely to change. On the other hand, informally police and court

officials do often assist family members to see the prisoner after sentencing.

From our first year study, around 87% of women prisoners and 65% of male prisoners have children. For every person in prison, whether they have children or not, there is an average of 2.2 children. These figures will be refined after year two and three findings. Māori and pakeha prisoners appear to have roughly the same number of children.

Children have difficulties getting to see their parents. Well over half live more than an hour's drive from the prison. PARS helps some with travel grants but these are not always enough. Families are very critical of facilities and staff at some prisons, but others were considered good.

Nationally and internationally, the families of prisoners tend to be among the poorest in society. Recent reports have shown that New Zealand ranks low on measures of child welfare, and there are increasing income and welfare inequalities. In our study, all but six of the families lived on benefits or superannuation, and most were struggling to make ends meet.

On top of the ordinary burden of low and fixed incomes, the families had to contend with a range of issues, including loss of wages, prior debt, costs of moving house, and additional costs associated with maintaining and visiting the prisoner.

One area highlighted was the high cost for prisoners of making phone calls from the prison, at a fixed rate of 99 cents per minute. This makes it very hard for prisoners to maintain contact with their children, with families struggling to pay for phone cards. We suggest that alternatives be explored.

Many of the families received economic support such as food parcels, contributions from churches, family and community and assistance from schools. Many of the children get Christmas presents through the Angel Tree process. Some families are unwilling to discuss their circumstances with others and as a result get no support at all.

There are a range of social factors that impinge on the children of prisoners, including increasing inequality and Māori disadvantage. The social effects of imprisonment on children relate to family changes, transience, health and education problems and increasing likelihood of alienation and criminal behaviour.

The families and children bear significant social costs. Some have supportive environments, but others either decline to reveal their circumstances, or face sanctions when they do so. The fear of a negative reaction is sometimes enough incentive to keep their situation secret.

Some of the stories we were told were of personal circumstances that shattered potential social relationships, either at an adult or child level. High anxiety levels, coupled with a desire to hide away, make for stressful families.

Some families move to get away from the local area, in search of cheaper housing or for positive reasons such as a 'new start'. Quite a few children end up living with extended family members, such as siblings or

grandparents. Most of the grandparents are keen to do what they could for their mokopuna, but find it difficult to cope financially.

There is a lack of literature on the health effects of prison on both prisoners and their families, but recent research and inquiry work is bridging that gap. Internationally, the literature describes a wide range of health effects for the children of prisoners.

There are three main health effects noted in the literature and in this study: physical health needs, emotional health and mental health and conduct disorders.

A wide range of emotional issues were noted in this study. These include anger, nightmares, bedwetting, low self-esteem, anxiety, depression, shame and attachment problems.

Physical health problems include asthma, eczema, psoriasis and a range of allergic and nervous disorders. Sleeplessness and lack of good nourishment were also noted.

A number of children demonstrated mental health or conduct disorders, especially as they got older.

We noted that health problems changed over time, with emotional upset, attachment and physical problems when the child is young, anger, violence and bed-wetting during middle childhood and a range of at-risk behaviours involving drugs, sexualised behaviour and acting out once the child reaches adolescence.

We did not specifically ask about health programmes and interventions available to assist the young people, but there appeared to be few available. We will follow this up in year two.

The international literature considers the link between educational success and staying out of prison to be a strong one, if not well understood. There are a variety of elements to this, include high self-esteem, likelihood of having a well-paid occupation, better opportunities and also a likely justice bias in terms of charging and sentencing a person.

A key public policy issue is whether more money should be spent on education to prevent criminal behaviour, or not. There are a variety of programmes that may be successful, but they require early intervention and a strong political will for change. The conditions for such a change do not appear to be in place currently in New Zealand, or other nations like ours.

The Ministry of Education does not have sector wide research, policy or practice relating to the children of prisoners, but is very willing to work to examine what is needed at the school level.

A number of the children have changed schools as a result of the imprisonment of a parent, and for a variety of related reasons. Some children have low attendance rates at school, and some find it difficult to concentrate when they are there. Some are bullied, and some are bullies. As a result of these various trends, nearly all of the children in this study are at risk of failing at school, despite the fact that school personnel are usually very supportive of the children.

The report briefly considers the very large literature regarding intergenerational recidivism, including the need to understand Māori as a group who have, in recent years, been subject to high and growing rates of imprisonment. Two main reasons are given for this: the colonisation argument which sees the justice institutions as biased at all levels towards Māori, and the high relative levels of deprivation and other risk factors that exist among Māori.

This means that even if the social and economic factors were removed or ameliorated by social service work and government policies, there may still be an institutional bias. We were told that since the Ruatoki raids the Police have been reviewing their policies and procedures, and have brought in new rules around search and seizure. This is a good start.

In our survey of prisoners, Māori were far more likely than pakeha to have lived, as a child, with someone who went to prison. The most common relatives to have been imprisoned were fathers, uncles, brothers and cousins, but there were also a substantial number of female relatives imprisoned.

One issue that was brought up by several stakeholders was what we call the normalisation argument. This states that children and family members should be kept as far away as possible from courts, prisons and the justice system, so that they do not begin to treat that system as if it were a normal part of life. In this view, children learn to become prisoners by observing their parent.

The community agencies tend to hold the opposite view. From their perspective, it is separation, trauma, emotional insecurity and attachment problems, as well as social and economic deprivation that make it more likely that children will offend when they grow up. Maintaining healthy and good quality relationships with their parent through childhood will foster emotional stability and high self-esteem, making offending less likely.

Our study found little evidence for the normalisation thesis. Only five prisoners were identified who appeared to fit the criteria as having always treated prison as a normal part of life, and it really is difficult to know whether this is the case. However, we will continue to investigate this issue.

The final part of this report considers briefly the practice implications of what we have learned in the first year of the study. The economic, social, health and educational gaps are considered, and it is argued that in each area, a lot of work appears to be needed.

The final section is called 'making children visible', which examines the work of a number of the community organisations that we interviewed for the study. Organisations such as PILLARS, PARS, Early Start, Family Help Trust and others work to improve the lives of the children of prisoners every day, which policy organisations such as the Howard League and the Henwood Trust work at the policy/practice interface.

The team are keen to get feedback from individuals and organisations on our first year findings, and to discuss with people how to get excellent results over the next two years.

Introduction: A research agenda for the community sector

The plight of the children of prisoners has been of growing interest to researchers, criminologists and community workers in recent years. The main reason for this interest is that "the number of children with parents in prison is increasing in many countries worldwide" (Murray et al, 2009 p. 7). Research overseas has thus been driven by policies that have led to high and increasing levels of incarceration. In New Zealand, however, little such research has been done, with the single exception of Kingi's work in the late 1990s on women prisoners and their children (Kingi, 1999). New Zealand has followed the same policy track as other countries but has not accompanied this with quality research on the effects of increased imprisonment on families and communities. In a recent article, Kingi calls the families of prisoners the "forgotten victims" (Kingi, 2009 p. 163).

A brief look into the past demonstrates how prison numbers have grown. The 1987 Commission of Inquiry into the prison system (Roper, 1987) stated what it called the 'unpalatable truth' that:

The public through the submissions made to this Committee, has expressed its concern at the increase in violence and has called on it to find solutions. It is not unfair to say that the public now has the community it deserves. For the last two or three decades permissiveness has gone unchecked; domestic violence is rampant; the 'macho' image has been encouraged by advertising for commercial interests to the detriment of women; aggressive behaviour and violence in 'sport' has become accepted; pornography has become accepted as the norm, as has violence in the visual media; racism has increased; economic inequality with its attendant stresses and frustrations has increased; illiteracy and lack of parenting skills are common and awareness of spiritual values is sadly lacking.

At the time, the report notes, there were around 3,000 inmates in New Zealand prisons, historically a high number.

A particular concern of the report was the tendency of imprisonment to further spread criminal values and entrench them in our society. Prisons fostered criminal thinking, lack of social competency, an unhealthy dependency on others to provide the necessities of life, time-wasting, personal incompetence, separation from family and community, self-centredness, a reduction in workforce skills, health and mental health problems and feelings of personal inefficacy (ibid).

It was argued that if prison numbers were to grow, and the system remained focused on punishment rather than 'habilitation', then such values would escalate, along with the numbers in prison. This prediction has come true.

By the end of this year, 2009, it is expected that there will be nearly 9,000 prisoners in New Zealand prisons. Far from reducing prison numbers, the policy approach of successive New Zealand governments has seen numbers escalate, with more crimes attracting prison sentences, and longer

sentences for many serious crimes. The 'deserved' community described by Roper is still with us, and the prime response to crime is still imprisonment.

Another factor has entered into the political equation since the Roper Report. Organisations such as the Sensible Sentencing Trust have risen to great media prominence, reflecting what they claim to be the voice of the victims of crime. That 'voice' is always in support of longer and harsher sentences, and the further dehumanisation of criminals. Even a brief scrutiny of articles on the organisation's website¹ shows the desire for longer prison terms and greater use of imprisonment.

The Roper report is very much water under the bridge, with a series of recommendations that were never implemented into policy. The lived reality experienced by the families and whānau of prisoners, and by the agencies that work with them, is that an increasing number of people are spending increasing periods in prison, and that this has a range of so far undocumented effects on families and communities.

The current project is a first step to understanding the situation and needs of this group, through a focussed and comprehensive three year research project.

A community perspective

The need for this project was articulated in 2005 by Verna McFelin, Chief Executive of PILLARS. The mission of PILLARS is as follows:

To work towards a crime free society by providing support services to youth and children of prisoners and their families/whānau, aimed at breaking the cycle of intergenerational crime and lowering the rate of imprisonment.

For a number of years, PILLARS had been collecting and archiving research findings from other countries. While New Zealand was following in their penal policy footsteps, it did not necessarily mean that the overseas research could 'speak for' New Zealand families. This was especially true because of the over-representation in prison of Māori, a population with unique indigenous, cultural and other characteristics:

Relative to their numbers in the general population, Māori are over-represented at every stage of the criminal justice system. Though forming just 12.5% of the general population aged 15 and over, 42% of all criminal apprehensions involve a person identifying as Māori, as do 50% of all persons in prison. For Māori women, the picture is even more acute: they comprise around 60% of the female prison population (Policy, Strategy and Research Group, 2007 p. 6).

For this reason and others, PILLARS believed it was important to undertake some New Zealand research into the effects of imprisonment. The organisation teamed up with its programme evaluator, Network Research Associates, to apply for research grants. It took several years and two unsuccessful applications to get the funding necessary to carry out this research.

¹ <http://www.safe-nz.org.nz/articles.htm>

In 2008, Lotteries announced the launch of a new research fund aimed at building research capacity in the community sector, the Lotteries Community Research Fund. From the organisations' perspective, it almost seemed designed for this project.

As it turned out, the research fund committee agreed with this assessment, offering strong support for the first year of funding. There is currently an application in for year two funding.

In the spirit of building research capacity, the staff at PILLARS have been heavily involved in all elements of the study, learning about undertaking quantitative surveys in the prison environment, qualitative work with families and children, and in the stakeholder interviews.

The heavy involvement has been an unexpected offshoot of the research programme, but one which has raised all sorts of possibilities about future collaborative work between research and community organisations.

The main intention of the study was to provide high quality research findings to assist community organisations to improve their practice when working with prisoners and their families, and especially with the children.

Community organisations are looking for advice and assistance for working more effectively with these whānau. The main product of the project for the sector will be a practice manual, and related seminar, to be provided towards the end of the third year of the project.

During the first year of the research, however, interest in the study has been far wider than just the community sector. Government sector agencies have expressed their strong interest in the findings of the study, for both policy and practice purposes. Agencies and individuals involved across justice, health, education, social development and related organisations have stated their interest in the findings.

As a result of this high interest, we have committed to maintaining a conversation over the whole period of the research with all interested groups, both reporting on current approaches and practices and also consulting about approaches that may more effectively serve the interests of the families and children of prisoners.

It was not originally intended to publish the first year findings, but as part of continuing liaison it seemed important to disseminate them widely. In year 2, when we approach the agencies again for interview purposes, they will be better informed about the issues facing the families, and we hope will be able to engage in the research more effectively.

Project aims

The aims of the project are as follows:

1. To gather data to assess how many New Zealand children currently have a parent in prison, and how many current prisoners themselves had a parent who spent time in prison.
2. To assess the social, health, family and educational needs of the children of prisoners, and to understand the impact of parental imprisonment on the child.

3. To examine the roles that agencies and community organisations play in relation to the child-prisoner relationship, and what services are provided (if any) for the children of prisoners.
4. To provide a brief analysis of the themes emerging from the international literature of the children of prisoners.
5. To develop, over the course of the study, a framework for action to provide the basis for agency intervention to prevent poor child outcomes and inter-generational imprisonment.

These aims and the methods described in the next section were approved and confirmed by the Department of Corrections, with whom we have a research contract for the prisoners' survey and consultation, and by the Multi-Region Health Ethics Committee.

Methodology and personnel

There is an increasing number of studies internationally that examine the effects of imprisonment on families and children. Unfortunately, many of them are small scale and deal with only one aspect at a time. But there is still remarkable agreement across nations and between studies over the effects of imprisonment on children, although different interpretations of the causes of those effects (Bears, 2008; Codd, 2008; Fergusson et al, 2004; Gabel & Johnston, 1995; Hairston, 2001; J Murray, 2005).

While New Zealand is a small country, it would take a very large research project to fully understand the effects of parental imprisonment on families and children in a definitive way. To that extent, this study is both a starting point and an exploration.

However, our aim is to be able to provide some certainty over the three years of the study by producing results that can be replicated and extended by others. For example, the first aim of the project is to be able to cite a reliable estimate of how many children, on average, prisoners have. This figure is very important because it impacts on both public policy and also the work of community organisations.

We have therefore chosen a three-part study that examines the topic from a range of perspectives. The three parts include a survey of prisoners, qualitative interviews with families and children of prisoners and stakeholder interviews with government agencies and community organisations that work with, or have an interest in, the children of prisoners. Each part of the study will be repeated and extended over the three years of the study.

Some researchers suggest that a much more detailed and rigorous research process is required. One researcher suggests that:

To fully understand the needs of children with incarcerated parents, the child welfare community will need to promote and undertake quantitative and qualitative research on the effect of parental incarceration on children. Ideally, this research will include sufficient sample size, employ adequate comparison groups, gather information directly from children, and follow subjects for a substantial length of time (Seymour, 1998).

Seymour goes on to suggest a large number of research questions that need to be answered, many of them similar to issues raised in this study, around number of children, living arrangements, relationships in and out of prison and outcomes for the child. This study provides a series of snapshots rather than a longitudinal survey, but to an extent intends to satisfy Seymour's call for a detailed and rigorous process.

The prisoner survey

Undertaking a survey of prisoners involves negotiating a series of human, institutional and ethical barriers which affect aspects of the style, content and form of the survey.

The human constraints involve consideration of literacy and attention issues. Many studies have shown that levels of adult functional literacy

among the prison population are low, with around half the prison population having difficulty reading basic texts. Problems with attention span derive from conduct disorders (such as hyperactivity) and mental ill-health faced by up to half of the prison population. We developed a simplified, colour-coded survey that could be completed by people with very low levels of literacy in paced group sessions. Each session would be run by a team of three people: someone to introduce and read out the survey, and two people to run the survey process and assist participants who had difficulty with the form².

Three main issues had to be negotiated with the Department of Corrections and the Multi-Region Health Ethics Committee (MRHEC): a process of random selection, gaining informed consent from potential participants and maintaining privacy and confidentiality.

The MRHEC has particular guidelines relating to work in prisons. The Guidelines for the Operational Standards of Ethics Committees states (clause 370):

The primary issue surrounding the participation of inmates in research has always been whether inmates have a real choice regarding their participation in research, or whether their situation prohibits the exercise of free choice. A secondary issue is whether confidentiality of participation and of data can be adequately maintained in the prison.

The guidelines note that there are numerous problems, especially gauging the level of coercion, the potential desire to participate to gain benefits, the inability to assess research risk in the prison environment, and the need to ensure inmate autonomy is not circumscribed.

However, where a process of informed consent can be demonstrated, and the research is 'potentially beneficial' to the population under study, "inmates should be allowed the opportunity to participate" (clause 373). Given this last point, we were confident that we could develop an ethically sound and beneficial research approach.

Random selection, a process in which a sub-section of a known population is chosen by chance, is difficult in a restricted environment. But it was important to us because of the need to build up a statistically sound sample, to produce findings with a reasonable level of confidence.

Informed consent was also a problem, as it implied providing significant information to prisoners in a form that would allow them to decide, on their own terms, whether to participate.

The Department of Corrections wanted us to turn up 'on the day' and seek volunteers, but that approach, while meeting the standards of privacy and confidentiality, failed the randomness and informed consent tests.

It was therefore agreed that a letter and a copy of the project information sheet would be sent to randomly selected prisoners at the targeted sites. We undertook the selection using prison numbers, and the Department of Corrections mail-merged them into labels, which they stuck on the envelopes we provided, and couriered them to the prisons, according to an

² Sample copies of the survey form used are available to view.

agreed timetable. This involved some work by the Department, but it was the only way to meet the various constraints we faced.

The survey sought information, mainly of a 'tick box' nature, on four themes: ko ahau tenei (about you); nga maumahara (memories of when you were a child); oku tamariki (about your children); and te oranga o nga tamariki (how are your children).

Three hundred and sixty prisoners from four prisons³ were invited by letter to participate in the survey. We hoped to get a response rate of around 60%, but in fact it varied significantly between the four sites. We learned that how the letters are delivered, and how the units brief the prisoners, is all important in gaining recruits for the study. Response rates ranged from 15% at Paremoremo to nearly 50% at Christchurch Men's and Arohata. Christchurch Women's managed 40%.

The prison surveys were undertaken by experienced researchers in three teams. The Paremoremo team was led by consultant Kārena Stephens-Wilson, and took a kaupapa Māori approach. The Arohata team consisted of Lesley MacGibbon, a highly experienced researcher, Margaret Langley, a Masters Student in criminology and Liz Gorham, our research intern. The Christchurch team was led by Jill Steele and consisted of Liz Gordon, Ray Kamo (Kaumatua) and PILLARS staff Verna McFelin and Karen Currie.

Most of the sessions took place in unit dining rooms. Once the team arrived, prisoners would be called into the room. Prisoners were greeted in Māori or English, and the study explained. Participants were then asked to sign a consent form before the survey forms were given out.

Once the consent forms were handed back in and stored, the surveys were given out. The survey leader then read out each question, and answered any queries raised.

Once the surveys were complete, those who were parents were offered a letter with label, stamp and seal to send to the caregivers of their children, inviting them to participate in the caregiver interviews. At the end, the prisoners were thanked and given chocolate as a koha⁴.

137 surveys were completed in total. These were entered into an Excel 2007 spreadsheet and the results analysed using non-parametric statistics.

Interviews with caregivers and children

We decided to appoint a young criminologist, Liz Gorham, as a research intern to undertake the caregiver interviews. She had previous international experience working with organisations that cared for the children of prisoners. Liz was based at PILLARS and carried out off of the interviews.

Two detailed qualitative interview schedules were developed, one for the caregivers of the children of prisoners, and one for the children themselves. The interviews covered personal information about the family/caregivers/ children, then questions covering finance, accommodation, contact with the prisoner, arrest, trial and prison visiting, community,

³ Christchurch Men's, Christchurch Women's, Paremoremo and Arohata.

⁴ Given prison security restrictions, negotiating an acceptable koha is difficult.

education, health, emotional concerns, childrens' involvement in crime and a range of other questions. The adult survey took around 45 minutes to complete and the child survey about 20 minutes.

Participants were recruited using two methods. We contacted a range of community organisations that worked with the families of prisoners, and asked them to approach families they knew to find us some volunteers to interview. We also provided a letter for prisoners with children who took part in the study to send to the caregivers of their children. The letter asked caregivers to ring our 0800 number if they were interested in participating. They were then sent the information sheet and signed a consent form prior to the interview.

Three criteria were used to assess whether children could take part in the interviews. They had to be eight years of age or older, the caregiver had to agree, and the child also had to go through a process of reading an information sheet and signing a consent form. In the event, few young children took part, and most of the 'child' respondents were adolescent or even adult children of prisoners. Interviews were transcribed and entered into NVivo, a qualitative research analysis program.

This sample was, to a great extent, self-selected. The family had either turned to a community organisation for assistance, and had subsequently been asked to contact us and had agreed, or had been sent a letter via a prisoner and had chosen to ring our 0800 number. The families in our sample thus appear to have some motivation for wanting their story to be told.

It is therefore possible that this group will tend to be more empowered, more articulate and less alienated than the overall family-of-prisoners population. By definition this hypothesis cannot be proved, but it is worth keeping this in mind as we go through the findings.

The aim was to undertake 40 interviews, and 46 were eventually completed. A koha of a \$20 voucher was given to the caregivers and older children, and the younger children received chocolate.

Stakeholder interviews

Around 30 stakeholder interviews, involving up to 50 people, were carried out in this first year of the study. The stakeholders were a range of government agencies, individuals and community organisations who had something to contribute to the project. Sometimes, one interview would lead to another. For example, we raised the question of access and facilities for children in the courts with the Ministry of Justice, and were referred in turn to the Acting Chief District Court Judge, with whom we discussed a wide range of issues around court processes.

The stakeholder interviews were undertaken jointly by Liz Gordon (research director) and Verna McFelin (chief executive of PILLARS), except for a small number undertaken by Liz on her own. The interviews proceeded in three parts, as follows:

1. An overview was given of the size, scope and timeframe of the report.

2. A series of eight qualitative questions were asked relating to past and present policies, practices, research and other information and materials held by the agency.
3. Interviewees were asked whether and how they wanted to engage with the project over the three years, given the potential over the period for taking a developmental approach by working collaboratively.

These interviews elicited excellent information and also an extremely strong interest by agencies, whether government or community, in the findings. Most wanted to stay strongly engaged in the process, and also to contribute what they could. As a result, we received lots of materials and assistance from agencies, as well as many suggestions to improve or extend the study.

Material from the stakeholder interviews was transcribed and summarised and placed on a single Excel spreadsheet. Additional material provided by agencies was collected and stored for further analysis. This material included policies, programme evaluations, background papers and bibliographic information.

Review of the literature

Literature was collected from three separate sources and added into a bibliographic program, Endnote X2. The three sources were:

- literature collected by PILLARS through prior review work and in the course of its community work;
- bibliographic searches of 'prisoners' and 'children' undertaken using Proquest, the Web of Science and Google Scholar; and
- material provided by academics, community organisations, government organisations and earlier reviews and analyses.

By the end of October 2009 there were nearly 200 references in the list, of which only a handful were New Zealand based. In this first year report, we have briefly listed, in each section, the key points made in the literature relating to each issue (e.g. health, economic factors or prison visiting), prior to outlining our main findings. We expect to refine and expand the literature review in subsequent years.

The concept of invisible children

The notion that the children of prisoners are 'invisible' derives from a range of international studies. In summary, the literature frequently claims that while children tend to have a variety of unmet needs across social, emotional, education, health and family sectors, these are often not identified at all, except as part of some bigger, amorphous, group of deprived or disadvantaged children.

The concept of 'invisible' or 'forgotten' children pervades the literature. The following extract from an Australian study is typical:

Child punishment is often the other side of the coin to parental imprisonment. This is one of those shadowy corners of the criminal justice system seldom spotlighted. In our society, prisoners are marginalised; their spouses and adult friends isolated and hidden; while their children – to all intents and purposes – are invisible (Cunningham, 2001 pp. 35-36).

Not only are the children invisible, but they carry around with them a set of built-in disadvantages:

Little is known about what happens to children and families when parents are arrested and jailed. The few studies that are available seem to indicate that children whose parents are incarcerated are more likely than other children to:

- show developmental delays and gaps
- do poorly in school
- suffer emotional distress
- develop substance use disorders
- commit multiple serious delinquent acts
- be incarcerated themselves during their lifetimes.

But for the most part, children are ignored when their parents are arrested and incarcerated - by all of the divisions of the criminal justice and child-serving systems. Little is known and even less is collected and recorded (Walker, 2005 p. 3).

The main point is not that children are deliberately ignored, but that agencies that work within the justice system are child-blind, failing to recognise the 'collateral consequences' for children of parental incarceration (Hagan & Dinovitzer, 1999). On the other hand, social agencies, while aware of the effects of disadvantage on children generally, may not be responsive to, or even aware of, the particular issues facing the children of prisoners.

It is widely noted in the literature that we are living in a period of policies of increased incarceration. While much of the writing on this relates to the explosion of prison numbers in the United States, a similar, if smaller, increase is evident in a number of other countries, including New Zealand. The implication of this growth is not considered to be that children become more visible, but that more children become invisible. This is a major concern:

It should not come as a surprise that the presence of parents in U.S. prison populations is growing, although relatively little attention has been given to this. This change is a result of the increasing reliance on incarceration as a criminal sanction ... [A]bout two-thirds of incarcerated women and more than one-half of incarcerated men are parents of children under eighteen years of age. Recent estimates show that more than 1.5 million children have a parent who is incarcerated in the United States, and many more children will have a parent incarcerated during a period of their lives. This grim reality should be a major policy concern because the imprisonment of parents... can severely diminish the economic and social capital on which families and communities depend to raise children successfully (Hagan & Dinovitzer, 1999 p. 137).

The literature widely argues that social and justice agencies fail to recognise the situation and needs of the children of prisoners. This is not a cruel and callous dismissal of the children, but a failure to recognise that the arrest and incarceration of a parent is likely to impact in a range of negative ways on the children. More particularly, there is an implication that, through policy and practice, agencies could do a lot more.

There have been attempts internationally by agencies that work with the children of prisoners to increase the visibility of the group, sometimes in ways that are both positive and creative. Some of these will be discussed later in this report, while others will be discussed later in the three year project.

There seems to be three levels of invisibility that children may suffer. The first is institutional invisibility, wherein the policies and practices of government agencies are blind to, or ignore, the needs of the children of prisoners. The second form is where children lose contact with, or rarely visit, prisoner parents against their will. The third form of invisibility is where children have one or more unmet needs which result from their situation which are not recognised as being the result of the incarceration of a parent. Emotional and conduct problems often fall into this category.

Institutional invisibility

Government agencies that we interviewed as stakeholders were very ready to engage with us on the question of the visibility or otherwise of prisoners' children in their policies and practices. Our baseline finding is that the children of prisoners have indeed been almost invisible in the research agenda, policy and areas of practice in New Zealand, but organisations expressed a lot of interest in beginning to understand and acknowledge this problem, especially where action could prevent the children of prisoners ending up in the justice system themselves. Some work has already started in the justice and health sectors.

In some sectors, issues relating to children and justice have received some attention at the policy level. Often there are several drivers to this current work. For example, the police have recently revised and developed new policies in relation to children during the execution of search warrants, a need that developed specifically out of concerns over a series of raids undertaken in 2007 in the area around Ruatoki, which involved armed offenders entering family homes. Other police policies include:

- 'kids in labs', a protocol for ensuring the safety of children when P labs are discovered;
- new inter-agency policies around youth offending; and
- a range of initiatives linked to the prominent family violence prevention agenda.

We were told that there was increasing concern by health agencies about the health and mental health, not only of prisoners (although this is a topical concern) but also of families and children. While the work with children does not specifically target prisoners' children, new work on conduct disorders and severe anti-social behaviour⁵ is likely to assist many children with parents in prison. There is a significant amount of inter-agency work going on around a range of health issues, including addiction services.

However, we also were told that there was some tension between agencies, and in particular between the Ministry of Health and the Department of Corrections, over service provision, priorities and processes. For this reason, and because health services are devolved to individual District Health Boards, and because services are not always provided where they are required, the health sector does not have an integrated response to the health needs of the families and children of prisoners. We were told: "There are so many service gaps to fill, that while this is an important area it is not yet on the policy agenda".

One organisation within the health sector that has been actively considering the health of prisoners and their families has been the National Health Committee. In a recent report, that agency notes:

Large gaps remain in the body of research, notably collection of basic health status and health needs, benchmarking to evaluate improvement and information sharing among agencies and between agencies and health professionals. Furthermore... the question of the health effects of prison is not being adequately addressed anywhere in the world. Although there are many omissions in the international literature, the most glaring include the impact of imprisonment on oral health, the quantification of physical injuries in prisons, the effects on or deterioration of (existing) disabilities including vision and hearing and the medical impacts on the children and families of inmates. All of these are also missing from local information (National Health Committee, 2008 pp 3-4).

The National Health Committee has a research agenda to examine the health effects of imprisonment on the families and children of prisoners, and a current project involving qualitative interviews with whānau, which should be available in 2010.

Another agency that has done some work in this area is the strategic policy unit of the Ministry of Justice, which has a work program examining what is called the 'unintended consequences' of incarceration on families and communities. So far this work has largely consisted of a literature review, and consultation with other agencies, but it is ongoing.

⁵ Inter-agency plan for conduct disorder/ severe anti social behaviour, 2007-2012. Ministries of Health, Education and Social Development, Wellington.

The only other agency with a developing work programme looking at the families and children of prisoners is the Families Commission. In a change of focus six months ago, the Commission is now re-focussing its work program towards 'at risk' whānau. In our interview with commissioners, we were told that the Commission were implementing a justice aspect to its work programme. However, we have subsequently been informed that the organisation is looking to the results of this study, and the National Health Committee work, instead of implementing a further research project of its own.

The Department of Corrections has a range of existing policies and practices relating to the children of prisoners. A sentenced prisoner will undertake an Offender Plan Assessment, which aims to discover the person's needs while in prison. Part of that plan includes the provision of information about whānau/families and children.

One issue that frequently arose in our research work for this project was the concern that prisoners were often sent to prisons a long way from their home, with implications for the ability of the family to visit – or, alternatively, the need of the family to move to be close to the prison.

While proximity to whānau is taken into account in sentence planning, there are a number of other factors, including space ('the muster') and the availability of specialist programmes, which in reality take priority. However, the Department of Corrections did inform us that near the end of the sentence, when the process of reintegration takes place, family factors receive a higher actual priority. These issues will be considered again in relation to prison visiting.

We also searched for research which had been undertaken in New Zealand in recent years on the families and children of prisoners. With the exception of Venezia Kingi's thesis work on mothers and children, and her more recent work for the Department of Corrections on babies in prison (Kingi, 1999; V; Kingi et al, 2008; National Health Committee, 2008), we were unable to find other research on prisoners and their families.

In terms of government and research agencies, then, the needs of children appeared to be largely invisible. However, during our stakeholder interviews, we were told on numerous occasions that there was a new awareness of the importance of this area, especially in terms of reducing the strong trend towards intergenerational imprisonment, and that agencies were very interested indeed in (a) the findings of this study and (b) holding a range of discussions over the period of the research about policies and practices. We were encouraged by these assurances.

The loss of whānau contact

The next section of this report considers issues around arrest, trial and imprisonment. A core finding of the first year study is that children are rendered largely invisible right from the start, and that this invisibility continues until the arrested person is imprisoned, and beyond. Essentially, children are treated as absent, implicitly expected simply to cope with changed circumstances. The story of this absence, and its implications, are discussed through the remainder of this report.

Unmet needs

The third theme of invisibility is a failure to identify the social, educational, health and other needs of the children of prisoners. When they do not cope, it may be difficult to find agencies and services which understand and are able to respond to their needs. At one agency we visited, the Office of the Commissioner for Children, we were asked how these children were different from other disadvantaged children. This is a good question and has a number of potential responses, which will be discussed throughout this report. The most important response, however, is that these children are severely at risk of ending up in prison like their parents. With an expanding prison population, these children are the first in line to take their parents' places. A core aim of this study over the three years is to develop strategies to stop this damaging cycle.

Arrest, trial and imprisonment

Arrest

The process of arrest ranges from entirely benign to major police operations, which may involve large numbers of uniformed police and dogs entering people's homes, sometimes at night or very early in the morning. When the arrest takes place at the family home, it is likely that children will get caught up in the process. Any process that involves the removal, under stressful circumstances, of a loved parent, where the child is old enough to understand that this is happening, can be severely traumatic:

Arrest is often the most stressful phase for children. Many children suffer the trauma of witnessing their parent taken away by force. It is estimated that one of every five children whose mother is arrested witness the event (Children of Incarcerated Parents Project, 2002 p.2).

Others write of the arrest process as one phase in a "dynamic process that unfolds over time" (Parke & Clarke-Stewart, 2003 p. 189), which may have cumulative effects, depending on a range of circumstances. While watching an arrest may be traumatic, merely the fact of sudden separation can trigger a range of emotional effects:

Children whose parents have been arrested and incarcerated face unique difficulties. Many have experienced the trauma of sudden separation from their sole caregiver, and most are vulnerable to feelings of fear, anxiety, anger, sadness, depression and guilt (Simmons, 2000, nn).

A number of articles raise the question of whether the trauma is worse when the person arrested is the mother, who is most likely to be the prime caregiver of the child. One article notes that: "Children's lives are greatly disrupted when mothers are arrested, and most children show emotional and behavioural problems" (Myers et al, 1999).

In their longitudinal study of Australian children, Kinner et al have found that the effects of arrest on children, especially boys, are obvious whether or not arrest leads to imprisonment (Kinner et al, 2007), in terms of increased drinking and smoking at age 14. Most of the other effects, they note, are consistent with the broader social and economic disadvantage faced by these children.

It is suggested, especially in the literature on black American communities, that the relative powerlessness of disadvantaged communities may be an important factor in the manner and effect of the arrest process (Stapleford, 2008). The implication of this claim is that those communities with fewest resources, and a range of other problems caused by social and economic disadvantage, may have the 'worst' arrests. While a qualitative argument is made for this claim, there is a need for empirical support.

While the potential for arrest-related trauma is widely acknowledged in the literature, we did not find any instances of policies or practices that aimed to mitigate these effects. Indeed, in most jurisdictions, including New Zealand, emphasis is placed on the professional judgement and experience of the arresting officer (although there are emerging policies in New

Zealand around the treatment and care of children in arrest and search circumstances):

What does a police officer do to protect children when making an arrest? The answer is: It depends – on the officer. Neither locally nor nationally do police departments have formal, written policies for the treatment of children of persons under arrest (Walker, 2005 p. 5).

Walker has concerns that children's care may not be effectively provided for as part of arrest planning, and may be compromised:

The lack of consistent uniform policies for treatment of children at arrest exposes children to the dangers of being abandoned or placed with caregivers who do not have the resources to take care of them. It also assures that there will be little information available about children of parents who are arrested (Walker, 2005 p. 7).

However, concerns around these problems have led to moves to improve the situation. Some USA police forces have responded to criticism of the treatment of children by requiring training in child development for all officers. Nevertheless, Walker notes, some children still see their parent handcuffed, pepper-sprayed and otherwise taken forcibly in front of them.

Police in New Zealand have always had to consider the situation of children in situations where an arrest is taking place. In the past, such concern has tended to be focused on care and protection issues. Officers (usually a woman PC) have been assigned to sit with children and then ensure they are cared for by a family member or put into temporary care.

There has, until recently, been no requirement for police to consider the *effects* of their actions on children, including whether trauma might be caused by police actions around the arrest process.

We were told by the New Zealand police that there was a new awareness about the effects of arrest and search processes on children. There were two specific drivers of this awareness, and the policies that have arisen from it.

The first driver was reports of trauma suffered by whānau and children resulting from what are now known as the Ruatoki raids in 2007. New policies have been developed around search and seizure that require officers to consider more fully the welfare of children.

The second driver has been a new approach to domestic violence, which requires the police to take a more holistic view than in the past. Efforts to address the high rates of domestic violence have led to multi-disciplinary responses, which in turn require new approaches. We were shown a copy of the documentation required to be completed by the police in each domestic violence arrest. This forces the arresting officer to consider the needs and situation of the children in depth, including the extent to which the children have been direct or indirect victims of domestic violence. The approach constitutes a culture change in the police, which may, over time, extend to other areas.

A total of 34 prisoners surveyed by us, which was around a third of those with children, reported that one or more children were present at the

arrest. Around a third (14) of the case study families also reported that the children were present. Using our first year findings, this means that children are likely to be present at around one in five arrests.

The process of arrest is dictated, from a police perspective, by a variety of factors. These include:

- the need for police to ensure the safety of all parties, including the public, the family and arresting officers;
- a requirement for police to secure and preserve evidence (in particular, drug-related materials can be easily disposed of and are a factor in deciding on an unannounced, forced entry); and
- the possibility that the person being arrested may be armed and/or may violently resist arrest.

Police also take into account background knowledge they may have about the person and their associates. A combination of these factors means that the police may opt for an intrusive intervention into the family home.

When a family member is arrested in front of the children, the event is at least a shock. For many of the families interviewed for this study, the police behaved well, were polite, informative and helpful and relatively unobtrusive. Even under such conditions, however, the children can feel traumatised. In one case study, the caregiver noted that: "The kids were pretty relaxed about the situation, they know what he is like - prison is a common thing for them". However, when the oldest son was asked about the arrest, he said that he felt "totally gutted" (cases 10 and 10A).

In two of the cases, it was noted that the person being arrested acted to soothe the situation. In one case, the man who was about to be arrested was alone in his house with his two children. The police, obviously aware of this, arrived to arrest him with his ex-wife, who was there to take the children. With the children being taken from their home, and their prime caregiver being arrested, there was significant potential for difficulties to arise. However in that case the man, realising the situation, remained very calm and urged his children to do so as well (case 4).

In the second case, it was early evening on New Year's Eve, and the extended family were gathered together to celebrate. The events of the arrest are described in the sidebar at right (case 2).

In another case (case 33), the family were just sitting down to a birthday dinner for one of the children. The extended family were also present. The police, being told this, took the man out to the garden and spoke to him (and arrested him) there. The children did not even see the police.

There were a few cases, however, which were much more traumatic. In one case, the police followed the man home, and as he got out of his car: "They pulled up the driveway of the family house, grabbed him out of his car and threw him to the ground

A total of nine police officers arrived at the house, along with two dogs, and came through both front and back doors. The teenage children were getting very upset, and the person being arrested calmed them down and settled the situation. In the end, the process took only around 20 minutes. The caregiver said of the police: "They were OK, but because there were lots of people I couldn't see everything".

and put a boot in the back of his neck". They were described as being "on a power trip" (case 7).

In case 36, the parents and two-year old child were just getting out of bed when the front door was "booted down". The caregiver told us that 24 police in six cars arrived to arrest the man. They wanted to interview the caregiver, too, so she arranged for the child to be looked after by her sister.

In case 13, there was another early morning visit. The family were "scared shitless" by a huge banging on the front door. They had not even had breakfast at the time, and the young child was "starving" after the caregiver had been interviewed for two hours. This case involved a person with no prior criminal convictions. The caregiver said that the three male detectives jumped over the fence and came in through the back, she was given no information after her partner was taken away, and offered no support or sympathy. She said: "It was a nightmare experience". However, she thought the child was too young to have been affected.

Finally, the arrest in case 30 occurred in the middle of a rainy night, and also involved a first offender. The man, his wife and four children, including one baby, were at home. The police had been around the house over several days asking questions: "Bouncing into the house unannounced and not even knocking at the door. Pulling our rubbish out of the bag, and going through cupboards". The wife said it felt like a home invasion, with the children screaming and then hiding under beds. The father was handcuffed in front of the children. The wife was also required to go down to the police station for questioning for two hours, and the police brought a woman officer to sit with the children. She took the baby, who was breast-feeding, down to the station with her. She said the behaviour of the police that night was "totally inappropriate" and "a terrible experience".

Courts, the trial and the process of imprisonment

One issue raised by several community organisations in the stakeholder interviews was the need for support for families and children through the process of trial. A small number of studies have examined this issue. The following quote from Walker's study is remarkably consistent with other accounts, and with what we found in our own study:

According to one busy magistrate, "In the magistrates court there is a general lack of information about the entire family environment... Our jurisdiction doesn't extend that far." Magistrates interviewed for this study indicated that if the children are not involved in the crime, the magistrate's decision does not consider the needs of the children in any way. Magistrates also described arrestees as bringing their children into the courtroom to play on the magistrate's sympathy, thereby assuring that magistrates would disregard parental pleas for consideration of the impact of detention or a trial on the children (Walker, 2005 p. 6).

It appears there is little place in the pre-imprisonment processes for children, although they may sometimes visit their parent on remand. Some argue quite strongly that children should have nothing to do with arrest, trial and indeed imprisonment, as involvement may 'normalise' such processes for the child, increasing the potential for criminal behaviour in the younger generation.

This argument is considered in the 'generation to generation' section below, and is strongly resisted by some (Tebo, 2006), who point out that a range of other problems are likely to arise if children are denied access to their parents in prison.

One issue that arose repeatedly in the field research was the attendance of children during the court hearings. Courts were often seen as unfriendly towards the children of the accused, and we wanted to find out why.

There was little in the literature on this issue except, as noted above, the expressed view that the only reason that children attended their parents' trial was as a demonstration that the prisoner had a close family behind him or her: that in fact the children were being used as pawns or bargaining chips to gain a reduced sentence.

We interviewed the Acting Chief District Court Judge on this matter, and he confirmed that the general view of judges was that the courts were no place for children. Not only was he concerned about the motive for bringing the children in, he also noted that this had the potential to normalise the situation of court for children, making it more likely that they would offend – he did not want children becoming comfortable in the courtroom processes.

The Judge noted that he was often concerned when parents brought young children into the court because they were unable to get childcare. This was the case in several of the case studies. In case 7, the young son attended the first day of the trial: "The family had to take him because they couldn't get a baby sitter". But the judge asked that he be removed. In case 13, the wife took her young son to the depositions hearing, as at the time no-one in the family knew that he had been charged, and she couldn't face telling them, and was therefore left without a babysitter. In the trial proper, the child was looked after by family members. In another case (27), the children were not allowed into the courthouse, and so they were left outside in the car while the wife attended.

Despite the general disapproval of the court, a number of children did attend the trial of their parent. Sometimes this was as a witness, and there was little support for the children in that situation (case 4), in a case that took a year and a half to come to trial.

There seemed to be a particular interest by children in attending when the accused was their mother. In case 15, the children popped in and out of the court, and: "They seemed OK. Good as gold joking around". The children were allowed into the courtroom early to give her a hug.

In case 18, a high-profile case involving a first offender, all three teenage children attended the trial with their mum, who has a non-English speaking background, and: "They (the children) knew what was going on because they understand English better than I do". The trial lasted 5 days and the children missed school.

One adult daughter, an adolescent at the time, remembers her father's "big trial" very clearly (case 19). The girl was left without a father and a mother at the same time, and attended the trial with a big support group of relatives. She remembered that "We had to sit there and the other family (the victim's family) was really close, it was really scary". She

remembers them all being very under-informed about what was going on, and describes the process: "It was the worst time ever".

Another adolescent daughter took some of her younger siblings to the trial of her mother (case 23). She had to grow up very fast. She said that her mother was "in a dream that she was going to get off". The young woman went alone on the day of sentencing and "...the victim's family were all cheering and shouting out 'murder' at (the sentenced woman)".

Another murder case also caused huge stress for an adolescent daughter. As the oldest child, the 15 year old in case 26 was determined to attend her father's trial. She received some significant help. Before she attended the trial she was given counselling. Her counsellor took her to the court house and they explained what was going to happen. She said she found this really helpful. However the trial was difficult. Evidence came out about her father's private life, the exhibits were gory and disturbing (she also caught a glimpse of some of the photographs of the murder scene), and her father sat there "with a cold face". As well, the victim's family were also at the trial: "We knew some of them; they lived directly across the road from us". This person's overwhelming feeling was anger at her father, that he had "ruined it" all for them. In later sections of this report, we will see that this woman, now an adult with children of her own, believes that her father's actions have affected her own children, who were not born at the time of the offence.

Various other children (cases 9 and 2, for example) also attended court hearings, with no negative effects. Only one child who did not attend (case 3b) stated a wish to have attended the trial.

Our case studies demonstrate that for a minority of children, and especially adolescents, attendance at the trial may be traumatic but can also be important. Only one young person was prepared for the process by a trained counsellor, but there is certainly scope for further support along these lines. Despite the effects, none of those who attended wished that they had stayed away.

A particular issue that arose was the ability for children to say goodbye to a sentenced prisoner, before she or he is taken away. This is often only a psychological farewell, as many parents had been in custody for a period before sentencing, but some of the interviewees saw this as important.

We raised this issue with the Acting Chief District Court Judge. He was able to understand the importance of this matter from the viewpoint of the children, but noted that there were significant practical difficulties in meeting the need. The chief concern was maintaining a sterile environment around the prisoner, and the potential effect of lapses in security at the courthouse. Other concerns included the lack of space in the courthouse, and existing procedures that simply did not allow for any contact.

While in principle there is no opportunity for the prisoner to say goodbye to their family, some did, in fact, manage to do so, due to the goodwill of staff, police and others, mainly in the provincial courts. For example:

On the actual day of sentencing it was arranged for the kids to meet up with their mum in the car park for a cuddle, talk and to say goodbye (case 15).

The children were present on the day of sentencing. She was meant to be sentenced at 10am but it didn't happen until 4.30pm. The children stayed outside the courtroom when she was actually sentenced. The children were able to see the prisoner before she was taken. They were able to cuddle her. "The police were ace" (case 16).

They were able to say goodbye to their Father, but "no hug" (case 18).

[Sentenced Mother] and [youngest daughter] were able to have a quick kiss through the glass before she was taken away (case 23).

There was a "see ya", but no hugs (case 9).

Not really. A quick "see ya!" (case 2).

But in case 7 "there was no contact allowed. There were no goodbyes".

It is not clear how important a goodbye at the courthouse is. Possibly it gives some closure to both family members and prisoners, and acknowledges that a new period in their lives is beginning.

With quite a few adolescent children attending their parent's trial, the courts probably need to develop a more pro-active approach. We thought the model of the counsellor talking through the court processes in advance was a good one, and would resolve the lack of knowledge revealed by some of the families and young people.

Parents in prison

This section reports preliminary results of one of the most complex issues tackled by this project – understanding how many parents there are in New Zealand prisons, what relationships they have with their children, and how these are maintained in the prison environment.

Rates of imprisonment are rising around the world, as policies of mass incarceration are implemented (Goldson, 2006) as the 'solution' to urban crime in the 21st century. This policy and its effects can be described as follows:

For the past several decades, the most popular societal response to crime in the U.S. has been incarceration (Tolan & Gorman-Smith, 1997). Accordingly, the number of prison inmates has increased dramatically in recent years, from 292 per 100,000 adults in 1990 to over 475 per 100,000 adults in 1999 (U.S. Department of Justice [DOJ], 2000). In some states, the costs associated with this level of institutionalization now rival the cost of public education (Eddy & Reid, 2003 p. 233).

Bearse has some interesting statistics about this trend in the United States:

Due to changes in drug and sentencing laws and the resulting growth in the rate of incarceration over the last twenty years, currently nationally 1 in 32 adults in the United States are under correctional supervision. It is estimated that half of those incarcerated are parents. Based solely on the number of parents incarcerated it is estimated that 1.5 million children in this country have an incarcerated parent (Bearse, 2008 p. 4).

Eddy and Reid (2003) argue that slightly more than half of all inmates have children, and they also estimate that 1.5 million children have a parent in prison at any given time. Another way of looking at this, is that one in each 40 children in the United States has a parent in the justice system, and that this picture is heavily skewed by the racial over-representation of black and Hispanic Americans (Dallaire, 2007).

Other American studies estimate that anything up to 2 million children have a parent in prison at any given time. Most of these parents are men, because males make up more than 90% of all prisoners, but women prisoners appear to have more children than men in the United States:

Of the 90,000 women in prison nationally, 75 percent are mothers of multiple children (Seymour, 1997) and 72 percent lived with their children before entering prison (Seymour, 1999). More disconcerting is the fact that one in five of the women now in prison lived in foster care or a group-care facility as a child (Seymour, 1997) and a percentage of their children are placed in foster care as a result of their incarceration. The majority of male inmates are also parents. Currently, 55 percent of male inmates are fathers (Seymour, 1999) and half of them lived with their children prior to incarceration (Children of Incarcerated Parents Project, 2002 p. 3).

It is not our purpose to go into the policy causes and reasons for increased imprisonment, but it is important to note that the same trends evident in other countries are also visible in New Zealand. Prison numbers are set to rise as a result of changing policies, as Treasury has noted in a recent policy document:

New Zealand's current imprisonment rate is 185 per 100,000 people, which is the 4th highest in the OECD. The prison population forecast in this paper signals that our imprisonment rate will increase to 270 per 100,000 by 2018⁶.

The numbers of prisoners reflects on other aspects affecting children, in particular the ability to maintain good relationships between prisoners and their children. Policies that encourage prison visiting, home visits and family involvement with the prisoner can help foster ongoing good relationships (Children of Incarcerated Parents Project, 2002). There is also clear evidence that good family relationships assist the prisoner in reintegrating into the community and reduce the potential for intergenerational recidivism:

Studies using theoretical perspectives which focus on the positive roles and functions that families serve as opposed to the problems that they experience indicate that families are important to prisoners and to the achievement of major social goals, including the prevention of recidivism and delinquency (Finney-Hairston & Addams, 2001 p. 2).

While it appear important for prisoners to maintain good contact with their families (except where the offending was against family members or other factors exist that make such contact impossible), the international literature indicates that many barriers may exist to achieving this goal. Our study has begun to investigate these questions in the New Zealand context.

Over the three years of this project, our aim is to provide a reasonable robust calculation of the numbers of children affected by parental incarceration. Such figures are collected by the Department of Corrections, but it is widely believed that those figures under-represent the true number of children. Our own approach also faces difficulties, due to the voluntary nature of participation in the project, the transience of at least part of the prison population (most sentences are relatively short, while others are in prison for many years) and other difficulties of operating a research project in a correctional environment.

The mechanism by which our calculations will be made is the annual survey of a random sample of prisoners. Some of the results of the year 1 survey findings relating to children (n=137) are presented here⁷.

Prisoners were asked to state whether they were parents. Of the 137 respondents, 98 stated they were parents. This worked out to 87% of women prisoners and 65% of men.

⁶ Keith Ng, Manufacturing Dissent | Sep 25, 2009 02:01, accessed at <http://publicaddress.net/6192#post6192>.

⁷ The full report on the survey, with detailed demographic information, is available separately from the authors.

Respondents were asked how many children they had. The stated range was 1 to 6+. Seven respondents noted that they had more than six children, with one telling us he had 8 and one writing a '9' on the survey form. As we have calculated all '6+' entries as 6, this means we provide a likely underestimate of the numbers of children. We counted 295 children, but the total may be over 300.

We were interested in the relative size of prisoners' families. These are summarised in Figure 1, which shows number of children by size of families. For example, 20 prisoners told us they had two children, thus adding up to 40 children in that category.

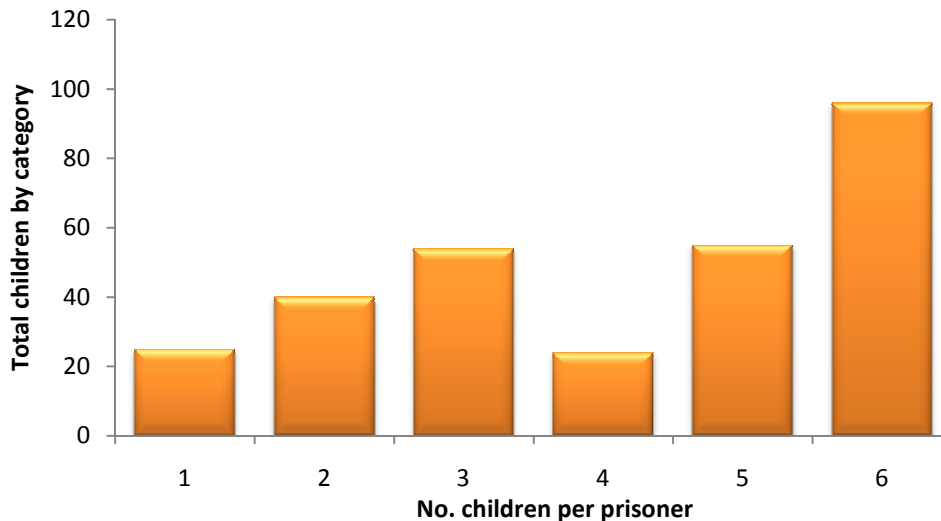


Figure 1. No. children of prisoners by their total number of children.

From the 2009 preliminary data, it appears that for every person in prison, whether they are a parent or not, there are 2.2 children with a parent in prison. With 8,500 prisoners in total at the time of the survey, this indicates a total 'child muster' of around 18,000, which is not too different from the PARS assessment of 20,000 (National Health Committee, 2008). Nevertheless, the actual ratio may be as low as 1.4 and as high as 3, and we will not know with any confidence until the third year data is analysed cumulatively.

There are no significant differences between Māori whānau (2.3 children per prisoner) and Pākehā families (2.2), nor between men and women, in the number of children prisoners have, on average.

Contact between prisoners and their children

We collected information about prison contact and visiting from four separate sources:

- the policies and practices of the Department of Corrections;
- information from community organisations, and especially from PARS, which has specific contractual responsibilities in many areas to assist families in visiting prisoners;
- the survey of prisoners undertaken as part of this study; and
- the qualitative case study work with families and children.

The community organisations interviewed had a range of comments around prison visiting. The Howard League for Penal Reform (Canterbury Branch) fields frequent complaints from family members shocked at the conditions for visiting in prison, despite initiatives such as new visitor centres. The core problem appears to be that the (necessary) focus on security tends to massively override all other considerations, at least in some prisons. The Howard League talk of the “total neglect of the needs of children by prison authorities”, including a long list of issues: strollers provided but without storm covers, toys removed from visiting areas, families banned for normal child behaviour (a toddler toddled into a secure area and the whole family was initially banned, although this was overturned when queried), a lack of food and drink in visiting areas, and a negative attitude by some prison officers.

PARS have a different view to the Howard League, as this organisation works with prisons to ensure that families and children can get to visit. PARS provides a range of services (which differ from region to region) focused on short-term work to assist prisoners and their families, and a long-term commitment, funded partially by the Department of Corrections, to assist families to effect successful visits to prisons. PARS organisations in each region tend to work closely with the local prisons, and are able to get specific privileges, such as out of hours visiting, and privileged access, when needed.

One view stated by all community organisations is the need for prisoners to be located near their families. As noted above, this goal tends to be subsumed to muster issues (e.g. we were told by the Department of Corrections that due to the high number of remand prisoners in the Auckland region, there were no spaces for new sentenced prisoners in the region) or to the need to attend programmes in specific locations.

The survey of prisoners asked whether their children lived near the prison. We defined ‘living near’ as ‘within an hour’s drive’. The results back up the view that prisoners are not located near to their families as a matter of course. Over 55% of respondents live more than an hour’s drive away from all of their children, and only a quarter are near all their children.

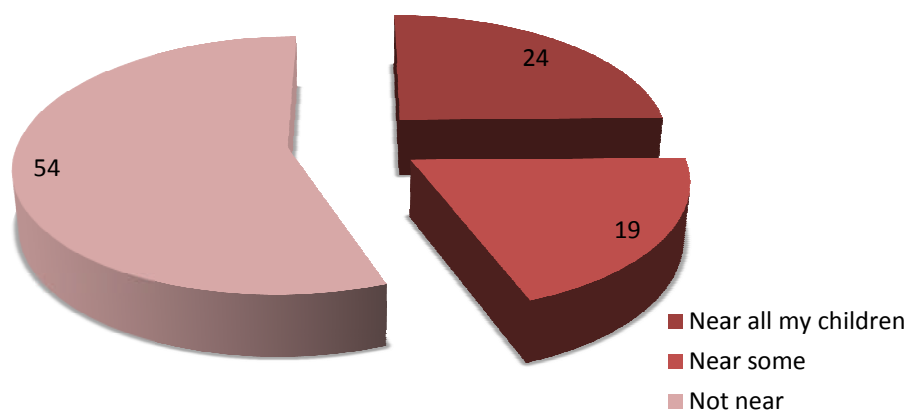
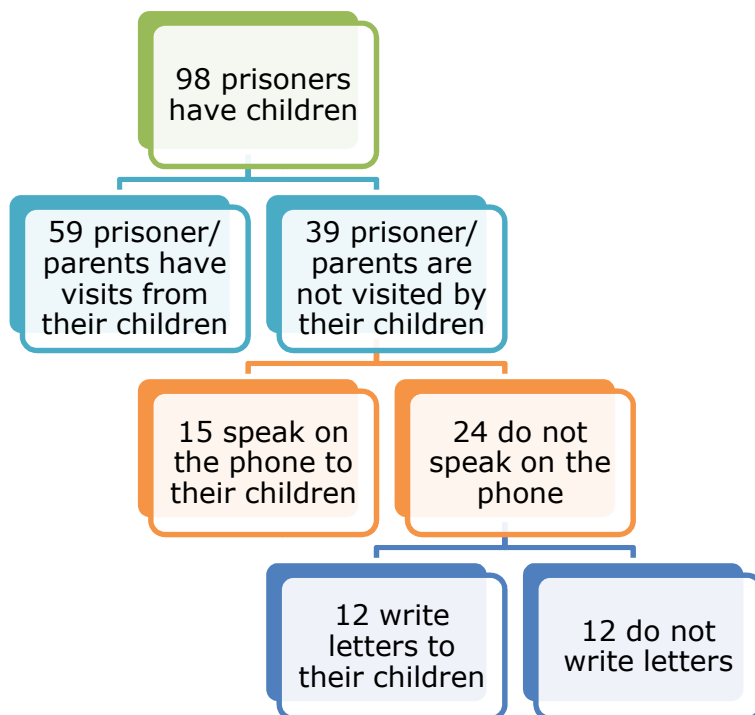


Figure 2. Whether children live within an hour’s drive of their parent’s prison.

Following on from these findings, we have been able to find out through the prisoner’s survey the amount of visit, telephone and letter contact between prisoners and their children, and these findings are presented in as a hierarchy in graphic form below.



The graphic reveals that all but 12 of the prisoners who are parents have had some contact with at least some of their children while in prison. However, this begs a number of questions, including: how many of their children have they been in contact with, how often, and how successful are the contacts?

Our case study sample consisted of families who were either in contact with a prisoner, or who had worked with community organisations to help them resolve issues in their whānau/families. As a result, they tend to be people who visit their imprisoned family member on a more or less regular basis. Only six of the families were not currently visiting the prison at least occasionally. Reasons given include caregiver health problems, wishes of the child or the nature of the crimes.

Many of the children were prevented by distance from visiting their parent as often as they would like. For some, visiting is a marathon effort and very expensive. One grandparent caregiver (case 27) had to explain to the two children that "it is too far away and expensive" for them to visit their Mother:

The children said to me that "we will go without (food and school stuff) for a month so we can see mum". I had to explain to the children that I didn't have the money, I needed to buy them food and things for school first. They stopped moaning after that.

Some families get assistance with travel money from PARS, but there is not always enough to go around. One family lives 618 km from the prison, and until last April was receiving petrol vouchers of \$200 per month to enable visits:

We leave at 3 am, no problems from the children. They are really excited. Can't wait to get in the car, even though they get car sick.

Once the travel funds dried up, however, they were without the resources to make the trip, and they had not visited for six months at the date of interview.

The family in case 25 are also around six hours drive from their husband and father, and sometimes PARS will fly them down, and sometimes they drive. Costs are paid for their travel and accommodation.

The family in case 18 live up one end of the country, and the prisoner is down the other end, having been moved from one prison for his own safety. They try and visit once a month, but when he was on remand they were able to visit three times a week.

One woman prisoner was moved from Auckland to Wellington to attend a course:

She agreed to do this course so she would get out quicker. She hates it, doesn't see anyone, she did it just to keep the prison happy.

While the children in this family do not see their mother so often, they have found visiting at Arohata much more friendly than the previous prison:

No problem, helpful. More relaxed. We were very impressed with the room for the kids, really good, cool. And pleasant, smiley officers, helpful and nicer. In Auckland it's OK. Newer, but people-wise not as good. They always say you're "not meant to do this and that".

The prison population is surprisingly mobile, and many whānau get to visit at a number of prisons. One family, mother and four children, followed the male prisoner around to four different prisons over the term of his sentence, and noted major differences between the prisons in the way they treated visitors. Oddly, they found no relationship between the security rating of the prison and the security at visits. Maximum security at Paremoremo was said to offer "a nice family visit. The guard sat in a glass bowl and they let you get on with your visit with no interruptions".

By contrast, in the lower security prisons less contact was allowed and conditions were much worse, sometimes "much more policed". The family (case 30) gave lots of examples of arbitrary behaviour, such as a bottle being snatched out of the baby's mouth (and hence a crying baby for the whole visit) and not being able to return to the visit after changing the baby (even though she was told she could).

Many visits are successful and enjoyed by all. Many children love the opportunity to see their parent, and enjoy contact and cuddles. Many of the families we interviewed live within an hour by bus or car from the prison, and visit on a regular basis.

While acknowledging the positive nature of these visits, there are many complaints about them, starting with being turned away because they have

not got the proper documentation, or the prisoner is not available but no-one told the visitor, or there is a problem with a car:

I had a bad experience visiting the prison when my car was searched. I was running late for a visit and my car was a bit of a mess. The guards asked to search the car. The officers then explained that my car was too messy for the prison dogs to search it. I said well I'll leave the car here and can we walk up to the prison. The officer just said no and that I wouldn't be able to visit the prison today (case 33).

Specific complaints that came up include:

- Metal detectors that are set off by the underwire in bras, or by metal hip implants, or which terrify children to such an extent that they scream;
- Visitors may not use their own strollers, and may face long walks carrying children to get to the gatehouse and prison. Once through, the strollers provided do not have storm covers in case of rain, and there is often a very long walk to the visiting area. "There are no covers for the prison buggies, they won't let you bring the covers in, all the covers they have are broken, you have to walk a good 300m in the rain. My child was soaked. She said 'Mum I am cold'".
- There are a variety of experiences with the prison officers. They may have a "stone face" or a "bad attitude" which upsets the parent and frightens the children. On the other hand, "The officers are not too bad, they joke with the kids and that", and "the guards are good with the children. No problems". However, "not helpful, we are not criminals"... "They can't even crack a smile or a good morning".
- There are many comments about the toys. "There are not enough things for them to do. No toys and all the books are ripped up. [My child] just plays with the doors. It would be good if the prison library could get involved and provide some children's books". "They have toys, but you should see them. The dolls have no eyes and [the child] freaks out".
- Other issues include that the children get bored and would love to go off and play, but there are no facilities. Adults are rarely given the opportunity for quality time. On the other hand, some noted (in the words of one) that contact between male prisoners and their partners are not appropriate. They are "practically having sex".

All of the families interviewed are very grateful to be able to visit, but they hate the fact that they are often made to feel like prisoners too:

You do feel like you are doing something wrong. They need to be not so arrogant. They say the words that they have to say. They need to not class everyone as if they are doing something wrong.

One or two respondents had nothing negative to say at all about the visits, and described them as a joyful time, with no problems with staff or facilities. However, a number noted that visits were much better when they took place under the wing of PARS, who seemed to have good relationships with the prisons and made visiting much easier.

Economic factors

Fergusson et al (2004 p. 956) note:

One of the most ubiquitous findings of criminology has been that of consistent linkages between measures of socio-economic deprivation or disadvantage and elevated rates of crime.

It is not our purpose to review this pervasive literature here. Our interest is in the economic conditions of the families of prisoners rather than issues of causality. There are two related areas that we have examined in this study. The first is the economic situation of the caregivers and families of children, which is discussed in this section. Surprisingly little attention has been paid to this issue in the literature, despite the evidence that communities with high rates of imprisonment are among the poorest in first world nations (Stapleford, 2008).

The second factor is the relationship between economic disadvantage and intergenerational recidivism, which is examined in a later section (Watts & Nightingale, 1996). This matter has been of consistent interest to people working in the field of criminology (Fergusson et al, 2004; Murray & Farrington, 2005; Murray et al, 2009). It is also of core interest to the community organisations working in the field, which often have as a core goal to 'stop the cycle' of crime in families and whānau.

Watts and Nightingale (1996 p. 94), presenting their paper on economic conditions at a conference on the 'unintended consequences' of incarceration, note that:

... there are unintended consequences of economic and social policies and trends on crime. Tight money policies, reduced spending on education and training, economic recessions, and business closures or relocations exacerbate problems in poor communities. Moreover, high rates of crime and incarceration tend to make a poor economic situation worse, which may contribute... to a cycle of continuous deterioration and blight.

The authors note that a variety of factors impact on the economic effects of incarceration on families. Where the parent was in paid employment (or both parents were), with no addictions to drain the family purse and an income above the poverty line, then there is likely to be economic loss as a result of imprisonment.

On the other hand, "removing a negative influence from the home could yield positive effects. If a person who has been disruptive, offensive, or irresponsible at home is incarcerated, remaining family members may stabilise" (op cit p. 96).

The focus of the Watts and Nightingale article is the ways in which imprisonment depletes community wealth by reducing the stability of the labour market, incarcerating young, fit, men and removing income from families. However, this article does not examine the effects on families. While some evidence of the high costs on families (literally and figuratively) are discussed, no evidence is given. Watts and Nightingale complete their article (1996 pp. 101-102) by urging a research agenda for

policy that aims to isolate and understand the effects of incarceration on families and communities.

As we undertook the first phase of this study in 2009, we were very aware of the overall social and economic context for disadvantaged children in New Zealand. While we were writing this report, an OECD report on child welfare was released that ranked New Zealand 29th out of 30 countries on overall indicators of child wellbeing. New Zealand has experienced increasing income and welfare inequality over three decades. While overall welfare for children has decreased, the situation for those 'at the bottom' has become much worse (St John & Wynd, 2008).

Policies to privilege working families through tax credits have improved the situation of low-income working families, but have failed to lift the incomes of welfare beneficiaries in New Zealand. As a result, many beneficiaries live below the poverty line, however it is defined (ibid).

All but six (i.e. around 80%) of the families we interviewed for this first year of the study receive welfare benefits. For most this situation is a direct outcome of the imprisonment of the family member. Many caregivers find themselves 'holding the baby', and being forced to give up work to act as caregivers to needy children. Many need to move to re-establish their family, and members of extended families, especially grandparents, may suddenly find themselves with a whole set of new responsibilities.

The arrest and imprisonment of a parent can trigger a variety of economic crises for the family. The first of these is often the loss of a male wage in the family.

In one family (case 17), both husband and wife were working in good jobs, and receiving an income well about the family average, before he was sent to prison. The economic effects have been devastating. Unable to cope with her family, work and the pressures that the crime and its aftermath have brought, the caregiver/mother was forced to give up work and go on the DPB. She spoke of the loss of old habits, such as going to the movies, buying things on impulse and hopping in the car to go for a drive. In a sense they are coping: "We do have food on the table; it's just not always the best food".

The wife explained that she resented the prisoner when he first went to prison because he did not have to look after rent, power and household costs: "He gets his three meals a day. He doesn't have to worry".

Another family (case 18) were left bereft, economically and in every other way, when their breadwinner father was sentenced to a substantial prison term. They cope as best they can, but as the prisoner has been moved to a distant prison accessible only by air travel, their phone and support bills are high. The wife, who has English as a second language, says that she occasionally cooks "a special meal for friends and they give me money".

A third family lost two incomes:

I had to stop work to look after the children full time. I used to work shift work at night. I had to stop working because I couldn't always get someone to look after the kids (case 29).

The economic change in this household had dire effects. Their car was repossessed because they could not keep up with the payments, they have had to cut back on food and they have to walk everywhere or catch buses.

A fourth case (Case 9) involves a family with three young children, where the prisoner had been the sole breadwinner. The family has suffered a large income reduction as a result of the husband's imprisonment. The caregiver says that she has become really organised in paying the bills because "I have to be". They have a strict budget, have set up an 0800 number so the husband can ring, and get the occasional food grant from Work and Income. As well as the normal living costs, she is dealing with her husband's debts as well. She said: "The innocent party doesn't have a voice. If I had done a crime it would be different".

There were two positive comments about the loss of the worker's income. One (case 27) said that she actually gets more money now, being on the invalid's benefit. The other (case 25) said (with a flash of humour) "At least I know where the money comes from now".

The second theme emerging from our case studies is debt and business failure. One woman (case 13) and her husband had started a small suburban business, which was breaking even at the time he was arrested. He was receiving an invalid's benefit for his disabilities and they also received home help. A number of things happened as a result of his arrest. She was able to go on the DPB, which gave her an income, most of which goes on paying the mortgage on their home. The business was negatively affected:

With the business customers who have dropped us because of what [her husband] has done... I try not to explain what has happened. He has done something wrong but we are the innocent victims here.

Her husband is still costing a lot – she has had to buy him clothes, weekly phone cards, pays out "huge amounts" for petrol to visit and has to continue to pay other costs he incurred. Despite these costs, "Winz doesn't classify [him] as my partner. Even though we are still married ... because he is in prison". From the point of view of the benefit system, he does not exist, yet the costs he incurs are still significant.

A number of the families had debts to pay as a result of the imprisonment, and many struggled to do so. There was a low level of home ownership, but while one caregiver had 'nearly' lost the family home, none had in fact been evicted.

We were told about the behaviour of debt collectors. In case 30, a high profile case, the day after the prisoner was taken into custody, debt collectors starting arriving on the family's doorstep to claim money – even for bills which were not yet due: "It was terrible. Everybody wanted their money".

The third factor is a range of other new demands on the extended family. One group who often take on the care of the child, especially when a mother is in prison, is grandparents. All of the grandparents (seven families) in this study faced economic difficulties in taking on their grandchildren. In the interviews, they were reluctant to talk about this in depth, because they emphasised their delight in being able to contribute by bringing up their grandchildren or mokopuna. For one of the Māori families

involved, it was always her intention to bring up her moko, "as I was brought up by mine". Nevertheless, this family are poor and scrabbling for resources, saying "it is difficult to pay for everything".

One grandmother bringing up her children on the National Super⁸ and a small amount of additional funds, noted that children eat a lot: "It's hard anyway, they are not small eaters".

The children get tired also of not have enough funds, one saying: "Mama do you think you could win Lotto today?"

Two of the economic issues raised by the families and whānau here were also discussed with stakeholders. The first was the cost of making calls from the prison using phone cards.

In each unit of each prison, there is a Telecom calling phone which only accepts phone cards, unless calling to an 0800 number. The cost of making calls on these phones is a flat 99 cents a minute. If a prisoner wants to speak to each of two children for ten minutes a week, he or she will need \$20 in phone cards.

This seemed a very high cost to us, given call options available outside of the prison. It puts a high barrier for communications between families and prisoners, and in some cases (we were told) stops it altogether.

The Department of Corrections explained that these were the terms under which Telecom installed the telephones, and that Corrections could not do much about it. We suggested that alternatives be sought that harnessed new technologies such as Skype⁹, but were told that these raise safety and security concerns (as prisoners do not, as a matter of course, have access to the internet, and computers are easily wrecked).

The second issue related to this matter and, more generally, the costs of maintaining a loved one in prison. Corrections' view is that all the needs of prisoners are met: they are fed, clothed and housed. However, prisoners wants are by no means met. All food items, tea, coffee and snacks (as well as the ubiquitous cigarettes) have to be purchased through the sole supplier ordered on a weekly basis. These items may cost double what they would be worth if purchased in a supermarket, but families are not able to bring the cheaper items in. Families are often asked for other items, too, such as items of clothing.

As well as the direct costs for maintaining the prisoner, there are indirect costs. Some people set up 0800 numbers to try and reduce the phone card costs, and then there are petrol and other travel costs to get to the prison. Some family members receive assistance from PARS for this, but not all.

We asked Work and Income (the agency that provides benefit support) what the case managers knew about the real additional costs on families who were attempting to maintain good relationships with the imprisoned person, and how they were able to help. We were told that there was no specific knowledge within the organisation about things like the phone call

⁸ A universal pension paid to New Zealanders at age 65.

⁹ Skype is a VOIP (voice over internet protocol) system that allows participants to hold conversations, which can include video links, at no cost.

or travel costs. Case Managers work from an electronic manual on their desktop, which includes information about eligibility for various funds. We suggested that the manual could include a section called something like: 'issues facing families who are supporting a person in prison', which might list the type of costs that these families typically face, and remove the invisibility around this absent but expensive family member.

Work and Income has become specifically involved with prisoners and their families as part of the integrated service response (ISR) which a number of government agencies are involved with. This is a new initiative where 23 case managers work with prisoners, beginning 8 weeks before their release, in order to ensure their wellbeing on release and reduce the likelihood of re-offending. Work and Income's primary role is income support and job assistance for the prisoner.

Nearly all of the families we interviewed, except for a handful of working parents, are struggling to live and pay all their costs on benefits. They do not really make ends meet most of the time, and both adults and children often go without needed items. Some, but by no means all, receive support and assistance from community organisations. Items received by some include:

- food parcels from a range of organisations;
- money, clothes and support from other family members;
- help from churches;
- Christmas presents through AngelTree (this is discussed later); and
- assistance from schools.

Some of those interviewed cannot stand the emotional strain of having to ask for help. One wife of a prisoner (case 17) said: "You can only receive enough emotional support from people if you tell the whole story". She said that, to date, she has been unable to.

To end, there are some miracles: some uplifting events that lighten the darkest hour. One person (case 30), gave two examples:

I went into a café for a cup of coffee with my last change. The café owner bagged up all of the food which was left and gave it me for my children. I didn't ask for any help. This was a completely unprompted act.

And

When we were living in Auckland, and had no food, a woman turned up at the family home with a bag of groceries for the family. I to this day have no idea who she is, but she gave the family food. The woman said that God has spoken to her, and asked her to buy two of everything and bring it to this address.

However, such events are few and far between. In an increasingly unequal nation, and one where the welfare of the children is declining relative to other countries (OECD, 2009), the families and children that are part of this study are mostly at the bottom of the heap.

Social effects

It is difficult to calculate the social costs of imprisonment on children and families (Ziebert, 2006). Part of the reason is that it depends what you are looking at: the characteristics of individuals, family relationships, the high cost of crime, the wellbeing of the next generation, or simply the maintenance of good relationships within communities.

The previous section noted that economically, and in terms of overall wellbeing, New Zealand children have lost ground internationally over the past three decades. As well, there has been increasing inequality emerging in the society, and most of the children of prisoners are firmly entrenched among the most disadvantaged.

One strand of the international literature that is very relevant here is the question of ethnicity. For example:

The incarceration rate for black males is nearly eight times the rate for white males, and the incarceration rate for black females is nearly six times the rate for white females. Blacks are 13% of the population and 44% of the male prison and jail population and 40% of the female prison and jail population. It is estimated that 32% of black males will enter prison during their lifetimes (Stapleford, 2008 p. 231).

These figures are remarkably similar to the situation of Māori in New Zealand. Factors seen to cause the high levels of Māori incarceration are the effects of colonisation (Jackson, 1988), unemployment, low incomes and a bias in the justice system, which sees more Māori arrested, and then more Māori go to prison, than pakeha. One study argues indeed that the combination of police bias and social disadvantage wholly explains the difference (Fergusson, 1993).

The social effects of parental imprisonment on children are complex:

This literature suggests that parental separation due to imprisonment can have profound consequences for children. The immediate effects can include feelings of shame, social stigma, loss of financial support, weakened ties to the parent, changes in family composition, poor school performance, increased delinquency, and increased risk of abuse or neglect. Long-term effects can range from the questioning of parental authority, negative perceptions of police and the legal system, and increased dependency or maturational regression to impaired ability to cope with future stress or trauma, disruption of development, and intergenerational patterns of criminal behaviour (Travis, Cincotta, & Solomon, 2003)

There are significant social costs in being the family of a sentenced prisoner. In the previous section, we have seen that family choices are constrained by the relative lack of wealth and resources that the families have. On top of this, for more than half the families interviewed for this study, were a range of social constraints.

Looking first at those families that reported a positive social environment, it can be seen that support can come from family, friends and neighbours or others in the community.

One person (case 7) explained how they were part of a "big caring family, huge extended family". It is her son who is in prison, and she is caring for her two grandchildren. The caregiver is a social worker who has strong community and whānau links. She noted that the older child (who is at school) has a wide group of friends, as well as links within the whānau network to "uncles, aunties and cousins". The younger child, she says, "gets angry with other children. He is family based, always family based".

Another (case 30) received overwhelming support from the local community (but less so from her own family). People kept giving her money and food, the school gave the children gifts, and "every second person asking if you are alright all the time - it gets to you after a while". Once her husband was sentenced, she began the first of many moves to follow him around the country, and notes: "I was pleased to get out of there in the end".

Another person reported (case 17) that her workmates have been very supportive, and that she has joined a church which has been good to her.

A few others note that support has been "all good". Some elements that have led to high levels of support include that the children were already living with, or went to live with, extended family such as grandparents, the family were also victims of the prisoner (e.g. child sexual assault) or the family "keep themselves to themselves" (case 28).

In some cases, there is a withdrawal from previous activities and social networks. One person (case 13) explained that they no longer attend a particular group because the other parents "are having normal lives".

Others are simply silent, keeping the situation a secret. This can become a problem when it is an issue of friendship and social networks, especially for adolescents:

My daughter used to have a good friend when she was living in Christchurch. She told her friend's dad that her dad worked for the government, as she thought well he does in a way because he works in the prison garden. One day her friend's dad kept on asking my daughter what does her dad do, this was in front of his friends and she just told him "he is in prison". He then said to her you have just embarrassed me in front of my friends - don't expect to play with my daughter again. That was the end of her best friend relationship. This was very difficult (case 30).

There were many examples given of a lack of support. For the caregiver in case 32, her father was a volunteer at the prison, and worked with other prisoners but just walked past her partner. In case 33, a bully targeted the children once their secret became known.

One person explained how the family coped with potential negative reaction from the community (case 9). Don't tell people, because: "People don't ask any question when they don't know". Second, tell a small number of close friends, and: "Some have been supportive". Finally, "stick to your" own family.

Others received support from community organisations (case 34): "The support from Pillars was everything. It made a huge difference. For example, the children used to receive Christmas presents from Pillars".

We think that this issue of community support (or not) is a major issue, and are considering other ways to extend our research programme to examine this topic in more depth. In the second year, we intend to modify the interview schedule to look more closely at this question.

Imagine what it must be like for the partner and adolescent children of a man, in his forties, who is arrested and charged with having sex with a fifteen year old girl he groomed over the internet. How about when, as an adolescent girl your father, in a spurt of bad temper, rushes across the road and kills a close family member? Or, having found a new partner and settled down to a happy life with him and the children, you find out that he has been systematically raping and terrorising them? (case numbers withheld for reasons of confidentiality).

These kind of events (all of which were recounted to us by our case study families) shatter families. The social and personal effects are in addition to the economic effects described in the last section, and are further compounded by the health and educational effects discussed in the next two sections. For those parents (all women in our study) who are able to keep their children with them, there is a huge social burden.

Where the case is high profile and in the media, people often isolate themselves by throwing away the newspaper and turning off the TV (cases 30 and 5). However, this is not the whole solution as you can "get a few funny looks" (case 16). If they are not keeping up with the media, the families do not know whether these are generic funny looks, or because something has happened which they should know about. Anxiety levels in the household are thus heightened all the time, making the worry associated with inadequate funds and other problems worse.

There is no specific agency support offered to families where one partner has been sent to prison, unless one or more family members are also victims, in which case they may get support and counselling. One person said: "Nobody contacted me at all. Nobody checked about the welfare of the children".

Sometimes the families move, for a variety of reasons, including:

- following a prisoner to a different prison (case 30 moved 12 times in 7 years);
- a need for cheaper accommodation (and especially moving from rental to state housing): In case 2, the family had to move from one side of the city to the other, because that was the only suitable property available from Housing New Zealand;
- moving away from the scene of the crime (in one case, the murder happened in the house opposite where they lived, and the family moved further up the same street); and
- moving to live with other family members or caregivers.

Not all moves were negative. Some of the families enjoyed going "where no-one knows us". In one case, a family moved a couple of kilometres away within the same town (case 29), which helped the children make a new start:

They loved it, just wanted a change. When we were driving up the driveway [in the old house] they knew Dad wasn't going to be there, it was depressing. Their Dad has always been there.

A number of children ended up living with extended family members, for a variety of reasons. About half of these appeared to be living with grandparents, and the rest with sisters, cousins and even former partners of the prisoners. One child is living with an ex-prisoner who was in prison with, and became the lover of, their mother.

The international literature seems to indicate that more than half of the children of women prisoners end up living with their grandparents (Dressel & Barnhill, 1994), although no figures are available for New Zealand.

The pattern of children being brought up by grandparents is not an unusual one in Māori society, and at least two grandparents in this study were already taking care of some or all of the children before the parent went to prison. For example, the 17 year old interviewed in case 21a is the oldest of six children, all of whom were living in Northland with their grandmother while her mother was working in another part of the country. The young woman now has a baby of her own.

Three of the grandparents were receiving National Superannuation (ages 65, 71 and 72), and found it very difficult to cope financially (although some support was received). Two of the Māori grandparents were themselves comparatively young. One 48 year old was the grandparent of a boy aged 12, and a 52 year old was looking after two children aged 10 and 11.

The grandparents tended to be practical and realistic. In two cases, they said that they had "expected" their child to end up in prison, and therefore that they would be looking after the children. The reasons for these expectations were not followed up by us. A number of the grandparents ended up in single-parent type family arrangements. One grandmother looked after the child for nearly ten years, but he was tending to go off the rails and has been sent to live with her estranged husband, his grandfather, where he is doing well.

Some of the grandparents fear losing the children when their son or daughter is released from prison:

The drama will happen when he comes out. We have gone through hell to get custody (case 28).

The children are warm here. They have got food. It is a safe house. They love their mum. But they are worried about what will happen when she gets out, as she is an alcoholic. The children feel better for living with me (case 16).

A number of the children in this study have moved, as one put it "heaps" (case 12a). A small number have been in care with Child Youth and Family (CYF), but most in this study have simply moved between family members, or because their primary caregiver has moved often. One of the goals of this study next year is to examine patterns of care for children in CYF care.

Some are moved for what is perceived to be their own good. One child, living with his grandparent, was mixing with a peer group described as "...the wrong kinds of people". His grandmother decided to send him to a more rural area, but he did not want to go, "and there were big arguments":

Now he sees it was a better decision, and he has now made more appropriate friends. When he comes back to visit his Nana he doesn't want contact with old friends from the area, he just works instead (case 14).

Another child has also been moved around a lot (case 23):

Yes, he has had to move. He has so far lived in three foster homes, lived with his Grandmother and now is living with a foster parent. He sort of likes moving, because people buy him lots of things. He connects people buying things with being loved.

One mother removed her children temporarily from their provincial town:

I took the children out of [town] until everything calmed down.

As noted above, the family in case 30 moved 12 times over seven years. Looking back, the lasting effect was in the children's lack of educational qualifications:

My children missed out on many opportunities. [One] was a very good long distance runner and she was picked for a running team, which she wasn't able to join because we were moving once again. Education came way down the list because you become so caught up with day to day living. You are in survival mode. None of the children left with any certificates. They are bright kids but just never got that opportunity. [One] ... is now studying for her Psychology degree. Things would have been very different if the situation hadn't happened. My children would have all been at university.

A final issue that we wanted to raise in this section is whether the social implications of imprisonment differ depending on whether the family are Māori or pakeha. As we have seen, Māori are currently imprisoned at around eight times the rate of pakeha. We were told by stakeholders and caregivers that this meant that arrest, trial and imprisonment were common within the Māori world, and while not accepted, were probably treated with tolerance. As well, the more flexible and widespread whānau structures, even in urban centres, potentially made it easier for the family to provide ongoing care for the children, despite the relative deprivation of many Māori communities. We are unable to comment on these factors from our research so far. However, they are of interest, and will be the subject of further research on whānaungatanga and other processes by which families gain support.

Health and emotional effects

The health of prisoners in New Zealand is a topical issue, with several research programmes and an Ombudsman's inquiry currently underway. In this country, and others, recent work is also searching to understand the health needs of the families and children of prisoners:

There is a paucity of literature regarding the health of children of prisoners. The available literature suggests that these children are at greater risk of infectious diseases, of developing behavioural problems, and themselves becoming involved in the criminal justice system (Quilty, 2004 p. 339).

The National Health Committee is currently carrying out a research programme on the health effects of imprisonment. In their review of research, they note:

Some of the ways these issues may manifest include: depression, anxiety, acting out, increased aggressiveness, post-traumatic stress disorder, truancy, difficulties with authority, loss of self-esteem, bed wetting, problems sleeping, eating problems, difficulty in school, hyperactivity, abandonment issues, stigma, shame, grief, regression, and emotional shut-down (National Health Committee, 2008 p. 35).

International studies are relatively consistent in describing the potential effects of parental imprisonment on children:

The impacts of parental imprisonment on children can result in behavioural and emotional responses including fear and anxiety, sadness, and physical symptoms including increased health problems and regressive behaviour such as bed-wetting (Cunningham, 2001 p. 37).

Despite the relative paucity of literature, the descriptions of the health effects of incarceration on children are remarkably consistent across the literature:

Children whose parents have been arrested and incarcerated face unique difficulties. Many have experienced the trauma of sudden separation from their sole caregiver, and most are vulnerable to feelings of fear, anxiety, anger, sadness, depression and guilt. They may be moved from caretaker to caretaker. The behavioural consequences can be severe, absent positive intervention—emotional withdrawal, failure in school, delinquency and risk of intergenerational incarceration. Yet these children seem to fall through the cracks (Simmons, 2000 p. 1).

Other studies that discuss the health effects of incarceration include: an examination of the health of women prisoners and their children, in the context of parenting rights (Barnhill, Williams, & Ryta, 2006); studies of the intergenerational transmission of crime (Bijlefeld & Wijkman, 2009; Farrington et al, 2009), which suggest that environmental factors rather than heredity cause this problem, including health and emotional factors; examining family relationships and the wide range of health problems that affect these (Imber-Black, 2008); a study of the role that adverse

childhood effects (CAE) play in later imprisonment (Messina, Grella, Burdon, & Prendergast, 2007); a global focus on the effects, including health and mental health effects, of a 'carceral state' (Mukamal, 2007); the implications of prisoner poor health at the time of re-entry into the community (Rossman, 2002; Wheeler & Patterson, 2008); and a policy brief on the effects of incarceration on children, including health effects (Travis, et al., 2003). None of these studies have the health of prisoner's children as a prime research focus, but all discuss the now familiar range of problems that children face.

It should be noted that many of these articles call for co-ordinated action to stop the cycle of intergenerational crime, and that health interventions are seen as crucial to such attempts.

Not surprisingly, one of the clearest findings of the first year of our study is that the imprisonment of a parent negatively impacts, in one or more ways, on the health of the children. With a tiny number of exceptions, caregivers related lists of physical, emotional, mental and conduct disorders that, taken as a whole, are of significant concern.

We discussed the health issues with the Ministry of Health. While there were no services targeted specifically at the children of prisoners, the Ministry is aware of health effects on both prisoners and families. One of these, generally speaking, was the lack of family inclusive practices within the Corrections area to mitigate the health effects of family separation. We were told that there was an increase in service integration to try and meet the needs of disadvantaged families, but no focus on the prison population. The Ministry is involved in the re-integration project described above, but does not see that as having a specific child focus.

The Ministry also discussed current work on conduct disorders¹⁰, and noted that the problem of hard to reach families needed to be turned around, and seen as a problem of hard to reach services.

The Ministry interview concluded with a clear view that there were many service gaps to fill, and while this was an important area, it was not currently on the agenda. We were left with the impression that the structure of the health system seems to make any kind of integrated response extremely difficult.

The families interviewed in this study barely mentioned assistance from health services for the numerous health problems that the children faced. Few seemed specifically engaged with any active primary health care strategies to overcome the problems being faced by the children. We did not ask them if there were barriers to health care, such as cost or accessibility, and we intend to ask further questions on this in year two.

There were some health benefits noted by caregivers for some of the children in this study, resulting from improved living conditions as a result of parental incarceration. Some under-nourished children had put on weight, some with asthma were now in smoke-free environments and improvements were noted in the behaviour of some of the children.

However, the overwhelming picture was of a population with multiple, significant health problems that were getting worse. They were of three

¹⁰ Inter-agency plan for conduct disorder / severe antisocial behavior, 2007.

kinds: emotional responses to stress, physical health concerns (whether caused by stress or otherwise) and conduct or mental health problems.

Emotional responses

A wide array of emotional problems were reported to us, in the words of the caregivers and children, and they illustrate a range of ability to cope with the children's problems, from excellent to very poor. Identified problems in the following extracts include attachment issues, bed-wetting, nightmares, anger, anxiety, depression and others. Very few caregivers mentioned that the children were enrolled in health programmes to overcome these problems. The problems are considered, if not normal, something that the families must live with, as an effect of the child's experiences and possible of the endemic poverty in which many of them live.

He takes off. He probably has a lot of anger. He is playing up but is getting gooder (case 12).

Because he is an easy target, it makes his low self esteem worse (case 15).

The children were very upset. Tears all round. The girls cried. [The son] took over a week to cry. He was suppressing his emotions. Not good. They seemed resigned to the fact. The children need counselling. We thought they were going to get it. They really need help (case 16).

It took him about 12 months before he realised that things have changed. Now we have no problems with him. He has much more structure. He goes to bed at 8pm instead of midnight. Although he has started to get a bit lippy. His mother's drinking has affected him and his mother's violence has affected him. If you yell at him then he shrinks up. He gets nerves. He loves his mother but is afraid of her. He has been brought up with violence (case 20).

The [boy] tends to lose things. One year I brought him eight new school uniforms. He is a bed wetter. He does it because he knows he will get attention. He attacks other children. He lies a lot. He tends to fall in love with any woman who shows him a lot of attention, for example a social worker or his counsellor. He is always looking for a mother role/type (case 23).

They just miss Dad. Since he has gone they are bed wetting, sleep walking, having anger, bad dreams and desperation. These are all completely new problems that they never had before (case 25).

The little one has to sleep with me at night because she wakes up yelling in the middle of the night (case 27).

She has dreams, not scary ones, but sad ones about Dad, full of good memories about what was (case 29).

One of my daughters hated the police for the harassment and for taking her dad away. She never really got over it. She started to go backwards very quickly; started to play up and act out and eventually ended up on drugs, trying to take her life several times.

My second daughter was very anxious and worried about me. My son started wetting. You would be walking down the street and he would wet. He just lost it (case 30).

When her dad first went in to prison she was really sick, could have been related to stress. She is very stressed and her heart murmur has got worse (case 33).

The children's behaviour changed when I came back to the family home on home detention. There was a complete change. They were on track before and now they have turned into little shits - a total loss of respect for their Dad. The two older boys have ADHD. They have always had this disorder. When I came out of prison their ADHD got a lot worse because they were so angry. They were stealing cars and causing problems in the neighbourhood (case 35).

I was worried about whether my Dad was safe while he is in prison. I was worried about him getting killed (case 35a - son of the above).

The children felt yuck about Dad - he had gone out with someone the same age as his daughter. One son has developed a few of his father's traits. He was bullied at school not because of the prison, but because of how his father made him feel worthless. He gets picked on. Just wants to escape through a virtual world. He has a couple of friends at school. But he is aware that we don't have much money, so he stays in. He doesn't want to get a job because he has low self esteem. One daughter had a dream that Dad came round to the house and killed me (Mum). Another has developed a fear of things, of people. She substitutes things with food. She misses having a father: "Want to have a Dad, Mum". She goes to friend's houses and sees her friends playing with their Dad. They don't want him, they want a father figure (case 5).

Since [the older boy's] father has been arrested, everything has changed. He said to me: "Fuck poll poll they are dicks" (describing the police). The other boy has a lot frustration because he is younger. He can communicate fine. But he finds it difficult to communicate feelings. He gets really upset and just says "I want my Daddy". He always talks about thing in the past tense ..."before Daddy went to jail..." (case 7).

The older boy has been affected by his Dad going into prison. He has had to grow up pretty fast. He himself is now on bail. He has seen too much... grown up very fast. He is exactly like his father, doing what his father has been doing. He has to be the man of the house. He is a very angry kid. He has an anger problem. He puts holes in the walls. Tomorrow he is getting an electronic bracelet to monitor his movements (case 10).

When my Dad went to jail there was no one there to stop me. So I started committing crimes. Starting with shoplifting and shit. Alcohol makes you do it. All the friends I hang out with do it. I take drugs and drink alcohol because it helps me chill out (case 10a, aged 14, child discussed in extract above).

The children have developed bad dreams. Sometimes they dream that he (Father) will be beaten up (case 9).

The stories and symptoms go on and on. While the emotional problems are huge, some of the children are also suffering from a range of preventable health problems. These are not all due to the parental imprisonment, of course, but the situations they are in, and the high levels of stress in the households, appear to intensify the problems.

Physical health

Many of the children suffer from diseases like asthma and eczema, psoriasis and other skin and nervous disorders. For some of the families, the health situation is a mixed bag:

In some ways their health has got worse. But all three children have really grown in weight since they have been living with me, which is good as they were under-nourished. They were very stressed at first. [The boy] has started bed wetting, and he starts to whisper when he talks and then just stops. He can be aggressive. But the older girls just fires up and then goes into tears. The younger girl keeps coming out in eczema (case 16).

Eczema is a problem in many of the families: "It just never goes away, and I can't afford to buy soya milk and other food that would help it go away" (case 29).

Some of the children appear to have lost their basic good health and resilience. In case 4, the mother said that the children's health had got worse, and would be worse again "because it's going to be winter soon". She said that the children's wellbeing and welfare has been affected, and therefore their health.

The problems displayed by these children probably differ little from those endemic across the large number of children living below the poverty line. But the caregivers here are adamant that, overall, the children's health has got worse as a result of parental imprisonment, or, sometimes, the abusive experiences they had living with their parent prior to prison.

Conduct and mental health problems

A number of the children have conduct disorders (Colman, et al., 2009), ranging from frequent feelings of anger and oppositional behaviour, to the boy (case 10a) introduced to us as 'the worst boy in [his town]'. He is now 14 and appears set on a life of crime, unless an effective intervention programme can be put in place for him.

There is a reasonably consistent pattern in the responses of the children to parental imprisonment which can be discerned from the case studies. In early childhood, there is a lot of emotional upset, nightmares and crying, sleep disturbances and the like. Many of the children demonstrate attachment issues, clinging to their caregiver and not wanting to go to pre-school or school. These emotional symptoms appear to be linked with eczema, asthma and allergies.

By the age of seven or eight, new behaviours are emerging. Anger is among the main emotions, and children may be violent. They are also

likely (especially but not only the boys) to be chronic bed-wetters. They are careless of their own personal care, and can be forgetful (e.g. losing things). The boys in cases 23 and 7 demonstrate many of these traits all together.

From the age of 10 onwards, the mix of emotional effects and adolescence begins to kick in. At this stage, a number of external influences, such as success at school and peer interactions start to have an effect. Because many of these children have not been able to concentrate on their schoolwork, and they tend to live in the poorest areas of their towns, with other needy children, they are most at risk. Having sex at a young age, running away from home, disengagement from school, misuse of drugs and alcohol and youth crime are some of the potential effects.

We interviewed 3 women, now in their 20s, who were the children of prisoners. These three were very keen to participate in the study, even though we did not initially envisage engaging with adult 'children'. One woman (case 26) has a father who was sentenced to life imprisonment when she was 15, and is still there 14 years later. She is now in a good relationship with three children of her own. She goes to visit her father regularly because she fears his anger, but does not want him ever to be released. She says:

My Dad was a very violent and angry man with me and my brother and sister before he went to prison. It took for him to kill someone before anything was done about his anger problem. I was always an adult anyway, even before the imprisonment of her father. My brother has a lot of anger and my sister is very emotional. I am OK.

This woman believes that her own children have been negatively affected by an imprisonment that happened well before they were born, as the family still lives under the stress of that event, and the prisoner still attempts to control the family from inside.

Some of the caregivers believe that the children are developing significant mental health problems, especially depression and anxiety. In case 2, one of the boys (a young adult now) used to be enthusiastic and "wanted to go to school and work. Now there is a big change. He has gone from enthusiasm to 'I have just got to do it'". The caregiver thinks the significant change is a sign of a depressive mental health disorder.

A number of the children have diagnosed conditions such as ADHD. But there are few signs of available interventions that could interrupt the clear cycles that families and caregivers see in the children. We understand the Ministry of Health's position that there are many unmet needs, but capturing and treating the problems these children face while they are still young, before they are too angry or have already failed in school, would seem to be crucial to preventing them moving into a life of crime, or at least of significant ongoing emotional problems.

Education

The link between educational success and the risk of imprisonment is a strong (inverse) one, if not always well understood. There are very few people with high educational qualifications in prison. Educational qualifications increase self-esteem, self-efficacy and life opportunities, and make it less likely that people will choose to offend. It is also likely, given the systemic bias noted by Fergusson (1993), that if educated people do offend they are less likely to end up being charged, and even less likely to be imprisoned, than those without such qualifications.

Using a technique of economic modelling, one researcher (Andrews, 1993) examined whether a society can economically use prisons to control an alienated underclass. The model produced the answer that the use of prisons was efficient, *as long as there were adequate quality educational facilities for all*. The point is clear: a good education system keeps down prison numbers.

If there is no doubt that education is a powerful force for reducing imprisonment, and is especially useful for interrupting intergenerational crime, then the question must be posed: is everything possible being done to educate at-risk youth for a life beyond crime?

Taking this kind of modelling out into the real world, it has been suggested that removing money from prisons and investing in pre-school enrichment programmes, coupled with parental intervention, would reduce crime with no additional government expenditure (Donohue & Siegelman, 1998). Others confirm that early intervention programmes – for those under 12 years of age – are an effective crime-reduction tool, under particular circumstances (Farrington, 2005).

One issue is that these kind of interventions are highly political (Goldson, 2006). Political choices across western nations in recent years have opted for higher prison rates over more support for good schooling programmes. It is also likely that most programmes are doomed to failure because they focus on young people after they are already established in criminal behaviour (Johnston, 2004). A lot more effort and expenditure is needed to turn a youth offender away from crime, than to stop a child becoming a youth offender. Johnston argues that mentoring can be very effective for high-risk young people:

Mentoring can reduce drug and alcohol use, school truancy and violence. It offers only modest benefit for average youth but can be more effective with high risk youth. Mentoring needs to be properly resourced, with mentors offered proper training, enough funding and not too much stress (2004 p. 13).

However, bad mentoring is worse than no mentoring at all, and establishing mentorship once a child has reached adolescence is probably too late.

The educational issues thus rest on questions of political will and expenditure of effective resources. It is not difficult to see that New Zealand at-risk youth need more effective education. The long tail of poor educational achievement (Organisation for Economic Co-operation and Development, 2009; St John & Wynd, 2008) that has developed in this

country has been allowed to continue, although various intervention programmes are underway in parts of the country.

Remaining in school is a strong protective factor against a life of crime. Leaving early puts the student at risk of a range of negative outcomes:

Dropping out of high school culminates a long-term process of disengagement from school and has profound social and economic consequences for students, their families and their communities. Students who drop out of high schools are more likely to be unemployed, to earn less than those who graduate, to be on public assistance and to end up in prison (Christle et al, 2007 p. 325).

It is not difficult to understand the barriers that are preventing the children of prisoners from learning effectively. Their mind is on other things, including how their loved, absent parent is doing. They are suffering from a complex mixture of physical and emotional disorders that make it hard for them to think straight. They may have little support at home. They may be being bullied. The findings of the previous section of this report, along with a wide range of other literature, support this.

Innovative approaches are needed. One recent study asked prison inmates what it is they would want their children to learn in order to avoid following them into prison. The results were very interesting:

Inmates understood the importance that communication plays in their and their children's understanding of the criminal justice system. Essentially supporting previous research on providing realistic understanding on how children are negatively influenced on the impact of choosing violence, they suggested topics for curriculum and stressed changes in educational content, which could mean less incarceration. Suggestions from inmates based on themes relating to understanding law, understanding realities of prison life, value of education, ways of interacting with law enforcement, and value of discipline were evident in order to prepare the needed material to reach these youth. The inmates emphasized re-educating parents/caregivers and policymakers about areas in which to protect and nurture youth (Thombre et al, 2009 pp. 84-85).

These issues are also of interest for the next section, which discusses intergenerational offending and how to prevent it, including whether 'normalising' offending to the next generation turns them to, or away from, crime. Education is considered to be a powerful tool in that battle, and its absence a one-way ticket for at-risk youth to the jailhouse (Byer & Kuhn, 2007; Choe, 1999; Christle, 2007; Cleveland, 2003; Darling-Hammond, 2006; Fenning & Rose, 2007; Gary & Stacy, 2003; Matthews, 2003; Shillingford & Edwards, 2008; Stapleford, 2008; Tuzzolo & Hewitt, 2006).

The challenge is to offer the resources that the child needs, when she or he needs them. In our literature search, we came across only a few resources that could assist schools in that task. One was a resource written for the Save the Children Fund, which noted:

For many children, younger or older, having a parent sent to prison means significant practical, psychological and emotional changes in their lives. It may be one of the most difficult experiences a young

child or teenager has to face during their school years. Despite this fact, and the large number of children affected in the school-aged population, there is currently very little formal support available for either children or their teachers in or outside the current education system (Ramsden, nd).

We interviewed the Ministry of Education to find out what research, policies and practices guided the responses of schools and teachers when working with the children of prisoners. We were told that schools had a lot of autonomy, and varied a lot in terms of the kinds of support offered to students. The central agency has limited ability to set policies and practices, except in general terms (e.g. health and safety). No research had been undertaken on how the children of prisoners fared in schools.

In general terms, the Ministry of Education says that national policies include keeping young people engaged with education, early intervention, putting resources where they are needed, working out who is at risk and offering services. These may be social workers in schools, the involvement of youth mental health services or special education support. However, it was far from clear how individual children with the kinds of emotional needs described in the previous sections, and the educational issues outlined below, can get effective assistance when it is needed.

The Ministry of Education are keen to work with other agencies, and with this research project, to improve responsiveness over the period of this study.

We did not ask the prisoners that we interviewed about their own education, as we decided to focus on family/whānau matters. But we had a number of questions in the qualitative interviews for caregivers and children. The caregivers varied in their educational backgrounds, but only a handful had tertiary qualifications. Few were in well-paying jobs. Half a dozen caregivers were in paid employment (a small number had a partner in employment). Two grandparents were, respectively, a social worker and a real estate agent. One parent was a schools advisor, and one an administrator.

There is a strong and active commitment among most of the caregivers to ensuring that the children get a good education.

A number of the children have changed schools, for a variety of reasons. These include changing schools as a result of moving to a new family, changes to get away from people or situations (including peers) and change as a result of moving with the prisoner. The following extracts are only partial, as most families did not explain whether the child had changed school, but show that most children move on because of situations that have arisen for them.

Moving to a new family:

He has changed school at intermediate level. This was due to age and because he moved to a different area when he went to live with his grandfather (case 14).

[The youngest boy] has changed schools three times, as he has moved from family to family. Prior to the children coming to live with us they weren't going to school at all (case 28).

Getting away from people or situations:

The girls have had to move school because of my niece, who was in the same class. My daughter could hear across the classroom "bla bla bla uncle....bla bla bla rape...bla bla bla her name". There was no issue before but now it is a major problem (case 17).

He has gone to a different school than his friends. Halfway through primary school his behaviour changed. His behaviour got bad, and his friends were bad influences (case 14).

I took the children out of [their home town] until everything calmed down. The story was all over the papers in New Zealand and back in the [prisoner's country of origin]. During the children's social studies class the children's teacher held up a newspaper's front page as part of the class. The teacher was talking about what makes a good headline etc. The headline of the newspaper was about [him] (case 25).

The children changed school because they were playing up (case 27).

He has been out of school since the age of 11. I tried to get him into a school in the local area but they wouldn't take him because he was too high risk (case 10).

Moving to be with the prisoner:

The children moved around a lot and attended many schools. There were times when the children couldn't go to school because they were moving. It felt like it happened all the time (case 30).

Other:

I was at college, and then I had a baby, so I am now on correspondence schooling. A teacher comes and visits every term, and I can ring a hotline in Wellington for help (case 21a).

In other work undertaken by PILLARS, young people revealed that often it is their teacher they turn to as a support. We asked the interviewees whether the school or teacher knew and, if they did, whether they were supportive. Most did know, and most were considered supportive.

A number of caregivers simply noted that the school had been supportive or 'bent over backwards' (cases 15, 18 and 20). Others made more substantive comments.

The bus driver knows. I made sure that only I was able to pick up my daughters from the bus for security reasons. I was concerned that the girls might be blacklisted, as we live in a small community. But the teacher has kept the information completely confidential (case 22).

The school is supportive - they send things home for the kids to take into prison for their Mum. But it's always heavy things which are really expensive to post (case 24).

Brilliant teachers. But the teachers have no concept of what the children are going through (case 25).

The school found out. One of the children was talking about what happened at the weekend (about the killing) and I burst into tears and ran out of the classroom (case 26 – adult recalling her childhood).

Yes - The children's first school wasn't supportive, but where they are now is really good (case 27).

The school has been supportive, they attended the family group conference (case 28).

About 15 percent of the children at their school have a parent in prison. My children don't stick out. There are lots of children like them (case 29)

In particular one school was excellent and went out of their way to support the children (case 30).

The school knows and has been supportive. [The prisoner] gets school reports sent to him in prison. No problems (case 10).

Some noted that schools knew but were not supportive, or 'could have been a bit better' (case 2).

In two cases, the caregivers had made a decision not to tell the school:

None of their business (case 12)

Don't want to [tell the school]. Don't want to be tarred with the same brush (case 13).

We asked how the children were getting on at school, compared to prior to the parent's imprisonment. It was quite difficult to pin down their educational achievement. Most seem to be doing worse, for a variety of reasons, although many have no concerns.

[The son] isn't getting on very well at school. He has teacher aides (case 23).

My youngest boy [aged 6] has been given a mentor at school (case 25).

[My daughter] completely withdrew from education at the end of this term. I went to have a chat with the teachers and I have been working really hard with her in the holidays, with her reading and writing. Her education has got worse. Their father used to work with them a lot with their school work before he went inside (case 29).

None of them left with any education and certificates. They are bright kids but just never got that opportunity (case 30).

[My daughter] just carried on but [my son's] education has got worse. He just used to sit there and do nothing, was thinking about his Dad instead of doing any school work (case 31).

During the imprisonment the two oldest children turned away from school. They totally lost interest. The older boys were bunking from school. They didn't want to go (case 35).

[One boy] is above average, he is sporty like his dad. In the last six months [the other] has started to play up, he is disrespectful and he punches (case 7).

[The older boy] was thrown out of school. He has been having problems since he was 5. At the age of 9 he started running away. Then CYFs got involved. He used to really like his sports. Used to be in the Canterbury league team, but not anymore. [The girl] is good. She has the odd bad bits, but that's just being a kid. She won her cross country this year. She is a really good runner. [The younger boy] is good. He loves his sport (case 10).

Some of the children are bullied at school, or taunted about their parent, and some are bullies themselves:

He doesn't have any friends. Other children really hate him and want to bully him. He tells people about his mum and he gets teased. He finds it difficult to mix with other children. He tries to hurt other children especially if they are younger. He's a bully himself (case 23).

The older children were teased at school; people say it ['your Dad's in prison'] all the time (case 25).

A number of other parents noted that the children can be easy targets for bullies. On the other hand, most caregivers said that the children were not being bullied.

Some of the schools have given extra assistance to the children, of one kind or another. Some teachers have gone out of their way to support the children and families:

I phoned the headmaster. Got the children school counselling. They have been really good. They have kept the status quo, but they are aware. [My daughter's] netball teacher has been really supportive and taken her to matches and training (case 16).

[One daughter's] school has been really supportive. She has been given a counsellor through the school. At first they were concerned about [the prisoner] turning up. I go down to [the youngest girl's] school every day to talk to the teachers. Her teachers have encouraged the other children about how to talk about the subject in the right way. The teachers have explained and asked the children to discuss when she wasn't there what it feels like to have a parent in prison (case 17).

They have been supportive. The boy's teacher came out to the prison to discuss what they would do to help [the boys] (case 35).

The school is very concerned about the changes in the boys' behaviour. They are finding it hard (case 7).

The parents catalogued other cases of teachers and sports coaches offering extra assistance. However, there were also a number of instances given of lack of support, or of caregivers feeling they could not tell the schools. The lack of a coherent and systematic response from the schools sector to the children of prisoners is evident.

An area for further study is whether it is enough for teachers to be supportive, and whether effective interventions are being provided for the children. In terms of the first year results, it looks like, even where there is good support from the school, the children, and in particular the boys, are still slipping behind. Caregivers need to know that assistance is available to encourage children to engage in school and help them over the barriers to learning, especially the emotional ones.

From generation to generation

The children of prisoners are far more likely to become prisoners themselves, than the children of non-prisoners (Farrington et al, 2009; Fergusson et al, 2004; Johnson & Waldfogel, 2004; Murray & Farrington, 2008; Murray et al 2009). No one reason 'causes' this. There are clearly multiple causes: individual, experiential, emotional, social and policy driven. Also, the fact that many countries are running policies of increasing imprisonment does not directly mean that individual prisoner's children are at risk, but it does mean that the children of prisoners as a whole face increased risk (Mukamal, 2007).

Many of the organisations that work with the children of prisoners have as their central mission the need to 'stop the cycle' of intergenerational recidivism. When one family member goes to prison it is a disaster; when their children head there, it can be ruinous for the individuals concerned as well as whole families.

There is an alarming over-representation of Māori in the criminal justice system, and thus also in the intergenerational transmission of imprisonment. Two main reasons are given in the literature for this situation:

- that bias operates within the criminal justice system, such that any suspected or actual offending by Māori has harsher consequences for those Māori, resulting in an accumulation of individuals within the system; and
- that a range of adverse early-life social and environmental factors result in Māori being at greater risk of ending up in patterns of adult criminal conduct (Department of Corrections, 2007).

The first is known as the colonisation thesis (Jackson, 1988; Quince, 2007), and the second as the socialisation thesis (Fergusson et al, 2004). The two are not, of course, mutually exclusive and can exist together. Indeed, the Department of Corrections (2007) report concludes that the two do reside together, but that the primary focus of intervention needs to be in the areas of health, education and social services.

While this makes sense in terms of the clear needs and elements of deprivation found in our study, it does not mean that the institutional bias that appears to be endemic in the justice system towards Māori (Fergusson, 1993; Fergusson et al, 2003) can be ignored. The implication is that the full range of social and economic remedies could be deployed to avoid recidivism in Māori families, only to be stymied by the justice bias.

We were told that the New Zealand Police acted quite quickly after the Ruatoki raids to change policies relating to search and seizure when children were present, because of reports of traumatic effects. While it is good that such a change has been made, it may be that the horse has already bolted for the next generation, especially in the relatively deprived Bay of Plenty communities that were directly affected. The history of poor and damaging relations between Māori and the police (James, 2000; Te Whaiti & Roguski, 1998) will not easily be erased, but work needs to proceed on that element as well as those that are central to our study.

Our survey of prisoners found a very clear Māori/ non-Māori divide in terms of the family history of imprisonment. The survey asked whether anyone who the prisoner lived with as a child was sent to prison. The summary response is shown Table 1 below.

Table 1. Whether respondents had lived, as a child, with anyone who went to prison (n=134), raw numbers.

	No	Yes
Maori	23	41
Pakeha	41	19
Other	4	6
Total	68	66

The ethnic differences in response were expected and clear. There are two main reasons for the large differences. Māori are currently imprisoned at seven times the rate of pakeha, in a trend that stretches back at least until the 1950s. This means that, in Māori families, it is far more likely that relatives have spent time in prison.

Second, Māori tend to live in extended families, and especially with uncles and aunts or grandparents. Living in larger whānau increases the likelihood that one or more family members will be imprisoned.

Figure 3 outlines which family members went to prison. A quarter of the prisoners we surveyed had had a father in prison. Next were uncles and brothers. Smaller numbers of female relatives also spent time in prison when the respondents were children. In total, the respondents listed 160 relatives who lived with them and went to prison. As only 66 in total had any whānau in this position, this averages to around 2.5 prisoners for each child when they were growing up.

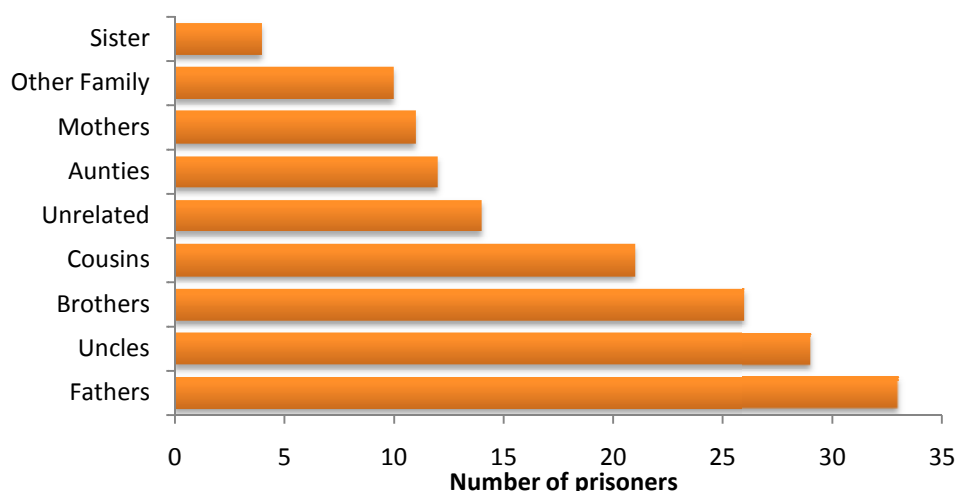


Figure 3. People that respondents lived with as a child who went to prison.

In fact the picture is significantly skewed. Most who recalled whānau members in prison reported only 1 or 2. However 14 respondents, 13 of them Māori (reflecting the 'imprisoned society' factor), had between 3 and 8 whānau members in prison when they were a child.

Respondents were also asked how old they were when, as a child, they first remember anyone they know being sent to prison. Figure 4 shows some

typical patterns. First, 22% of respondents could remember no-one they knew being sent to prison when they were a child. Second, only 24% of pakeha, but 56% of Māori, first remembered someone being sent to prison when they were 11 or younger. Third, 40% of pakeha, but less than 10% of Māori, knew of no-one going to prison when they were a child.

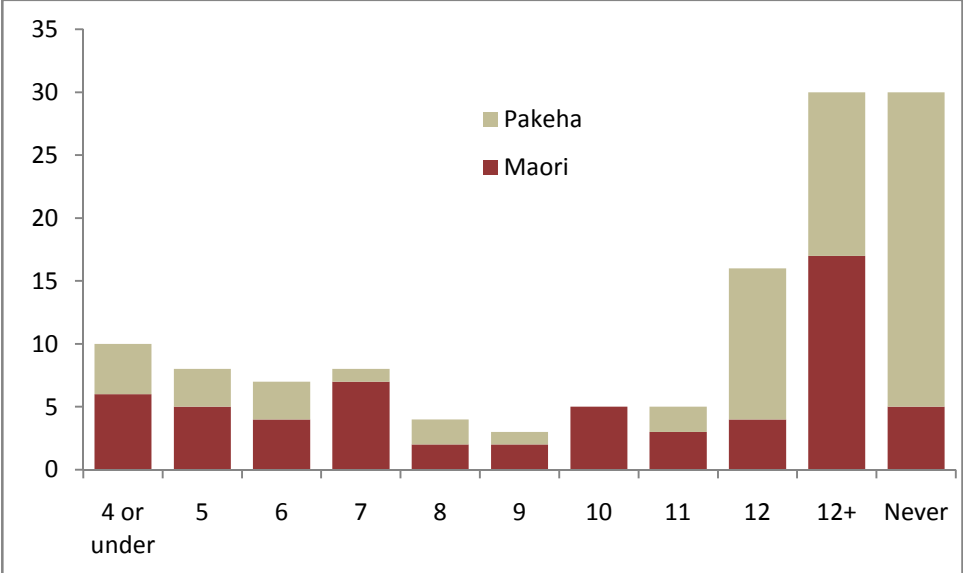


Figure 4. Age at which someone the respondent knew was first sent to prison

While these figures appear to show a much higher rate of intergenerational recidivism for Māori than for others, this is only because Māori in the previous generation were imprisoned at a much higher rate.

The normalisation argument

During our interviews with stakeholders, the view was expressed to us on several occasions that the prisoners of children should be kept well away from courts and prisons (and their family member who is a prisoner), otherwise they would come to see the prison environment as 'normal', thus making it more likely that they would, in turn, offend. This is referred to in the international literature, for example:

Many myths follow the children of these offenders, the most pervasive of which is that the children will be better off if they have no contact with incarcerated parents, according to Karen Shain of San Francisco-based Legal Services for Prisoners with Children (Tebo, 2006) p. 12.

The normalisation view is diametrically opposite to that held by community organisations such as PARS and PILLARS. These organisations actively support significant ongoing relationships between the family and the prisoner, while working to support the family in a range of ways.

The question to be resolved is the direction of the influence. By visiting in prison and continuing to be involved with their incarcerated parent, are children imbibing a prison culture which will lead them to become criminals, or are they maintaining high quality relationships that protect them against such influences, and encourage the prisoner to turn away from a life of crime?

Our research provides some insight into this. We asked prisoners whether they had visited anyone in prison before they were 17 years of age. 52% answered yes and 48% answered no. More than half visited 5 times or less, and only a quarter visited ten times or more. The latter group are interesting because seven were pakeha, six Māori and two Pasifika. Although the numbers are too small to indicate a trend, it appears that pakeha visited slightly more frequently than Māori, in this sample¹¹.

The literature on intergenerational recidivism suggests that, where a parent or other close family members goes to prison, this may provide knowledge and experiences to the child that, by itself (even taking into account other aggravating factors such as low income, poverty, low education levels and drug and alcohol abuse), increases the likelihood that a person will end up in prison as an adult. The questionnaire therefore asked prisoners how much they had known, prior to entering prison for the first time, about what prison is like. Responses are shown in Figure 5:

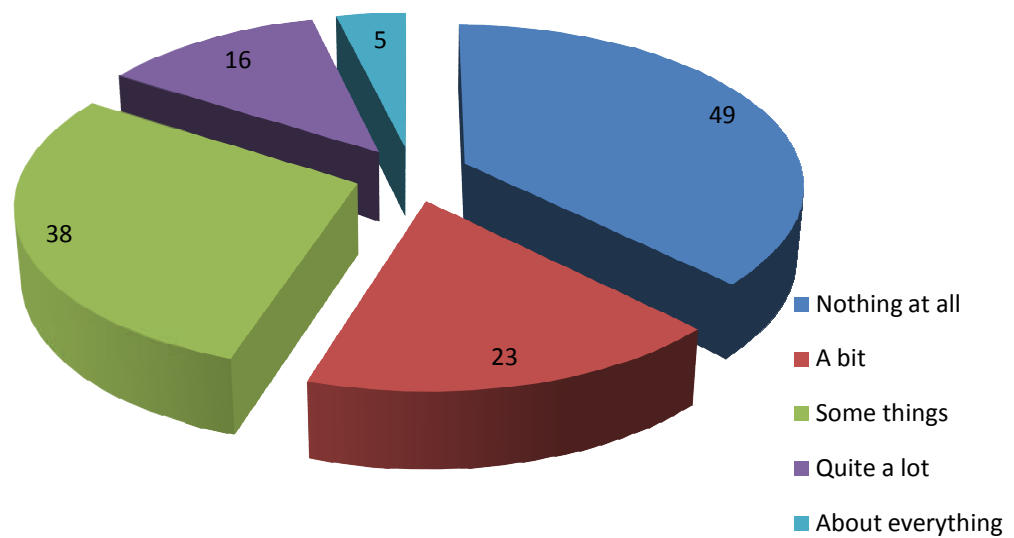


Figure 5. How much respondents knew about prison before they became a prisoner for the first time.

A small number of respondents (21) stated that they knew 'quite a lot' or 'about everything' about prison. There are few consistent patterns that would point to a strong 'knowledge-based' intergenerational recidivism among this group. Looking at these 21:

- 13 were Māori, 7 Pakeha and one other.
- 7 were female and 14 male.
- 6 did not live with a prisoner when they were a child.
- 14 visited prison as a child, 7 of these 10 or more times.
- 6 were in prison for the first time.
- 9 had been in prison on four or more occasions

In our search for the intergenerational recidivist, we attempted to narrow the criteria further, by selecting only those who had been in prison 4 or more times, had lived with someone who had been in prison, stated they

¹¹ In the sample, pakeha were both more slightly more likely to visit and more likely to visit more often, than Māori.

knew quite a lot or about everything about being in prison and had visited before the age of 17.

A total of 5 (out of 137) prisoners fit all the criteria, 4 men and 1 woman, 3 Māori and 2 pakeha, with sentences ranging from 3 years to over 20. Between them, they cited 21 family members who had been in prison, and most cited a mother or a father (in one case both) who had been in prison. They visited prison regularly as children. They have 12 children between them, so far.

If there is a direct pipeline from childhood to prison for some, this is the group for whom it is most evident, and it is only 3% of those involved in the prison survey. Not enough is known about this group, and we think that a research project should be set up to try and understand, through a qualitative study, what were the mediating factors (or lack of them) in these cases.

Previous sections of this first year report have noted a range of economic, social, health and education factors that mediate, and probably influence, the potential for the children to end up in prison. We have described a general picture of families living in poverty, often in reconstituted families, with a range of physical and emotional problems and a generally poor attachment to school.

Some of the caregivers are concerned that the children will get in trouble as they get older:

I am concerned that he will grow up like his mother (case 20).

[The older boy] has huge shoes to fill within the whānau, and the family need [his father] to be able to show him the way. They need a programme to strengthen whānau in these kinds of situations. The problem is the culture that young people are being exposed to by their parents. The children play with toy guns and knives (case 7).

It has affected the sons, in a huge way. Because the children had thirteen years worth of separation then two and a half years of re-bonding, and then he was taken away again. The sons have been affected especially at teenage age (case 2).

More often than not, the caregivers and children attribute the problems they are having to the *absence* of the prisoner, rather than his criminality. In case 10a, the naughtiest adolescent in his town, as we were told, the absence was seen as the cause of his criminality:

I take drugs and drink alcohol because it helps me chill out. I started about three years ago... I still love my Dad. But when he's released from prison he will probably just go back inside again ... My friend's dads are in prison too... (case 10a).

He explained to the interviewer that his father encourages him to lead a good life; but he thinks: who are you to tell me that?

One case we examined was of a 14 year old girl who had no memory of her father (he was arrested before she turned one year old). A 3 day visit to her father has made a huge positive difference to her life. In her mother's words:

Before she went to visit him she was in the wrong place. She was very naughty. She was making bad choices, behaving not very good, smoking, started being cheeky, not caring, was a big concern. Before she went to the prison to visit her dad she was lonely watching other children with their parents, she was sharing her sister's dad. When she went to visit I saw her shoulders rise. He told her where she came from, that his family were successful and had careers. It gave her "big time hope". It taught her "I am OK, I am still proud of who I am". Because of the visit she realised she was still able to make choices. She changed when she came back from the visit - she knew the missing part of her life. There is calmness in her life now. This time she has got her dad. They were laughing on the Friday together... She now has a belonging smile on her face... It's a new beginning for all of us. On the third day of the visit she hugged him properly. There was a smile on her face, very happy (case 8).

It is difficult to investigate or provide answers to the question of whether proximity to a prisoner invites the transmission of prison values, which will encourage offending in the next generation. Some of the mothers whose partners have gone to prison have met new partners who have, in turn, gone to prison. This is not confined to the most economically or socially disadvantaged families. The wife of one ex-prisoner, who served a term in prison and was then deported to his European country of birth, noted that her daughter is now in a relationship with a man who has just gone to prison.

It often falls on the non-imprisoned partner or relation (usually grandparent) to try and model alternative ways of living for the children. Often their feelings about the situation get in the way of this. One caregiver (case 13) says that she often feels like a "criminal by association", and others hide the situation for this reason. Some have lost their best friends - "my friend blamed me" (case 33) - or the love of family members (case 26), because of the situation. Their subsequent isolation and lack of resources makes it hard for them to be a positive role model.

As noted in earlier sections, many of these children are not doing very well, with some already in trouble, others demonstrating behavioural problems and difficulties in learning at school. On the other hand some, like the children in cases 26 and 30, have grown up fine, sometimes with rocky periods along the way.

It is argued by some (Fergusson et al, 2004) that careful research may uncover the exact factors that cause the tendency to intergenerational recidivism. In order to achieve this, a different kind of study would be needed.

On request, the Canterbury Health and Development Study kindly put together for us a table examining the differences in outcome at age 25 between those participants who had experienced parental imprisonment and those who had not.

The 'parent in prison' sample was only 3.3% of the total, and such a small size reduces the analytical power. However, the tendencies are very clear from the table, although of course cannot be attributed to any particular cause (for example, the sample of 33 cases is made up of some of the

most socially and economically deprived families in the sample, so that factor, rather than imprisonment, may cause all, or nearly all, the observed differences)¹².

Table 2. Associations between parental history of imprisonment (prior to age 15) and young adult outcomes by age 25 in the CHDS cohort.

Outcome	Parental history of imprisonment		p
	Yes (N=33)	No (N=953)	
Crime			
% Property or violent offending (21-25 years)	20.7	11.4	NS
% Arrested or convicted (21-25 years)	17.2	7.4	<.10
% Imprisonment (ever)	15.6	1.6	<.001
Substance Use			
% Nicotine dependence (25 years)	48.3	22.1	<.001
% Alcohol dependence (21-25 years)	6.9	5.3	NS
% Illicit drug dependence (21-25 years)	17.2	8	<.10
Mental Health			
% Depression/anxiety disorder (21-25 years)	41.4	30.3	NS
% Antisocial personality disorder (21-25 years)	13.8	2.7	<.001
% Suicide attempt (ever)	18.2	8.1	<.05
Partnership/Parenthood			
% Got pregnant/got partner pregnant (by age 20)	34.3	16.6	<.01
% Became natural parent (by age 20)	24.1	7.4	<.01
% Inter-partner violence past 12 months (25 years)	13.8	8.3	NS
Education/Employment			
% No educational qualifications (by age 25)	37.5	12.3	<.001
% 12+ months unemployment (21-25 years)	20.7	8.9	<.05
% Welfare dependent (25 years)	27.6	10.9	<.01

We are aware that we have only scratched the surface of the question of how the children of prisoners tend to end up in prison, often despite enormous efforts by caregivers and communities to stop this happening. Our aim here has been firstly to outline our first year findings, and secondly to summarise the main issues around this important question. There are some points that offer hope to community organisations that wish to help young people stop the cycle of offending. First, even in the

¹² Our grateful thanks to John Horwood and David Fergusson for their assistance.

most imprisoned households, children are not automatically condemned to become prisoners. In our sample of prisoners, only a tiny number had no real chance of escaping their carceral destiny. This means that, with the right interventions, the next generation can avoid prison. These interventions will need to target health, education, social and economic conditions, and also tackle the institutional assumptions of police and the justice system.

This project cannot solve these difficult issues alone, and we look forward to the assistance of analysts, researchers and academics from government, research and community agencies over the next two years to assist in this important task.

Practice implications

There are inadequate support services for the families and children of prisoners. From the moment of arrest, through the trial, conviction and sentence, living arrangements, health, education, economic circumstances and ongoing relationships, there are huge hurdles to be overcome with often very little support.

With a small number of exceptions, the needs of this group are huge. Many of the caregivers barely cope. Some have received extensive social work support from agencies such as PILLARS (e.g. case 34), and do not know how they would have coped without that. But the reality for most of the families is that they do not get such support. Comments that we got from caregivers were that they were just expected to cope, that no-one checked up on them, that they, and the children, were just invisible.

There is far more that can be done, and indeed that must be done. We hope over the three years to build up a much clearer picture of areas where intervention is needed, but some glaring gaps have already become apparent.

The economic gaps

The process of the imprisonment of a parent causes many financial risks. These include:

- The shift from wages to a benefit as the main form of economic support for many families, during a time of increased need.
- Having to move for a wide variety of reasons.
- Children moving to live with other family members, especially grandparents, who often have a low income. Some of them may not know how to claim assistance, if there is any available.
- The prisoner may leave behind debts. In case 30, the family funded his defence to a total of \$90,000, which required them to sell their home. Others end up with a range of debts owed by the prisoner, which they are unable to pay.
- The children incur extra costs that need to be met. In the interviews we heard of children who continually lose things and who incur prescription medicine or additional food costs for allergies.
- The costs of supporting the prisoner, including visiting travel costs, phone cards or 0800 numbers, money in the prison account or other. We were told that the benefit system treated the prisoner as if she or he did not exist, when they were often a significant drain on family finances.

We were concerned that the assistance available to families is patchy. Some get travel assistance from PARS on a regular basis, some intermittently and some do not get it at all. Some grandparents appear to get a reasonable level of support for the children they take on, and others do not. National Superannuation is not intended to support growing kids.

The social gaps

It is a gross understatement to say that criminals are not popular in our society. There has been a new level of vilification in recent years, with the rise of mass public derision around criminals. Organisations like the Sensible Sentencing Trust run dehumanising campaigns such as tents on the Desert Road, longer sentences or hard time. Such discourses are having social policy effects in driving up sentences and moving New Zealand towards an era of mass incarceration. In the United States, this kind of movement is called 'penal harm' (Listwan et al, 2008).

The context has material effects on the families and children of prisoners, who find themselves living in fear of being 'tarred with the same brush'. Sometimes the social relations are clear, if tragic, as when your Dad kills your Auntie. Other times it is far more complex, as when your well-meaning friends go to the local paper to defend your husband's character, after he has been convicted of murder. The resulting headlines, of the 'pillar of the community goes down for murder' variety, are less than helpful.

There are no clear rules for families. It may well be that those with significant pre-existing social status find it hardest, because the big whānau where a number of the cousins have been in prison, or the community where 15% of the children have a parent in prison, are likely to be more supportive, in a 'been there, done that' sort of way.

Caregivers tend to have low expectations for themselves and for the children, in terms of access to social goods. This is where resources like the Children's Bill of Rights become important. The San Francisco Children of Incarcerated Parents (CHIPS) organisation has formulated a 'Bill of Rights' for the children of prisoners, aimed at directly tackling the problem of invisibility¹³.

The list (see sidebar) specifically addresses the areas where invisibility needs to be overcome through good policies and practices. It is also written from the perspective of the children, framing them as central. The Bill of Rights also makes it clear that the effects of arrest and imprisonment on children are not 'collateral', but endemic and result precisely from their situation.

The discourse of rights is a powerful antidote to difficult, abusive or alienating situations, empowering advocates and children to demand that their voices be heard in meeting their various needs. We think that simply knowing that someone has developed a list of such rights could empower caregivers and children to think differently about their situation.

AN AGENDA FOR ACTION

1. I have the right to be kept safe and informed at the time of my parent's arrest.
2. I have the right to be heard when decisions are made about me.
3. I have the right to be considered when decisions are made about my parent.
4. I have the right to be well cared for in my parent's absence.
5. I have the right to speak with, see and touch my parent.
6. I have the right to support as I face my parent's incarceration.
7. I have the right not to be judged, blamed or labelled because my parent is incarcerated.
8. I have the right to a lifelong relationship with my parent.

¹³ <http://www.sfcipp.org/rights.html>

There are other sources of children's rights that can also be used to set up expectations for supporting the children of prisoners. The UN Convention of the Rights of the Child (UNCROC), the New Zealand Bill of Rights Act and the Human Rights Commission provide a principled base for expectations around the treatment of the children. We are interested in exploring the rights basis for action in further depth next year.

The health gaps

Many of the children in our study this year have emotional problems, which appear to get worse, not better, over time. A small number are walking powder kegs, badly in need of high quality interventions. There is evidence of significant physical sickness, too, and emerging major conduct disorders and mental health problems. Is this how the prisons come to be so full of people with mental illnesses, as childhood emotional disorders remain untreated and are allowed to escalate?

Next year, we intend to add to our interviews some detailed questions about what health support is given to the families of prisoners. We were told by the Ministry of Health about one District Health Board, in Hutt Valley, which has specifically targeted services to families moving into the area because of the existence of a large prison (Rimutaka).

The Ministry of Health's admission that there are a number of service gaps is an excellent start for beginning to overcome the problems outlined in this report. It is very distressing when chronic bed-wetting is left untreated in so many young people. It appears to be at epidemic proportions among this group, and needs to be treated with urgency, along with the nightmares, anger and depression outlined here. We expect to be able to provide a fuller account of needs and service provision around the country in years two and three.

The education gaps

Education is a most powerful tool to prevent poor outcomes for children. Education can interrupt cycles of deprivation and provide the basis for rebuilding self-esteem and a personal pride in achievement. If everyone hates a prisoner, everyone loves a scholar or a sports star.

It was good to find out that most schools and teachers in this study knew of the parental imprisonment, and most were supportive. The Ministry of Education noted that services like Social Workers in Schools were in a good position to help students, although caregivers tended to mention teachers, teacher aides and (in one case) mentors as helpers to the children.

Nevertheless, the children in this study are at high risk of poor educational outcomes. A couple have, as adults, found their educational feet and are now undertaking tertiary study, but most seem destined for educational failure.

Making children visible

One morning in July, as we were undertaking this research, the news was full of the Minister of Corrections saying that there were currently 800 spare beds in the prisons, but that she expected them all to be full by Christmas. Her point was that more beds were needed. My immediate

thought, having just analysed the prison survey, was “that’s 2,000 more children”. The theme of invisibility reflects that children are never really factored in to either the thinking, or the chain of decisions that leads to an individual being imprisoned, or in policy and practice terms to more and more people being sent to prison.

Our first year, tentative, finding is that it matters a lot to children when a parent is sent to prison. Sometimes it matters primarily in a good way, as when a child who was raped sees her parent punished, or when a child of an alcoholic mother is given a warm home with enough to eat. But even in these cases, the harm that has been caused can have ongoing effects and lead to horrific outcomes for the children.

It matters in a bad way for most of the children. The person may be a criminal but he or she is their parent. With no-one really thinking about or acting on the impact on the child, the effects may be any or all of those listed below:

- The child may see their parent being arrested and taken away, sometimes quite violently, without having any conception of what is happening, thus allowing their fears to run wild.
- The child may not see their parent again for a long time, if at all, and suffer from separation anxiety.
- Visiting the prison may be a cold and alienating experience, which does not assuage fear but makes it worse – on the other hand, it can also be good and affirming.
- The children are likely to live in worse economic circumstances than before.
- Their health, in one way or another, is very likely to be affected.
- Their education is very likely to be disrupted.

For all of these reasons, and probably others, their risk of future imprisonment will rise. This may mean that the policy of increased incarceration is a very dangerous one, and needs to be rethought, but that is not the focus of our current study¹⁴. Our aim is primarily to support community organisations, including the government sector, in working to mitigate the harm caused by parental incarceration.

There are some agencies that work either exclusively, or partially, with the children of prisoners. PILLARS, the community organisation that were funded to undertake this study, has run a range of services for families and children in the past, including a wide range of children’s group programmes. After evaluation, the organisation has concluded that the only effective intervention model is intensive work with the whānau on a social work basis, coupled with a mentoring programme for the children of those families. This integrated model will be more effective than earlier

¹⁴ Groups like Rethinking Crime and Punishment, and the Howard League, work on these policy issues. One area of interest is in alternatives to imprisonment, such as home detention, and whether these can mitigate the effects on families and children. We agree with the Families Commission that research on that topic is important and needs to be undertaken.

approaches, but is highly resource-intensive and it means that only a small number of families can be helped at any one time.

PARS also works with the families and children of prisoners, with programmes including child visiting, baby visiting and social work support (but usually to assist in solving a particular problem such as housing or benefits, not ongoing therapeutic assistance). PARS has emerged from our study as an important agency for assisting children to have good visits to prisons. Some families told us that they were treated much better when visiting with PARS assistance.

It would be possible for PARS and Corrections to work together through what constitutes a good prison visit for children, and seek to put more family-friendly systems in place at all prisons. Arohata Prison was specifically mentioned by both whānau and community agencies as a good place to visit with a prisoner. Without pre-judging which prisons and which characteristics make for good visiting for children, this is work that really needs to be done.

Christchurch's Family Help Trust provides intensive early intervention for the 'hardest' families: the 2% born each year that are "most vulnerable to child abuse" (Turner, 2009). About half of the families reported high rates of criminality, and more than half had mental health and/or substance abuse problems. In a recent evaluation of two-year outcomes of 59 families, Turner found that the intervention had significant success in reducing child abuse, CYF intervention, family violence and abuse. Key success factors were the use of professionally-trained social work staff, very early intervention (preferably before the child is born), a best practice approach grounded in development theory and strong agency support.

Early Start is another Christchurch-based home-based family intervention service, offering services to "Christchurch families with newborn babies, where social and family circumstances may put at risk the health and well-being of their children"¹⁵. This service is in the process of developing a trial liaison with PILLARS, where Early Start would offer its services to babies and young children, and PILLARS would offer mentoring to older children in the same family.

Early Start is one of few agencies that has had the benefit of a randomised trial, where non-intervention families and intervention families were compared over 24 months. The findings of that evaluation (in the broadest terms) were as follows:

The weight of the evidence suggests the Early Start programme delivered small but consistent benefits in a number of areas relating to child health, education, child abuse, parenting and behavioural outcomes.

In contrast, an absence of benefit was noted in other areas including: maternal health; family economic conditions; family violence; and family stress. These were also areas targeted by Early Start but which had a lower priority than the child-related outcomes. (Fergusson et al 2005 pp 76-77).

¹⁵ <http://www.earlystart.co.nz/whofor.html>

The implication of this is that intensive support at the individual level must also be accompanied by a range of social and economic interventions. Since this evaluation, Early Start has worked to improve its approach in the broader areas, while not sacrificing the core work of preventing abuse and fostering good parenting in our most at-risk families.

The Henwood Trust is primarily concerned with issues around youth offending with a focus on the effects of foster care. Recently this organisation completed a compelling review of the evidence (Bleach & Robertson, 2009), examining the challenges to foster care in terms of potential links "from a care and protection to a youth justice system" (p. 11). Many of the findings of the review mirror, for the foster care sector, our findings in terms of the families of prisoners, especially around health, education and the potential for children to enter youth justice.

The AngelTree ministry gives out good quality presents for the children of prisoners, upon application by the prisoner. This is a large programme, last year giving out presents to 3352 children across New Zealand. It is run by the Prison Fellowship, sometimes in partnership with other agencies, and brings joy to thousands on Christmas Day.

We have not yet, in our first year, met with agencies such as the Salvation Army, Barnardos and the Christian social service agencies that often work with the families and children of prisoners. This is due to a lack of resources, not a lack of interest. Many of these and other organisations receive funding from Child, Youth and Family for social work and child intervention programmes. This year we were unable to interview CYF senior staff directly in terms of either programme funding issues or working with the children of prisoners in statutory care. One of the aims of this study in 2010 is to work with this agency, exploring the implications of our findings with its staff. As noted earlier, we also hope to interview a number of non-family caregivers and children next year.

Looking forward

We hope that our first year findings will stimulate debate and discussion among a wide range of groups and organisations. In two years time this study is expected to produce a 'state of the art' practice manual for the community sector on how to stop the cycle of intergenerational offending, through high quality interventions. From the broadest policy focus, to small individual programmes, there is the opportunity to make a difference, and we are keen to engage widely to achieve that goal.

We would like to hear from individuals and community organisations who want to be interviewed for, or provide some views on, our project, or who want to help. Contact details are provided at the front of this document.

We are also interested to hear from others who have views on our research and its findings, even at the tentative year one level. Please feel free to contact us to discuss our work. We would be happy to hear from you. The year two programme begins in March 2010, subject to funding being approved.

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