

European Journal of Parental Imprisonment

Community sanctions and restorative justice





Children of Prisoners Europe

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Editors

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The European Journal of Parental Imprisonment is a bi-annual publication that seeks to broaden the study of issues relevant to children affected by parental incarceration and meet a burgeoning interest in the development, implementation and evolution of entitlements, policies and practices that promote their well-being. With a view to fostering new perspectives for children with imprisoned parents, the journal features contributions by eminent scholars and experts in the fields of child rights, child welfare, criminal and social justice, psychology, penal affairs and other disciplines; published articles do not necessarily represent COPE's opinions. Selected articles are editorial screened but not peer-reviewed. The editor is committed to reasoned ideological diversity and welcomes suggestions for special issues and contributions.

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Front cover image: Boy, (6). Bambinisenzasbarre, Italy

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The views expressed in these articles do not necessarily reflect those of COPE.

Note from the editor

Escaping prison: Alternative approaches to parental incarceration

In light of the pains inflicted upon children by the incarceration of their parents, it is perhaps not surprising that an increasing number of practitioners and academics are calling for a reduction in the use of custodial sentences and for a more holistic approach to deal with offenders who are parents and primary caregivers.¹ These children, who often begin their lives already in a position of considerable disadvantage², can be faced with a whole raft of potential difficulties that stem both directly and indirectly from the imprisonment of their parents, such as the disruption of their family relationship and an increased risk of mental health problems, particularly if there is inadequate support for the child. So great are the combined effects of parental imprisonment, that some courts have even gone so

1 Weaver, B., & Nolan, D. (2015). *Families of Prisoners: A Review of the Evidence*. Glasgow: Centre for Youth & Criminal Justice.

2 Reef, J, Dirkzwager, A., & Niuewbeerta, P. (2015). Children's wellbeing before parental incarceration. *European Journal of Parental Imprisonment*, 2, pp. 25-27.

Chris McCully
Children of Prisoners Europe

far as to hold that the principle of the best interests of the child establishes the presumption that custodial sentences are not an appropriate punishment, so far as is reasonable, for parents who are also sole caregivers.³

What alternatives, then, are available to the criminal justice system when dealing with offenders who are also parents? Non-custodial sentences, often called community or alternative sentences, are a growing and varied body of criminal justice sanctions, which range from electronic monitoring and compulsory community service to treatment programmes for drug, alcohol and behavioural problems and participation in restorative justice processes. They are increasingly prevalent in the criminal justice systems of the world,

3 See, for example: *S v M* (CCT 53/06) [2007] ZACC 18; 2008 (3) SA 232 (CC) "When considering whether to impose imprisonment on the primary caregiver of young children, did the courts below pay sufficient attention to the constitutional provision that in all matters concerning children, the children's interests shall be paramount?"

with many arguing that they offer a good opportunity to deal with offenders in a way that both helps to tackle reoffending and to insulate children from the worst effects of having a parent in conflict with the law. By keeping parents out of prison and, so far as is possible, maintaining relationships between children and parents that are as normal as possible, community sanctions may represent a key opportunity to avoid the worst impacts of the criminal justice system on children of prisoners. Indeed, given the importance of maintaining a relationship with a parent convicted of an offence in mitigating the effects of that conviction on a child, allowing children and their parents to remain together after a conviction may be of fundamental importance in protecting children's wellbeing.⁴

More than this though, the argument could be made that alternatives to imprisonment go further towards protecting the rights of children, in that they tend towards protecting the presumption that children, where appropriate and when in their best interests, should not be separated from their parents against their wishes.⁵ Moreover, non-custodial sentences may also provide active, positive opportunities for children; to take restorative justice processes as an example, children may be encouraged to participate in the process, allowing them to express how the acts of their parents have affected them and to engage in a process that tries to help all those affected, whether they be offenders, victims or the families of both. As such, children are given a platform that is rare in a traditional criminal justice proceeding, which certainly seems to fit the spirit of Article 12 of the UN Convention on the Rights of the Child, requiring that children be given the opportunity to voice their views on all matters that affect them.

These alternatives to imprisonment, however, are not without controversy. Contradictory and inclusive studies have led many commentators to question the effectiveness of non-custodial sentences, and the nature of certain crimes or situations, such as those which involve sexual, familial or spousal abuse, have led some to question whether non-incarcerative sentences such as restorative justice can ever be appropriate.⁶ Especially problematic for children whose parents are in conflict with the law is the possibility that community sanctions may actually have the effect of making judges and juries more likely to hand out a criminal conviction than they otherwise would be if they only had the option of a harsher prison

sentence.⁷ There exists the potential, therefore, that more children might be affected by having a parent with a criminal conviction than might otherwise be the case due to the wider net cast by the criminal justice system through its use of community sanctions.

While such claims are disputed and far from a foregone conclusion, they show the importance of considering the impact of non-custodial sentences on children whose parents are convicted of an offence and they give rise to the kind of questions that child rights advocates, academics and criminal justice practitioners need to begin to ask. It is just this type of inquiry that this issue of the European Journal of Parental Imprisonment has sought to begin.

Could it be that the restorative justice processes have the potential to help the psychological wellbeing of a child whose parent has been convicted of an offence? Is it ever right to expose a child to the possibility of a negative and harmful discussion focused on the wrongdoing of their parents? These are the questions John Braithwaite confronts in his interview in this issue. Similarly, Delphine Vanhaelemesch asks, is it ever right to make family and children take on the unofficial role of jailers when their relatives and loved ones are subjected to electronic monitoring? Do the benefits of having a parent who is electronically tagged but able to stay at home outweigh the disruption to daily life and routine that their presence and form of punishment can create?

Anguélina Daskalova looks at the specific issues surrounding the bond between mother and child, drawing on the results of a research study carried out in Sliven prison, Bulgaria. Drawing on Lacanian psychoanalysis, she explores the subjective positions of mother and child in the construction of the bond between them. Gert Jan Slump moves the discussion beyond the immediate, familial nature of community sanctions and restorative practices with his House of Restoration to see how all sections of the criminal justice system can work better to ensure that society itself can be improved by a more concerted approach. It is perhaps the focus on the "community" in "community justice" that holds the best possibility of positive change, as well as a focus on achieving a "a partnership between the state and individuals, victims, families and communities as co-producers of justice, through which people can actively participate as citizens and stakeholders and not simply as passive recipients of justice".⁸

4 Jones, A.D. (ed.). (2013). *Children of Prisoners: Interventions and mitigations to strengthen mental health*. Huddersfield: University of Huddersfield.

5 Article 9, United Nations Convention on the Rights of the Child (UNCRC)

6 See: Daly, K. (2002). Sexual Assault and Restorative Justice. In Strang, H., & Braithwaite, J. (Eds.) *Restorative Justice and Family Violence*. Cambridge: Cambridge University Press.

7 Aebi, F.A., Delgrande, N., & Marguet, Y. (2015). Have community justice sanctions and measures widened the net of the European criminal justice systems? *Punishment and Society*, 17(5), pp. 575-597.

8 Weaver, B. (2011). Co-producing community justice: the transformative potential of personalisation for penal sanctions. *British Journal of Social Work*, 41, pp. 1038-1057.

Restorative justice and children of prisoners

Interview

John Braithwaite
Distinguished Professor
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B: Based on my work on civic republican political theory with Philip Pettit, when evaluating justice systems, philosophically, I begin with the proposition that non-domination ought to be the basic value of the justice system.¹ Domination is a good target for the justice system because domination is what crime itself causes; this is obviously the case with an assault or with rape, as these offences involve one person violently dominating another person. It also applies, however, to the crime of theft, as it is a crime that involves limiting the options of another person, limiting their freedom, dominating them by taking their possessions from them and inducing fear in them.

So how do we design a justice system that reduces the amount of domination in the world? One of the interesting things about crime is that we respond to it through what could be described as counter acts of domination. When we do things like lock people up in prison, we deprive them of their liberty, we deprive them of access to their children and that is an act of domination. When making a policy judgement about whether it is a good idea to send someone to prison or for how long, according to that republican political theory account, we should balance the reduction in domination that we may be able to achieve in the world against the extra domination that is created by sending someone to prison.

One of the problems with the way the criminal justice system is run is that it tends to focus primarily on justice for offenders (in the sense of equal punishments for equal wrongs) and only secondarily on justice for victims. The restorative justice movement, in which I have worked for a long time, has always thought that we ought to have equal concerns for the justice claims of victims, which recognises that the justice claims for victims are very different from the justice claims of convicted offenders. However, if we think of the rights of children of people who are sent to prison, it also follows from the philosophical position that we need to have equal concern for the justice claims of those children. And philosophically that tends to be a rather forgotten, undervalued issue in sentencing policy.

So the fundamental value that the justice system should seek to maximise is non-domination, from which it follows that we should have equal concerns for the justice claims of children, caught up as a consequence of the conviction of their parents, because their lives are

being dominated by virtue of the deprivation of liberty of their parents; that should be weighed in the balance of the sentencing process and, of course, it rarely is.

You mention restorative justice, a field that you have worked in for most of your career and in which you been very influential; what do you mean when you talk about “restorative justice”?

Restorative justice means restoring victims, restoring offenders and restoring all other stakeholders in the community following an offence, including those children of people who are sent to prison as a result of the justice system. At a process level, restorative justice is a process where all of the stakeholders affected by a crime (whether that be the victim, their family, the offender and their family, or the police, etc.) are given a chance to come together to discuss the harm that has been caused, what might be done to repair that harm, and to reach an agreement that involves commitments about what can be done to repair the harm in a way that meets the needs of all stakeholders. In addition to this, however, there are also needs that belong to people who are not harmed by the crimes themselves but who are in fact harmed by the punishment that must be addressed; for me that's almost definitional in what my conception of justice is.

So that concern for the rights of children whose parents are sent to prison is embedded in the definition of what restorative justice is, because restorative justice involves an opportunity for all stakeholders in the crime to participate in the process, should they choose to. I believe in children, even very young children, having an opportunity to participate in the restorative justice process. This was something that I was very unsure about in the early days, twenty-five years ago; should we have these very young children in the room or not? Might they be upset by what happens?

However, the process can be beneficial for these children. For example, they get to find out what happens to their brothers, sisters, mothers and fathers and there are worse ways to find out about what is happening than through being involved in a healing, reintegrative process, where there are professionals in the room actively watching out for their needs and where they are given a chance to speak up and to ask questions. This means that children can participate in a justice process that has direct consequences for them.

¹ Braithwaite, J. & Pettit, P. (1992). *Not Just Deserts: A Republican Theory of Criminal Justice*. Clarendon Press.

One of the things that really persuaded me was an experience during restorative justice conferences, earlier in my career, where the offender was being given a particularly hard time by the victims, the police and others, and it was a child relative of the offender who prevented the conference from descending into an exercise in purely negative shaming. I saw a certain conference where there was a turning point when a very young child spoke up and said something to the effect of, “You’ve said a lot of things about my brother today but I’d like to say that my brother is the kindest person I’ve ever met and that he’s the person who looks out for me and if you send my brother to prison then he won’t be taking care of me and I need him as a friend in my life”; that really moved people, including the very victims who were so angry and who had previously demanded only a rather punitive response to the offence.

Of course, there can be emotional difficulty in children participating in restorative justice conferences. I’m not saying it is an easy or unproblematic call, just as it is not easy or unproblematic that victims ought to be there, particularly with sexual offences or offences that involve terrible brutality. Often victims of rape are well advised to take up opportunities like they have in New Zealand, for example, where they can sit in an adjoining room with a one way mirror and they can participate in a way which they feel comfortable with, either via telephone or by joining the conference once they think they are able to do so. These options that are relevant for victims in highly sensitive matters are also applicable to aiding the participation of children. We need to be creative about how we think about the needs of children in justice processes.

Much of your work on restorative justice in the past has focused on children and restorative justice processes, whether that be with the participation of juvenile offenders in restorative conferences, the capacity of restorative justice to tackle bullying in schools or in other scenarios such as family law processes. Do you think there is something about restorative justice that is inherently well suited to dealing with children?

Yes, and I think we have adapted with experience. We were very cautious about involving children in the early days, but we saw a lot of positive experiences and a high ratio of positive experiences to negative ones, which increased our confidence. Dr. Tali Gal, a former PhD student of mine who is now a professor at the University of Haifa, has previously worked on child victims and their rights in restorative justice. While child victims of crime are not exactly the same as children whose parents have committed a crime, many of the issues

that face them overlap; the care of child victims, the needs of these children, have a lot in common with children whose parents are being punished by the justice system. Again, there is a need to be careful that children are not exposed to an emotionally traumatising experience or that child victims are not re-victimised by the justice process. However, work from Dr. Gal², based on empirical evidence, seems to be overwhelmingly positive as regards the experience of having children involved in the process and in the room, and giving them a chance to participate and to speak in their own voice, as opposed to being represented through the professionalised mouthpiece of a social worker or something like a victim impact statement.

As you have touched upon above, there is a chance that during these restorative conferences children may be exposed to a number of unpleasant experiences, whether that be through hearing about the harmful behaviour of their parents or hearing the negative things that others have to say about their parents. How do you help support children in those circumstances?

Tough things are definitely said about people in restorative justice conferences, about people on all sides; with all sorts of people involved in the process there is a lot of scope for all sorts of harsh things to be said, for example harsh things can be said about the police. Everyone who is in the room is at risk of being exposed to that.

However, I think that what is a protective factor in all of this is the philosophy of who is invited into the room and in what spirit they are invited into the room. So when we have a criminal trial (and let’s not forget that children are exposed to that as well, either by watching them on TV or when they’re sitting in the courtroom gallery), we invite into a trial those who can inflict the most damage on the opposing side’s case, such as lawyers. With the restorative justice conference, the selection process of who is included involves the facilitators inviting into the room those who can offer the most support to their own side, be it the victim’s side or the offender’s side. So it is rather a meeting of two communities of care, as opposed to a meeting of two groups of people who are there to inflict maximum damage on the case of the other side. The facilitator prepares the participants by saying, “Your job is to be supportive of your friend, who has honoured you by selecting you as someone that he or she trusts, someone that he or she would like to have supporting them during what is a difficult ordeal for them.” In this way, when those attacks occur, there are people in the room whose job is not the lawyer’s job of making sure this doesn’t damage the case, rather their

² Gal, T. (2011). *Child Victims and Restorative Justice*. OUP

job is to offer emotional support to the people who are there. The idea is that the restorative justice process is a meeting of two communities of care that induces people to put their best self forward. And we see these people putting their best self forward when they are brought into that context of the restorative justice conference. This, in turn, structures reintegration into the justice process; this has been our hypothesis and what a lot of our research has focused on in the last twenty years and has shown to be the case.

What we often see with children with parents in conflict with the law, is that they are generally absent from any general consideration; they rarely form any part of society's discourse about offending, the criminal justice system, or imprisonment. Do you think there is a capacity for restorative justice processes to help raise the awareness of children of prisoners?

I think children can definitely be forgotten. I think anyone who's not in the room can be easily forgotten because in a restorative conference you can have a difficult, conflict-heavy meeting where there are big needs: victims with big needs, offenders with big needs, other family members with big needs. Other people who have big needs who aren't in the room are at risk of being forgotten and this is a good argument for having children in the room. It also gives them a voice and an opportunity, appropriately and with support, to express themselves, induced by a compassionate facilitator.

You've done a lot of fieldwork across the world, from Iran, to Afghanistan, Africa, and the Philippines: are you aware of differing societal and cultural attitudes towards children and how that ties into children in the justice system? Are there common themes regarding how children are treated across different societies?

When I was in Afghanistan doing peace building fieldwork with Ali Wardak³, one of our strategies for getting access to Taliban fighters was to turn up to rural prisons in Afghanistan uninvited and Ali would introduce me as a visiting Australian criminologist with an interest in different types of prison and that we had just dropped in to see their prison. This would obviously interest them, as they don't have many

³ For more information, see: Braithwaite, J. & Wardak, A. (2013). Crime and War in Afghanistan Part I: The Hobbesian Solution. *British Journal of Criminology*, 53(2), 179-196 and Wardak, A. & Braithwaite, J. (2013). Crime and War in Afghanistan Part II: A Jeffersonian Alternative? *British Journal of Criminology*, 53(2), 197-214.

Australian criminologists wandering the desert, so they would invite us in and we would have a cup of tea, at which point we would ask about the Taliban and have a tour of the prison. When you go to the women's sections of those rural prisons in Afghanistan, they are also full of children. There are a lot of children there, more children than female offenders. I learnt from Ali that the appropriate thing to do at the end of such a visit is to give some money so that some special meals can be brought in for the children. That was an interesting experience; there they are, tucked away in rural remote prisons and packed into a prison with, say, eighty-seven Taliban, whose fellow fighters on the outside have launched a number of attacks on that prison to break them out. There are these children and their rights are so little an issue but when they do become visible to the visitor, the only appropriate thing, in Afghan terms, for the wealthy visitor to do is to give some money for food for the children. That was a shocking experience.

In war zones, too, where there are child soldiers, there is a lot of fear of children, particularly in certain parts of Africa. Some children, young boys in particular, will be bundled up with their parents if their parents are arrested and sent off to prison. I had an experience in the Democratic Republic of Congo, for example, where I ran out of money and had to go to the ATM to get some more. I went with an African UN peacekeeper who accompanied me in a UN police vehicle. After parking, and as we walked towards the ATM, he said "No, come, let's walk back to the vehicle and get back in." It turned out there were people he believed to be child soldiers who he thought could run off and get a gun and grab the money off us. All of this was driven by the fear of children in a war zone. There is a fear among local citizens; an inclination to pick children up who don't seem to be attached to parents. Their parents may have been killed in the war or arrested, and then the children find themselves dragged off to prison simply because they are not attached to a parent in the community. They are arrested, taken to prison, they maybe bring some sort of charge against them and they sit there and rot in prison. No one knows that they are there; they are forgotten. In Bangladesh, the Democratic Republic of Congo and Libya, for example, there are large numbers of children who are held in prisons without trial and who have been imprisoned there simply because their parents are in prison.

So there are some quite different issues that are facing children of prisoners in conflict and post-conflict societies to those one finds in a European context. But I do think that in both contexts restorative justice philosophies, which give some voice to children, are relevant.



Home sweet home? Experiencing electronic monitoring

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In the past few years, electronic monitoring (hereinafter EM) has become an established means of penalty enforcement in Belgium, with an increasing number of cases and areas of application. Since its introduction in Belgium in 1998, there has been great political and academic interest in EM. The media has also taken an interest, and news coverage about EM as an alternative means of punishment has had a large impact on its public reception. EM has gained significant popularity over the past few years, despite varying opinions on the practice. In general, political, academic and public reports tend to pay more attention to the opinions of people who do not face the daily reality of EM rather than the sentiments of those who have actually had experience with the practice. It was therefore of paramount importance to conduct doctoral research into the subjective perception of EM.

The research focuses on gaining a better understanding of the impact of EM and how it compares to a custodial sentence. The central subjects of this research are monitored offenders and their co-residents. Alternatives to imprisonment, such as EM, have an effect on both offenders and those close to them. Those who are subject to EM often do not live alone and can have a variety of co-residents (partner, children, family, friends, etc.). For this reason, the author's doctoral research examines offenders and their co-residents to gain better insight into their perceptions of this type of punishment and to highlight their various roles in the application of EM.

The experience of co-residents

Although some recent studies have recognised the importance of analysing the experiences and roles of co-residents, the number of empirical studies focusing on innocent third parties and their role in helping to administer a sentence is limited. Although co-residents and their experiences have been underrepresented in research, some notable reasons for studying them have been identified. First, as mentioned, EM impacts both an offender and his or her co-residents. Furthermore, co-residents play a vital role in ensuring the success of EM; either implicitly or explicitly, they exert pressure on the offender to abide by the imposed regulations. The vigilance and support of those who live with offenders has been shown to be more important than judicial interference in the success of EM.¹ Consequently,

1 See: Gibbs, A., & King, D. (2003). Home detention with electronic monitoring: The New Zealand experience, *Criminal Justice*, 3(2), pp. 199-211; Robert, L. & Stassart, E. (2009). Onder

increased consideration of co-residents could be of benefit to offenders and their levels of compliance with EM. According to Aungles and Cook², the invisibility of these innocent third parties in policy and public discussions is linked to the fact that they fall between the spheres of domesticity and law and order.³

To better understand the effects of EM, a qualitative design was set up based on "experience research", which explores the feelings, experiences and reactions of respondents. Seventy-four offenders and thirty co-residents, living with thirty different people under EM, agreed to be interviewed (a response rate of seventy-five per cent). During semi-structured, face-to-face interviews at their homes or in prison, subjects were asked separately about their experiences with EM, both positive and negative. Where possible, offenders and co-residents were asked to compare their experience of EM with previous periods of imprisonment. This article analyses the experiences of these thirty co-residents subject to the consequences of EM in order to shed light on their experiences of and views on the conviction of an offender and their own role during EM.

The outcomes of these interviews show that EM is generally perceived to be preferable to imprisonment. EM can have a punitive impact on both offenders and co-residents, but it is often also considered a valuable and constructive alternative to imprisonment. For both parties concerned, after a short period of adjustment, the favourable elements of EM usually outweighed the unfavourable ones. At home, co-residents can be a continual source of support and do not have to set up visits to stay in contact. The preference for EM over imprisonment, however, does not apply to all those interviewed. Some interviewed offenders and co-residents felt the limitations imposed by EM eclipsed its benefits; in the future, they would not consent to EM again.

elektronisch toezicht gestelden aan het woord: Krachtlijnen uit het eerste Belgische onderzoek. In T. Daems, S. De Decker, L. Robert & F. Verbruggen (Eds.), *Elektronisch toezicht. De virtuele gevangenis als reële oplossing?* pp. 9-33. Leuven: Universitaire Pers Leuven; and, Roberts, J. V., Maloney, L., & Vallis, R. (2003). *Coming home to prison: An exploratory study of offender experiences of conditional sentencing*. Ottawa: Department of Justice Canada.

2 Aungles, A., & Cook, D. (1994). Information technology and the family: Electronic surveillance and home imprisonment. *Information Technology and People*, 7(1), pp. 69-80.

3 An exception to this is the jurisdiction of New South Wales, which expressed valid concerns, as the Home Detention Bill was being debated, about the impact of EM offenders on co-residents.

Based on this research, it appears that co-residents and loved ones are significantly affected by both imprisonment and EM and that they experience an array of side effects. First and foremost, co-residents are physically and emotionally confronted with EM and its consequences on a daily basis. They are inevitably affected by many of the conditions imposed upon the offender, which leads them to feel as though they are also being punished and controlled. Co-residents experience stress, anxiety and insecurity. Feelings of anxiety and stress are exacerbated when the person under EM does not take full responsibility for meeting his or her monitoring requirements. Moreover, many co-residents fear that EM could be revoked, causing anxiety and unease. For some co-residents, their lives are significantly altered to adhere to the strict schedule of the person subject to EM. These adjustments affect the co-resident's job, hobbies and other activities; spontaneity for co-residents is replaced by a planned and structured lifestyle, where the wishes and needs of the person being monitored are the foremost concern. EM also has a substantial impact on co-residents' social lives. The co-residents interviewed tended to show solidarity with the offender and frequently stayed home with the person under EM. Co-residents often did not want to go alone to social events, and generally experienced a decline in social interactions; their social lives mainly revolved around their families and the person under EM. Most co-residents did not have a problem with their new lifestyle, as they were happy that the person under EM could stay with the family. However, spending significant amounts of time together can also potentially create tensions between both parties, which in turn can have detrimental effects on the relationship between an offender and their family.

Furthermore, co-residents generally took on additional roles to ensure the proper enforcement of EM. Co-residents may take on extra tasks and responsibilities (such as shopping, driving the children, running errands and carrying out administrative tasks), as well as checking up on the offender's compliance with the imposed EM conditions. The new roles that co-residents take on such as helper, social worker or probation officer can negatively impact their capacity to perform their other roles (such as mother or partner) and responsibilities within a family.

The experience of children

Children of parents under EM are seldom directly asked about their experiences. However, this does not mean that nothing is known: some past interviews with offenders and co-residents briefly discussed the lives of children affected by the EM of their parents. Our research sought to further examine the impact of EM on children living with offenders. Co-residents and

offenders were asked specifically about children and some children were interviewed directly. The results of these interviews showed that the effect of EM on children is—just as with other co-residents—mixed.

Shielding children from the prison world

The research showed that children overall are happier to have their parent at home rather than in prison. EM ensures that the stigma of having a parent in prison is minimised or erased completely.

My children do not realise it because of their age, but I can imagine: if I was in prison, I would not see them—or it would be to a limited extent. And a ten-year-old will always remember the fact that they visited their dad in prison, so EM even has advantages for my children. (R14, dad).

EM makes it easier for parents to shield children from their punishment as much as possible. Parents will often try to hide the bracelet from their children or lie to keep their situation secret. Oftentimes parents withhold information due to the age of a child, believing them to be too young to fully understand EM.

Promoting the child-parent relationship

Most offenders with children find it important to maintain the child-parent bond throughout their sentence and want to be involved in their children's lives. In comparison to a custodial sentence, EM allows offenders to be a more present parent in their children's lives. EM allows offenders to better fulfil their role as a parent. A person under EM spends a great deal of time at home and can take care of their children; indeed, the research showed that the quality time spent between parent and child (playing together, doing homework, etc.) tended to increase under EM when compared to when a parent is free. Children get to regularly interact with a parent, stabilising and improving their relationship. Conversely, when a parent is incarcerated, time spent with children is limited to visiting hours or no contact at all, which can be detrimental to the child-parent bond.

Respondents who had also had experience of custodial sentences suggested that EM helps them maintain contact with their children in a meaningful way. While in prison, parents often did not want their children to come visit, even if visits were possible. When children did visit, respondents sometimes found the atmosphere to be uncomfortable.

The impact on the child's life

Even though EM enables parents to spend significant amounts of time with their children, certain aspects can

negatively influence a child's life. For example, outdoor activities such as visits to the park or pool, going to events at school or trips and excursions are curtailed: "My child asks to go swimming, but that is impossible, you can't go swimming." ["Why not?" he asks] "Everybody will see the bracelet!" (R30, father). Such restrictions are especially noticeable during weekends and holidays, amplifying the inflexible nature of EM. The role of a parent extends beyond the home, yet parents under EM are often restricted to it. With the restrictions imposed by EM, parents cannot always be there for their children, and playing outside with the children is difficult due to the time restrictions imposed by EM. These restrictions are particularly pronounced in single-parent families, where there is no partner to take the child to his or her various activities. Children consequently often spend more time indoors: "I do not go out so much with my kids. Now he is in indoors, whereas before we were out on the bike or playing sports. Because I have to stay inside, he is more interested in his Xbox in his room. I guess he is affected." (R59, father).

To a certain extent, children—and particularly older or grown-up children—may also take on additional responsibilities within the family: running errands, doing shopping for a parent, providing support and ensuring that the established time schedules are followed (for example: "She [my daughter] keeps an eye on me, so I don't make too many mistakes. Without her, I would easily go out with the laundry or garbage." (R5, dad). Throughout the interview process, it became evident that children were both aware of and involved in the implementation of EM: "She knows that something is not right. She knows that mummy always has to run. She knows that mummy wears a bracelet that restricts the time we can spend somewhere, she knows that, yes. . . . She is three and a half years old and she sometimes says to me: 'Mum, can we go home, it is time.' It is probably because she does not want something to happen to mummy. Because sometimes I say, the police will come. . . . She sometimes wants more time in the playground and I have to say: "No, we're going home." And then, she cries. It is heartbreaking..." (R58, mother).

Given recent pressure on governments, such as the number of prisoners, the cost of maintaining a criminal justice system and political pressures, amongst other things, as well as technological developments, EM has a pretty certain future in the judicial world. EM is a unique sentence in that it draws on the social networks

of an offender to achieve its objectives. However, in relying on innocent parties to ensure the proper implementation of EM, other people's lives become significantly affected by the punishment.

A general conclusion from this study concerning the experiences of co-residents (who may be children) is that the benefits of EM mostly outweigh the disadvantages. Furthermore, the results of these interviews showed two main themes in the experiences of co-residents. First, co-residents experienced a sense of punishment as a result of the EM and their daily routines and social life were affected. Second, co-residents felt involved in administering the punishment, equating their experiences to those of an assistant, a social worker or law enforcement or probation officer. Our focus on the experience of children further confirmed the mixed feelings towards EM by offenders and co-residents. On the one hand, this type of sentence has some favourable elements: children remain with their parents and are able to maintain the child-parent bond. On the other hand, the restrictions of EM limit the variety of activities possible for parents to do with a child and children are sometimes seen to take on additional responsibilities for their parent.

Looking forward, it is crucial that the collateral effects of EM on co-residents are considered by all those involved in the sentencing process. The consequences of EM on co-residents can give them a negative view of the practice and can cause emotional and psychological damage. It should be noted that, although most co-residents did not view EM as a direct punishment, the impact of EM on their lives did create a feeling of being penalised. However, co-residents accepted the collateral impacts of EM because they were ultimately glad that the offender was able to stay at home. The study has clearly demonstrated how co-residents are involved in the implementation of EM and that, to a certain degree, EM is also a punishment for children and other co-residents.

For more information:

Vanhaelemeesch, D., & Vander Beken, T. (2014). Between convict and ward: the experiences of people living with offenders subject to electronic monitoring. *Crime, Law and Social Change*, 62(4), pp. 389-415.

Vanhaelemeesch, D. (2015). *De beleving van elektronisch toezicht in vergelijking met de gevangenisstraf*. Den Haag: Boom criminologie.



Imprisoned mothers: Subjective positions in the construction of the child-parent bond

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Translated from the French by Mia Tucker

This article examines the issues concerning the mother-child bond based on the experiences of the author and her colleagues from the organisation Child and Space¹ while supporting female prisoners at Sliven prison in Bulgaria². Using evidence from the project “Preparation and support for an independent and fulfilling life in freedom”—produced with the support of the Norwegian Financial Mechanism (2009-2014) BG15 Programme—this article outlines some key considerations regarding the analysis of the particular subjective position of the women from Sliven prison who were initially interviewed and then supported through workshops. We, at Child and Space, were interested in working in Sliven prison due to its nursery where children can stay with their mothers up until their first birthday. This nursery, along with the fact that some female prisoners choose not to keep their child with them after the birth, sparked our interest in trying to better understand the intricacies of the mother-child bond within the prison environment. The original purpose of the project was to contribute to penal reform efforts in Bulgaria with a specific goal of reducing the risk of reoffending and the risk of mothers abandoning their children both during and after their sentence. The project framework was developed with this goal in mind, with the main objective being to support all participants in the social reintegration of the women prisoners. We therefore worked with the women prisoners in Sliven over the course of a year, meeting with fifty mothers, whose children were living in or outside the prison. We also met with professionals working at the prison, both those who worked in the “Social Action and Rehabilitation” department and the prison guards. Over the course of the project, our interests expanded to include examining the different types of psychological suffering experienced by the mothers and the programmes in place to support and assist women in prison.

To provide a framework for my conclusions, it is important to stress that my personal and professional experience as well as those of my colleagues is related

1 The organisation Child and Space is a non-governmental organisation established in 2004 that works to provide concrete support to children at risk, children with special needs and children suffering from mental health problems, as well as their families. Using an interdisciplinary approach, the team also contributes to the creation of support spaces for professionals from different domains related to helping children in difficult situations. <http://www.childandspace.com>

2 Sliven prison is the only female prison in Bulgaria.

to the applied psychoanalytic teachings of French psychoanalyst Jacques Lacan, whose work gave us points of reference for understanding the logic of the parlêtre, where the subject interviewed is also the subject of examination. Applied psychoanalysis helped us expand the number of possible credible explanations with respect to the behaviour of women prisoners, their ways of building links or their inability to do so, their relationship to language and how to use it without consequences when communicating with others and their construction of social ties.

The bond between child and mother

We know that children during the preverbal period, particularly between six months and one year, are vulnerable and sensitive to separation from their mother. We find evidence of this vulnerability in the research of American psychoanalyst (of Hungarian origin) René Spitz³, carried out in a nursery in a women’s prison in the United States in the years following World War II. Spitz studied the children of women prisoners who remained under the care of their mother until they were six months old. After this period, children were separated from their mothers and placed in institutions, most frequently in groups of twelve with one woman in charge. This system, where an outsider provided childcare, demonstrated how support from someone besides the mother fails to provide a child with several mother-specific needs, such as special words exchanged between mother and child, cuddling, hugs and the kind of attention that comes specifically from the joy mothers experience while caring for their child. René Spitz observed that infants between six and twelve months separated from their mothers are the most vulnerable. The development of their distressed state is as follows: during the first month of separation, a child will cry without reason, will be sad, will cling to any adult and will seek contact. In the second month, a child stops developing, loses weight and becomes despondent; a child will seek contact but without vehemence. During the third month, a child begins to refuse contact. The child stays stomach-down in bed, suffers from sleep issues, refuses food, easily becomes ill and appears anxious and indifferent; the child no longer smiles nor cries. Physical and mental development is hindered, but the child can recover quickly if they are reunited with their mother or a suitable substitute before the

3 Spitz, R.A. & Wolf, K. (1946). Anaclitic depression. An inquiry into genesis of psychiatric conditions in early infancy. *Psychoanalytic Study of the Child*, 2, pp. 313-342

end of the fourth or even fifth month. It is important to note that after three months of separation, a child is near anaclitic depression.

René Spitz's research on infants and his identification of this deep attachment to the mother reveal how physically sensitive a child is to constructing a mother-child bond during the period after birth.

To further investigate the importance of the bond between mother and infant, I will also rely on Dr Joupounov's article "Comment soutenir l'enfant dans sa séparation avec la mère qui est en situation de détention pénale" (How to support a child separated from a mother in prison).⁴ In the article, Dr Joupounov prudently advises that a mother should be considered in her role vis-à-vis her child. A mother's care is of "special interest"⁵; care from a mother is "individualised not only because the mother has a distinctive approach to the child, but also because she speaks to the child in a unique way that is specifically for the child and no one else". A mother's special language also includes facial expressions and gestures, rocking motions, shouts and occasional silence.

At Sliven prison, babies may stay with their mothers for up to one year after birth. The mothers live with their children in the prison nursery—an area specially arranged to cater for the needs of new mothers and their babies. Under this arrangement, mothers have the possibility to stay with their babies for six months longer than the critical period observed by René Spitz. This period spent together has clear positive effects for children because they are able to receive some of the initial support needed for future development. However, by their first birthday, the child is separated from their mother and sent out of prison. In most cases, the child is sent to live with their father, with extended family or with a foster family. In cases where a child cannot stay with a member of the family or a foster family, he or she is sent to a residential institution. In these different contexts it is not uncommon to see signs of anaclitic depression in the child separated from his or her mother.

Our experience at Sliven prison led us to conclude that it is important to create conditions that minimise negative psychological and physical consequences on a child, knowing that eventual separation from an imprisoned mother cannot be avoided. The question we addressed was how to create a system of support for mothers in prison and encourage the creation of a

support network for the child and the mother—made up of members of the family, loved ones, child protection agencies, institutions, and so on. Any changes to Bulgarian regulations should be made in relation to current EU principles regarding policy support for at-risk children and their families.

The bond between mother and child

Our colleagues Diana Tzvéstanova and Stanimira Natchéva⁶ met with fifty women who spoke to their position as women and mothers through personal stories and subjective experiences. Based on their stories and our clinical work, we found that some women viewed their role as a mother separately from their identity as a woman; their being a woman and being a mother were seen as distinct. For example, we found that many of the women in Sliven prison felt the mother-in-law held an important female influence. "Through the stories of some female prisoners, we learned that in specific regions of Bulgaria, the mother-in-law organised all domestic work, controlled the finances and income of the family and influenced the behaviour of different family members. In this position, the mother of the father orients, directs and takes initiative regarding the education of the child. Taking advantage of the maternal role, the mother-in-law acquires a privileged status that is usually linked to the minimisation of her identity as a woman. Within this line of thinking, one mother-in-law told us, "...I am not a woman, but I am a mother and a mother-in-law. This means that the children must listen to me..." In this regard, the mother-in-law assumes a position of utmost control over the child, refusing the unwritten rules that regulate human relationships, particularly that the relationship between the mother and child should be regulated by the father figure.⁷

Our interest in the subjective position of women prisoners also led us to meet a group of new mothers who only provide care for their children under the supervision of their mother-in-laws. These women invest a lot into the care and love of their children, but consider that their children belong to the wider family.

We also heard stories from other groups of women who did not distinguish caring for their children as different than caring for their brothers and sisters. Often these women were not well educated, came from disadvantaged social backgrounds and lived in families with loose barriers between generations.

4 Joupounov, L., (2015). *A look inside: A collection of texts for participants in the reintegration process of women prisoners*, pp. 16-19.

5 Banova, V., (2013). *Recueil de textes: Programme de formation pour parents d'accueil*. UNICEF.

6 Tzvéstanova, D., Natchéva, S., (2015). *A look inside: A collection of texts for participants in the reintegration process of women prisoners*, pp. 7-16.

7 Tzvéstanova, D., Natchéva, S., (2015). *A look inside: A collection of texts for participants in the reintegration process of women prisoners*, pp. 7-16.

Other women refused motherhood in favour of their femininity. Diana Tzvétanova and Stanimira Natcheva advanced the idea that—for some women—pregnancy felt like a violation of their bodies, as if it were a disease or a threat to them.

Some women spoke about their children as individuals; beneficiaries of their care. These mothers were attentive to the needs of their children and asked questions about a child's development; they assumed the role of mother and saw the child as a new member of society.

Throughout the project, we came to realise that the openness of a mother towards her child, the time and space she grants him or her depends on the subjective position of each woman as a mother and/or a woman. For some women, her child becomes a marvellous object that she can show to others—an object with talents that overshadow the mother's weaknesses and shortcomings. For others, being a mother meant regarding a child as an object needing care. These mothers maintained a mechanical, needs-based relationship with their children without truly connecting on an emotional level. There are other cases where the mother becomes extremely tied to her child and cannot break away: the child is an object of proxy happiness for the mother, who is entirely subject to the child's whims. Other women found it very difficult to welcome a child into their lives and to properly invest in the needs of their child.

For all these mothers, life in prison places a tremendous strain on their relationship with their children. We found that, despite the associated difficulties with being mothers in prison, these women were able to talk about their children as long as they were in a space where they could speak without judgement and could work to increase their parenting skills⁸. In other words, assisting imprisoned mothers must entail supporting them in their relationship with their child and in their separation from them.

Providing support via activities

At Sliven prison, important work is underway—imprisoned women are able to study and complete their studies, to receive training and acquire professional skills, to work and participate in group activities such as clubs organised according to the interests of each individual. For some women, participation in these activities is a completely new experience and an opportunity to develop skills not previously available to them. We often speak about the reintegration of prisoners; however, we met many women who had never had the possibility to study, to take care of

themselves or to be a part of a social group with common rules in an ordered world. These prisoners had not been properly integrated into society even before their incarceration. For the imprisoned women, this kind of care and support work gives them an opportunity to participate in structured activities that give their lives a stronger sense of purpose. There are numerous clubs in Sliven prison that provide structure and rhythm to the lives imprisoned women throughout their sentence, giving them direction and points of reference. Our team has taken up the idea of clubs as a means to implement workshops on various topics, such as: reflecting upon issues related to the family as a model and benchmark; improving knowledge surrounding rights and institutions; and understanding one's emotional life and the resources that exist for support. These workshops are spaces where the imprisoned women should accepted, where they can develop their own means of expression and can identify both what troubles them and holds meaning for them. We learned that during workshops held by external professionals (organisations from outside the prison) trust develops quickly and that women greatly benefit from the space offered to them.

We have seen that maintaining the bond between an imprisoned mother and her child necessitates the consideration of the subjective position of each woman. Successfully maintaining this bond also relates to supporting imprisoned women and assisting their reintegration into society. We are convinced that promoting positive lifestyles and activities organised in prison among external institutions and wider society would contribute to the integration and reintegration of women prisoners after their sentence is completed.



⁸ The term “parenting skills” is often used among social services who support at-risk children and their parents.

House of Restoration: A virtual shelter for restoring (family) ties

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Restorative Justice Nederland is a Dutch NGO and network organisation aiming to improve knowledge and stimulate innovation on restorative justice and restorative practices. The work is done on a project basis, one of which is called the “House of Restoration”. Through a project spearheaded by Restorative Justice Nederland, twenty-eight organisations were invited to work on a concept for the “House of Restoration”. In five meetings, these organisations came up with experience and practices aiming to explore what needs to be restored during the period of detention. This article is a reflection on that journey with a special focus on family ties during detention.

Restorative detention

The House of Restoration is part of a greater effort to improve and move detention towards a more restorative future. What we know is that detention “inflicts” harm, in the sense of what Sykes¹ calls the “pains of imprisonment”. These pains can include:

- deprivation of liberty;
- deprivation of goods and services;
- deprivation of heterosexual relationships;
- deprivation of autonomy;
- deprivation of security.

These implications of imprisonment can be classified as “damaging” for a prisoner. Within these pains of imprisonment, limited contact with family and friends—or contact that is lacking—seems to be one of the core challenges.

Reacting to these deprivations, a prison culture or climate is developed aiming to diminish the pains of imprisonment. The “deprivation” is often characterised by a (conscious or unconscious) rejection of the experience of being rejected (i.e., to reject the rejecters), thus prohibiting moral reflection and moral rehabilitation by the prisoner. The only way to prevent this total rejection (or to find other ways within detention culture) is an unconditional focus on the rehabilitation and reintegration of prisoners. A restorative approach in detention aims to contribute to this unconditional focus. This restorative approach is fundamentally based on the restorative needs of prisoners/offenders, their victims, family members of prisoners, people from

their communities, and society as a whole. From these needs, we distinguished four layers of restoration:

- Restoration of prisoners themselves;
- Restoration between prisoners and their family members;
- Restoration between prisoners and their victims;
- Restoration between prisoners and society or community.

Obstacles for restorative detention

Imprisonment brings about specific problems that are in fact obstacles for the implementation of restorative detention within prisons. Van Ness² observes six obstacles related to prison culture:

- Prison regimes control the lives of prisoners, making it difficult for them to exercise personal responsibility, yet responsibility is a key value of restorative justice.
- Prison subcultures are typically deviant, making rejection of deviance more difficult for prisoners. Inviting them to participate in a process of restoration and transformation requires tremendous strength on their part to move against the prevailing culture.
- Prisons use or threaten physical and moral violence, making adoption of peaceful conflict resolution more difficult. Force is used or threatened to keep prisoners from escaping and to control their movement within the prison. Furthermore, life among prisoners is typically characterised by the threat or use of violence. These realities work against efforts to instil in prisoners a strong value for a restorative resolution.
- Prison administrators, staff and prisoners seldom have the same goals, making it difficult to maintain a single restorative purpose. Restorative justice programme directors may be victim-centred, while the prisoner might primarily be interested in influencing his or her sentence or the execution of the sentence. The prison administration may resist a restorative programme because of the increased burden on staff.
- Prisons are also authoritarian and hierarchical, making it difficult to develop prisoner autonomy; this is related to the issue of prisoner responsibility and to the reality of power imbalances in the prison setting.
- Prisons are offender-focused, making it difficult for restorative justice programmes in the prisons to

1 Sykes, G. M., *The Pains of Imprisonment*, in Gresham M. Sykes, *The Society of Captives: A Study of a Maximum Security Prison*, Princeton University Press, 1958, pp. 63-78.

2 Van Ness, *Restorative Justice in Prisons*, paper presented on the Symposium on Restorative Justice and Peace, Cali, Colombia, 9 – 12 February, 2005.

maintain a focus on the needs of victims or, I would add, on other people harmed and involved, such as family and relatives. According to my experiences, there might be a restorative perspective in the connection between the above-mentioned four layers of harm, needs and restorative challenges.

In summarising these obstacles, there is a clash between a problem- and risk-oriented approach (with a focus on the past) and a solution- and positive future-oriented approach.

Restorative detention and desistance

Restorative justice approaches may also have a bearing on the theory and practice of desistance, in which the central issue is why and how people transition out of crime. Three core issues arise out of desistance theories as crucial for this transition:

- Transitional capital—the abilities, conditions and skills to change. Restorative approaches (especially on the first level of self-restoration) may contribute to enlarging this transitional capital.
- Narrative identity—what kind of life story prisoners want to tell and what kind of life events can be crucial to changing one’s life story. Restorative approaches (e.g., meeting with the victim) may bring about change in this narrative identity.
- Social alliance—the bonding relationships between prisoners and relatives, family, friends and other informal relations, bridging relationships and connections with different groups within communities and the linking relationships within the institutional realm to help prisoners to gain resources to bring about broader change. A restorative approach in this respect is connecting different layers of restoration.

House of Restoration

As part of the project, we invited representatives of twenty-eight organisations from our network to focus on the restorative challenges in detention, pre-release and post-release. The intention was to map any possible contributions, synchronising the existing contributions and activities of all the organisations invited, and to bring collective development and cooperation focused on restorative detention to the next coherent level.

Among these organisations were state services (including the public prosecution service, prison authorities, the state compensation fund, prison chaplains, state collection agency for punitive orders, restorative consultants in prisons, among others), pre- and post-release NGOs (working on services for prisoners, ex-prisoners and their relatives), offender advocacy organisations, organisations delivering mediation and restorative conferencing,

victims’, survivors’ and ex-prisoners’ groups and umbrella organisations like Restorative Justice Nederland.

The process consisted of five so-called construction meetings to which all participants were invited, which focused on: clarifying the concept of restorative detention and introducing the way of mapping existing activities of participants related to harms, needs and contributions; exchanging experience-based stories, existing activities and “blank spots” to be developed further (collective challenges); sharing individual experiences with restorative processes and defining building blocks for the House of Restoration project; using a conversational model (“Jump!”) to move towards (collective) ambitions and, finally, prioritising future collective action by means of three working groups.

The restorative matrix

Van Herstel Layers of restoration	V	O	C*
1. Restoration of prisoners themselves			
2. Restoration with family members			
3. Restoration between offenders and victims			
4. Restoration between offenders and the community			

*Where V is Victim, O is Offender and C is Community

House of Restoration: What did we achieve and where are we going?

First, we managed to create a collective work environment with professionals and experts working in the field to realise ambitions for the future. We produced a “restorative map” for detention, pre-release and post-release containing restorative solutions connected with the harms, needs and challenges of all parties involved in crime. All organisations contributed information on their activities and the resulting map was validated by all participants. We also delivered a project review, several articles and a collective contribution to the conference “Restorative Justice – Human Rights and Personal Realities” of the European Forum for Restorative Justice in Leiden (June 2016). The presentation was a collective effort and it was an impressive performance led by one ex-offender and five of our participants.

Out of the project emerged a continued collaboration, both bilateral and by three working groups (culture change, detention as development time, empowerment of vulnerable groups) and a regular meet-up with the participants in the “House of Restoration”. We have since received requests from several parties to elaborate on and share the concept and its results.

A lot of themes were pinpointed, but probably the most important issue was that of the importance of voicing and listening to the experiences of people and the need to learn to communicate on the basis of our own personal experiences too, whether as a professional, victim, offender or member of society.

We are on a journey. There is a future challenge to follow up on this project, to take stock of ideas and look for experimental spaces both in and outside of prisons to work on collective challenges that might lead to “Houses of Restoration” as opposed to our current “Houses of Detention”.

House of Restoration: Restoring family ties

Restoring family ties was one of the restorative layers discussed in depth. This led to some tentative questions connected to the challenge of the second layer of restoration, prompting us to redefine the second restorative layer (restoration with family members) as “restoring family ties”. From this, we came up with several initiatives as building blocks for “House of Restoration”:

- Family group conferences for prisoners and families in cases where a plan is needed for family members with a relative in prison or on return into their community and family. Sometimes the third layer of restoration (restoration between offender and victim) became part of the same conference. These conferences are delivered by the “Eigen Kracht Centrale”.
- Involving family members from both sides in a restorative process between offender and victim. If both parties agree, both networks can be involved, thus widening the circle of a mediation or victim-offender discussions and enlarging the possibilities of a collectively supported, restorative solution. These services are delivered by Victim in Focus.
- Courses on awareness within or outside prisons (post release) aiming at guilt, shame and remorse and possibilities for restoration based on reflection by prisoners, offering them the opportunity to take responsibility for what happened and, most importantly, to take responsibility for their future and for the future of others involved. These courses are delivered by restorative consultants and chaplains within prisons and by NGOs like COPE member Exodus, Prison Fellowship Netherlands, Young in Prison and Bureau for Social Rehabilitation and Reintegration.
- Programmes and activities for family care and family contact like facilitating visits to prisons for children and other family members (e.g., through transport and accompanying) and organising social activities for the family of prisoners. These services are delivered by NGOs like Prison Fellowship Netherlands, Exodus and Humanitas.

- Programmes and activities facilitating all kind of contact between prisoners and their family that may connect them, like presents for birthdays or audio and video recordings of stories being delivered to prisoners from their families and from prisoners to their families outside. These services are delivered by restorative consultants and chaplains within prisons and NGOs such as Prison Fellowship Netherlands and Exodus.
- Programmes and activities preparing prisoners for their role as a parent after being released. Attention is not only given to the emotional and reparative aspects but also to the need for pedagogical support and guided visiting. In addition to youth care organisations and prison workers, these services are delivered by NGOs like Exodus, Humanitas and Prison Fellowship Netherlands.

A new development that has been broadly welcomed in Dutch prisons is the family approach, inspired by the work of the Family Intervention Unit at HMP Parc in Bridgend, South Wales.³ The approach has three important goals, namely: preventing reoffending; preventing children of prisoners developing a criminal career; and, preventing the social exclusion of the family of the incarcerated father. The approach is currently being developed in several prisons together with Dutch probation organisations and the Hanze Hogeschool, Groningen, one of the universities of Applied Sciences in the Netherlands. In many ways, this approach seems to be building on insights and the good work of restorative justice providers mentioned above.

Whatever the approach and whoever delivers it, the central focus of the approach should be the notion that the family of a prisoner is the most important factor for a successful return of a prisoner into society. Restorative justice cannot be successfully carried out, if we forget or fail to explore and challenge this important and too often ignored layer of restoration and opportunity.



³ See: <https://www.i-hop.org.uk/app/home>

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