

SUPPORTING CHILDREN WITH IMPRISONED PARENTS AND THEIR FAMILIES

RIGHTS, OPPORTUNITIES AND RESPONSIBILITIES

Italian Memorandum of Understanding
Charter of Children of imprisoned parents



Bambinisenzasbarre Onlus defends the right to be child

- The association is involved in the care of the family relations during the detention of one or both parents; of the tutelage of the child's right to the continuity of the emotional bonds; of the sensitization of the referential institutions and of the society on these issues
- It's a member of the Board of COPE Children of Prisoners Europe .
- In Italy, the Association (based in Milan) is active since more than 12 years, and it makes research and training in cooperation with Universities and the Ministry of Justice.
- It's active in a national network with the welcoming model '*Yellow Space*', a special child-friendly areas in prison.
- The association runs a Permanent Observatory of children-prison reality, realizing researches and training courses, adopting the guidelines of l'Ecole Relais Enfants Parents (Paris), led by Alain Bouregba, who certified its courses.
- Pedagogists, psychologists, art - therapists, analysts from different backgrounds and social operators of Bambinisenzasbarre work with Universities, with the Human Rights Institute of Copenhagen, with the Italian Commission of Human Rights, with the Italian Ombudsman for children, with the monitoring Group of the Convention on the Rights of the Child, coordinated by Save the Children, with the Italian Parliament..

- Activities include:
Lobbying - Advocacy - Sensitization Campaign - Training to prison's operators and external professionals -
Psycho-pedagogist agency - Promoting a national network

WHY A MEMORANDUM OF UNDERSTANDING

Children entering prisons in 1 year are around 1 million in Europe,
100,000 in Italy, 5,000 only in Milan's prisons

- **The Charter of Imprisoned Parents' Children** formally acknowledges that these minors have a right to an emotional and continuing bond with their imprisoned parent and reaffirms that the latter has a right to play his/her parental role.
- Rome, last 21st March: signature of "**Memorandum of Understanding**", the Charter of Children of detained parents, by the Italian Minister of Justice, the National Ombudsman for children and adolescence and Bambinisenzasbarre.
- The **Memorandum** contains the recommendations of the researches made by the COPE network in these years: the DIHR and Coping research (+ Italian CRC report)
- This Charter is a proposal to extend this advocacy initiative to COPE network.

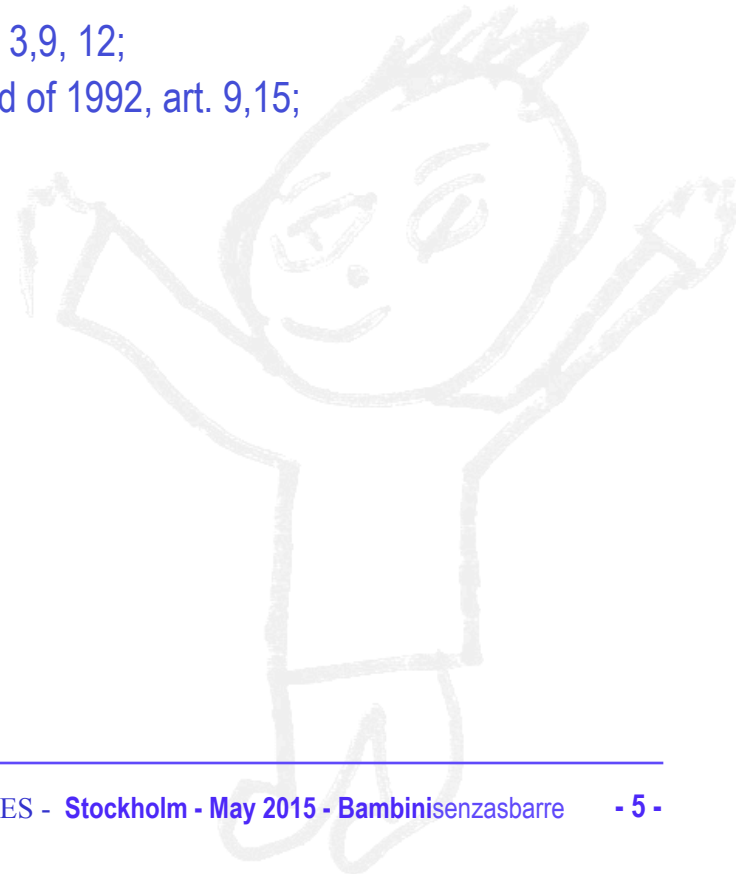
THE CHARTER MESSAGE

- The Charter of Imprisoned Parents' Children is, in its entirety, a revolutionary document which commits the penitentiary system to transform the relational and care aspects of prisoners, taking their parental role into consideration, and to change its welcoming culture, being aware of the presence of the minor who is blameless and free, but crushed by the social burden that a parent's detention implies.
- The Charter is, above all, an important message for civil society, it is a request for a change of attitude, of a point of view that must be on the side of children, not on the side of imprisoned parents and their legal obligations; at the same time it is a strong call for the necessity to start a process of social integration and, more generally, of a deeper cultural change towards the most vulnerable party: the child.

THE CHARTER CONTENT

After the preliminary remarks to:

- The international laws:
 - U.N. Convention on the rights of the child (1989), art. 3,9, 12;
 - The Draft European Charter on the Rights of the Child of 1992, art. 9,15;
 - the European Convention on Human Rights, art. 8;
 - Committee on the Rights of the Child
 - European Prison Rules
- Italian laws



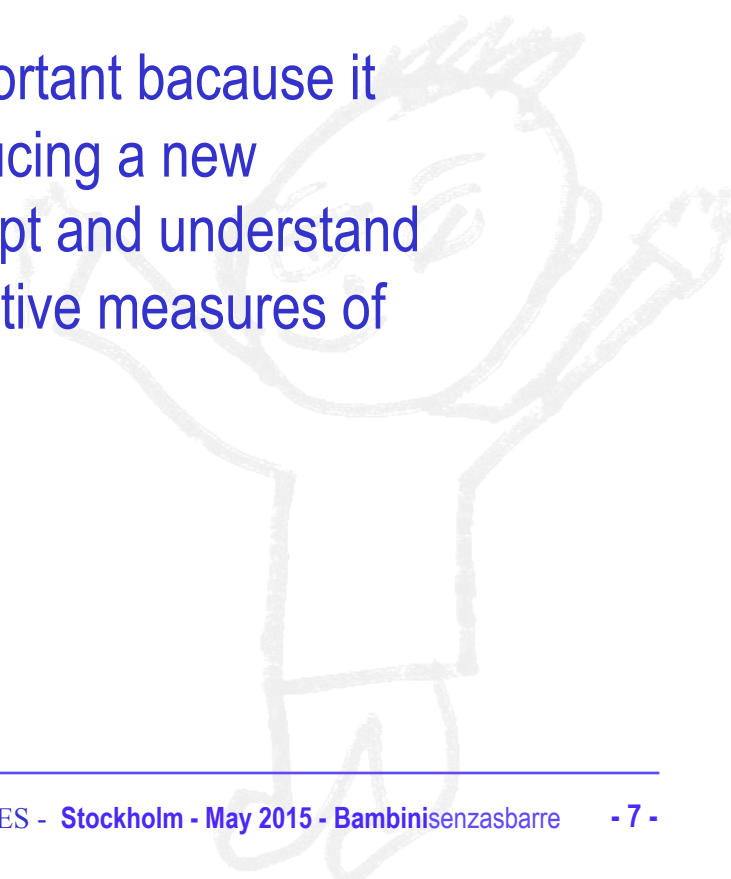
THE CHARTER CONTENT (2)

In the best interest of the child and according to the scope of the responsible bodies, eight articles determine:

- Art.1:** decisions and practices concerning judicial orders, judgments and sentences,
- Art.2:** minors' visits to prisons,
- Art.3:** other types of relationships with the imprisoned parent,
- Art.4:** the training of Penitentiary Administration staff and Juvenile Justice operators,
- Art.5:** information, assistance and instruction for minor children of imprisoned parents,
- Art.6:** the collection of data supplying information on imprisoned parents' children, in order to improve reception and visits to prisons,
- Art.7:** children's stay in prison, in exceptional cases, if it is impossible to provide for the parent measures alternative to detention. All the articles of this Memorandum of Understanding are not only meant for minors visiting detention Centers but also for children of parents who are detained in juvenile penal Institutes,
- Art.8:** establishment of a permanent Working Table, constituted by representatives of the three undersigning parties, which will periodically monitor the implementing of the points set out in the Charter, which favours and promotes the cooperation of institutional and non-institutional agencies and encourages the exchange of good practices on the national and international level.

A YEAR LATER

- Work to inform prison officers and Judges.
- The Memorandum of Understanding is important because it marks a milestone in a cultural issue, introducing a new approach also for Judges, who have to accept and understand that -when possible - is better to give alternative measures of detention, if children are involved.





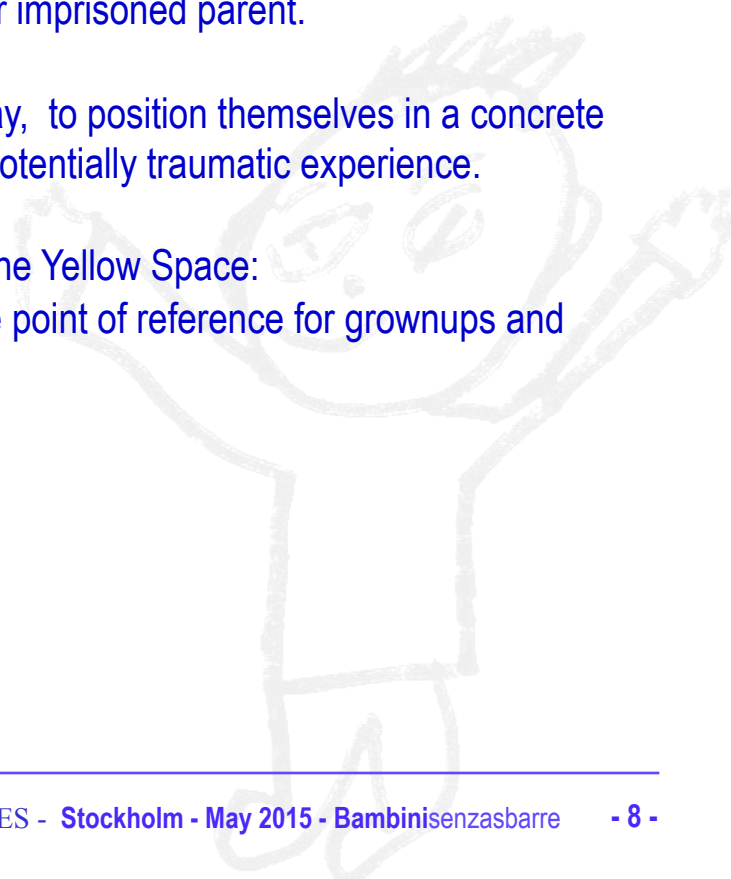
Bambinisenzasbarre Yellow Space System

The **Yellow Space of Bambinisenzasbarre** is a place inside the prison where children stay, waiting for the meeting with their parent. It is a *space of thinking*: its main aim is to soften the impact, to avoid trauma and to help the children to overcome an experience (entering the prison) which, on the other hand, is strongly recommended so that they can preserve their relationship with their imprisoned parent.

The aim is to offer children tools that can help them to find their way, to position themselves in a concrete space and to strengthen their ability to emotionally re-elaborate a potentially traumatic experience.

Qualified operators and an **adequate space** are fundamental in the Yellow Space:

- Daily presence, guaranteeing continuity so as to become a secure point of reference for grownups and children;
- A playroom setting, appropriate to the age and needs of children;
- Observation of adult-child and child-child dynamics;
- Dialogue and exchanges between parents;
- Educational response to one's parent.



THE NEW MODULAR STRUCTURE OF THE “YELLOW SPACE”

Thank to the ENEL Cuore Onlus Foundation, the organization is about to rearrange the setup of its Yellow Spaces, starting from three main Italian prisons:

- Napoli Secondigliano
- Milano Opera
- Milano San Vittore

This renewal is based on the “**modular structure layout**” designed by the architect C. Burdese, also designer of the ICAM - the attenuated prison for mother with children Institute, in Turin.

The modular structure is a prebuilt architecture element, made of multilayer birch wood and colored paving, and it will be placed inside the waiting room of each prison.

Inside this structure everything is **children-size** and **at full disposal of children visiting the prisons**: painting tables, toys containers, book shelves, panels on which display childrens’ paintings, and so on.

All these elements are thought to be used primely by children, offering them a place inspiring creativity and imaginary ideas.

At the same time, the Yellow Space is where adults direct a greater attention to children and their needs.

SOME EXEMPLES OF YELLOW SPACE (old version)
SET UP BY BAMBINISENZASBARRE IN THE
MILAN'S PRISONS

