

#ROaR2015



Child Rights : challenges and choices

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Child's best interests -Child participation



with children of prisoners from an ethical perspective

- 1924 Geneva declaration
- 1959 Declaration on the Rights of the child



Child : object of attention and protection

- 1989 CRC created a new democratic dynamic
 - Article 3 : the best interest of the child
 - Article 12 : the right to be heard

Child : subject with rights



Child's best interest

Maintaining or not family contact ? What type of interventions ?



Clinical example





*The child is a person...
Not an individual*



The child is a person...



A subject :

A place within society

Gradual autonomy

The child is a person...



Adapting to environment

Reacting

Active participant

The child is a person...



Ability to take action

Allowing and encouraging action

The child is a person...



*A call to act in predetermined
situation*

A call to free himself

Bringing up a child...

...Supporting his capacity to exist

When subject to difficulties :



- *Help reduce them*
- *Help reaction*

When subject to difficulties



Preserving the child

Encouraging to develop his own strategies

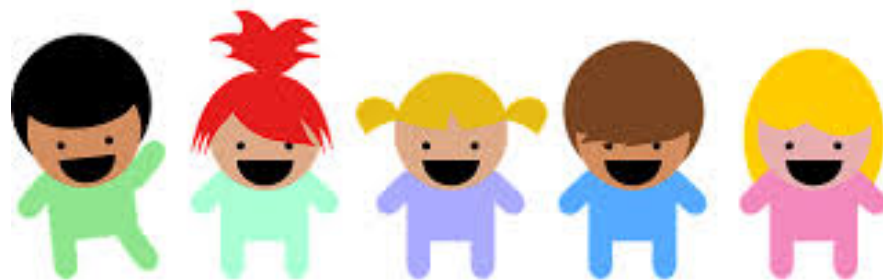
*Unbearable situation ? It is up to him to take
is own position.*

The challenge :

*listening in an active way not
passive*



*Helping the child to be who he
is
not who he should be*



Teaching him to be free

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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
 - Psyco-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

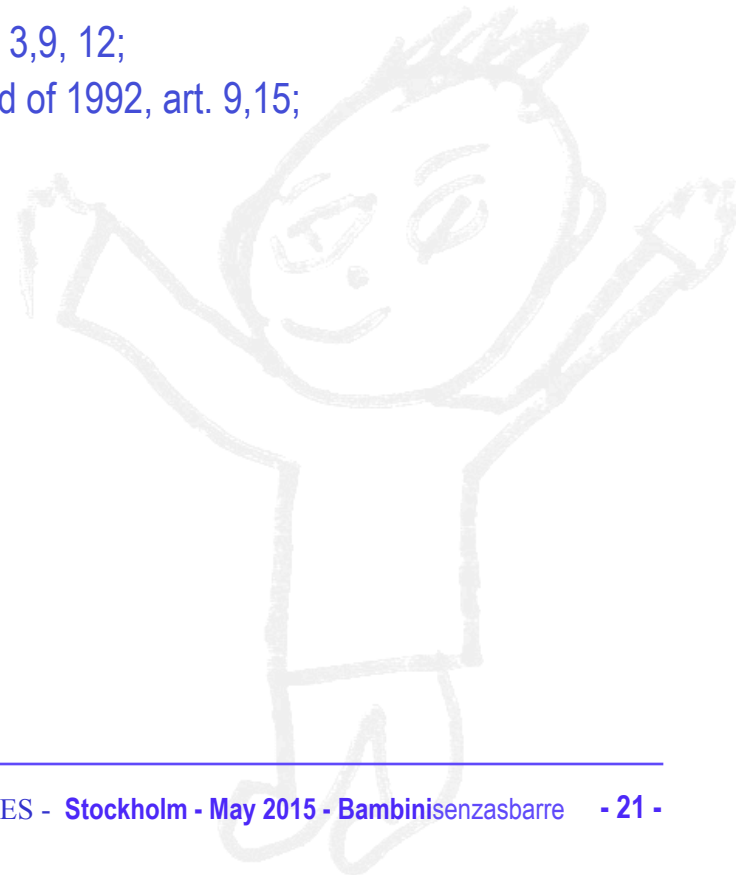
- **The Charter of Imprisoned Parents' Children is, in its entirety, a revolutionary document which commits the penitentiary system to transform the relational and care aspects of prisoners, taking their parental role into consideration, and to change its welcoming culture, being aware of the presence 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



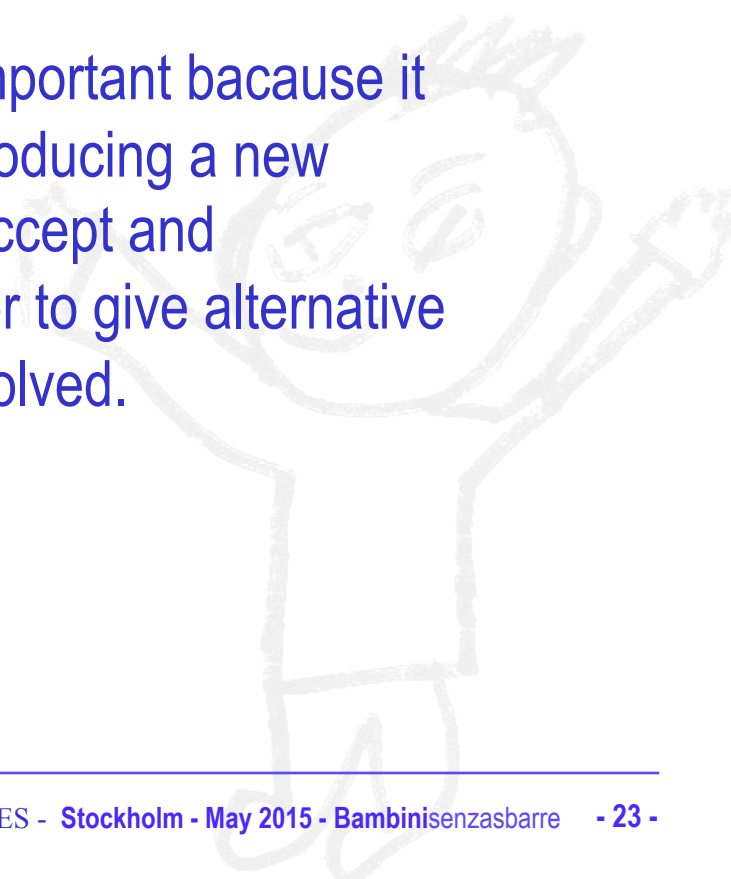
THE CHARTER CONTENT (2)

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.





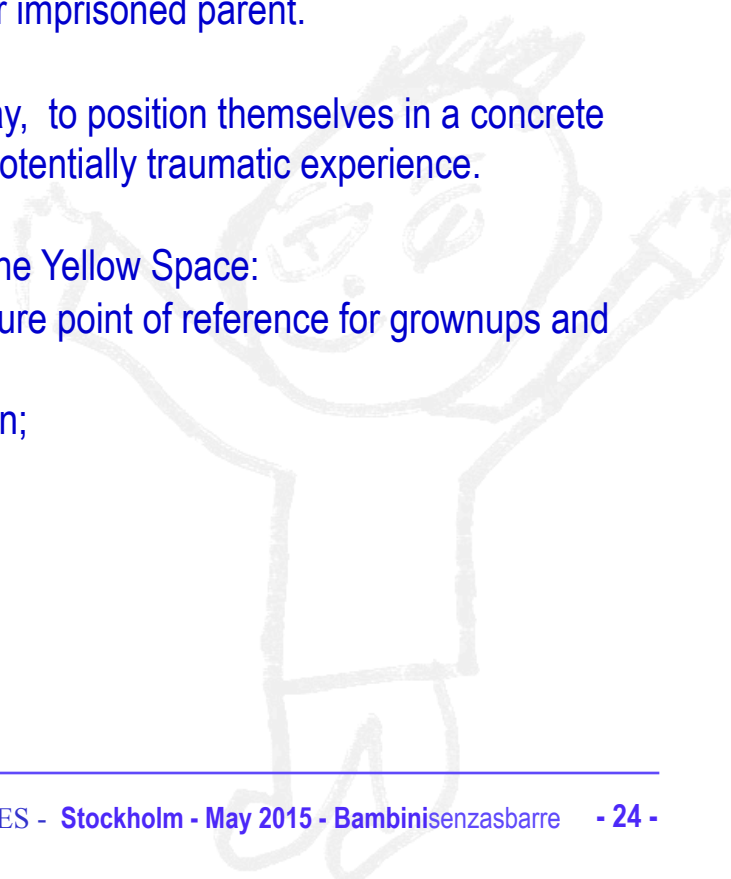
Bambinisenzasbarre Yellow Space System

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

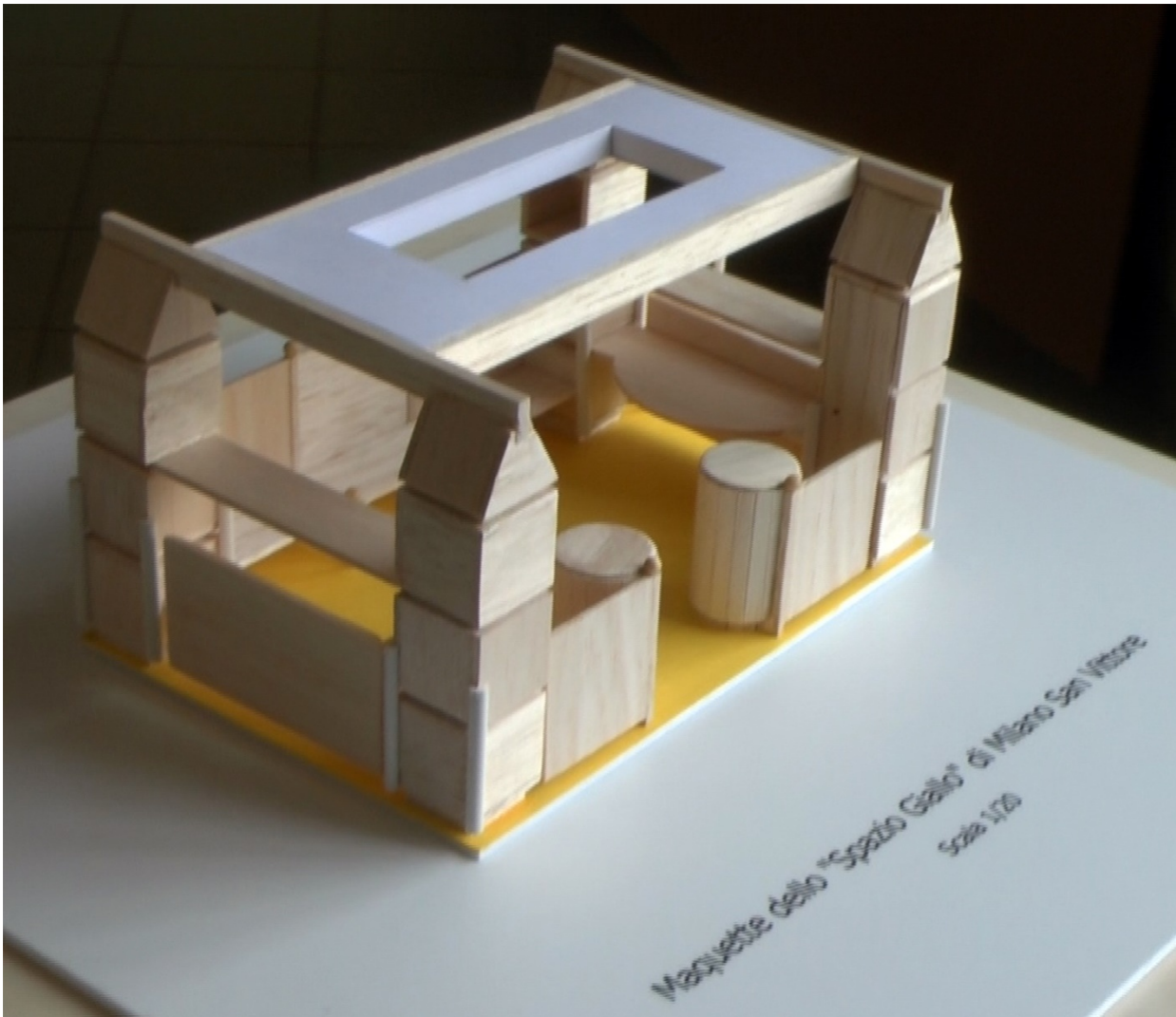
This renewal is based on the “**modular structure layout**” designed by the architect C. Burdese, also designer of the ICAM - the attenuated prison for mother with children Institute, in Turin.

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.

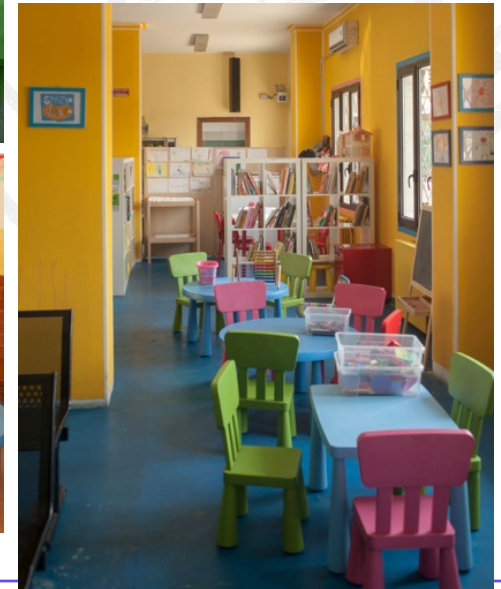
All these elements are thought to be used primely by children, offering them a place inspiring creativity and imaginary ideas.

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



Sample of new
Yellow Space
in Italian
prisons

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



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Supporting CoP within the communities

Project Jarro

Annika Altnäs

Bufff Province of Östergötland

Sweden

Bufff Norrköping presents Jarro

The purpose and overall goal of the project is that all children that have an imprisoned parent should be given attention and also the support that society is obligated to give them. The support should come from nonprofit organizations as well as the public sector.

To revise, develop and propose sustainable processes for cooperation between BUFFF, Social Services and the Prison probations services.

Develop methods and structures to inform personnel within childcare, schools and Social Services about BUFFF and our services and functions.

3 specific questions

- How do we reach out to more children with imprisoned parents?
- How do we ensure that these children get the necessary support and help that they are entitled to?
- How do we create sustaining and lasting processes of cooperation for the future?

3 important areas

- **Prison and probation services** – previously established cooperation, want to take it further
- **Social Services** – develop and strengthen processes of cooperation
- **School** – the children's arena



Bufff

Barn och ungdom med
förälder/familjemedlem
i fängelse

Networking, networking, networking

Dock before acting!

Locally engaged people from different areas to spread the information about BUFFF and project Jarro to other units and employees.

Enlighten

Social media

Inform

Promote

Give/Receive Feedback

Cooperate

Remind

Networking



Prison and probation services

- Cooperation is even more efficient and successful
- Enhanced information material for parents at home.
- Free and supervised visitations between parent and children at BUFFF.
- Ability to coach and support parents via phone.

Till dig som är förälder och har en partner i häkte eller på anstalt

Bryggan är en ideell förening som erbjuder stöd och hjälp till barn och ungdomar vars förälder är eller har varit frihetsberövad. Vi fungerar även som stöd till föräldrar som är intagna eller har en partner i fängelse.

Frågorna kan vara många när man är förälder i din situation...

- Ska jag berätta för barnet att föräldern/partnern sitter i häkte eller på anstalt?
- Hur berättar jag för barnet vad som har hänt? Vad ska jag säga?
- Kan barnet hälsa på en förälder på häktet eller anstalten?

Hos oss kan du få råd och stöd kring sådana frågor. Vi kan även hjälpa och stödja familjen inför och efter frigivning av föräldern. Bryggan har under flera år samarbetat med Kriminalvården, vi har skapat barnanpassade besöksrum, är kontinuerligt ute på häkten och anstalter och har både enskilda och gruppsamtal. Vi bedriver också stödgruppsverksamhet för barn och ungdomar. Bryggan erbjuder helt enkelt en trygg mötesplats för barn, ungdomar och föräldrar, här kan man möta andra i samma situation och samtala med kunnig personal.

Vi vet inte vem Du är som läser detta brev, men vi vill väldigt gärna kunna erbjuda vår hjälp till Dig. Det enda Du behöver göra är att kontakta Bryggan, ett enkelt samtal eller mail räcker. Du kan vara anonym i kontakten med oss och vi har tystnadsplikt.

Vill du läsa mer? Besök då vår hemsida www.bryggannorrkoping.se.

Med vänliga hälsningar
Bryggan Norrköping






Bufff

Barn och ungdom med
förälder/familjemedlem
i fängelse



Social Services

- Cooperation is even more efficient and successful 
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Social Services

- BUFFF participates in several different actions, as a mediating part in meetings, visiting families in need of our expertise, help and support directly in their own homes.
- BUFFF has become the natural choice where to turn when it comes to cases involving children and youths that have a parent in custody.

School: the childrens' arena

Thanks to project Jarro we have had the opportunity to focus extra resources on create sustainable and lasting processes of cooperation between BUFFF and the lower and middle schools in Norrköping. We've also had the chance to help spread knowledge about the target group to more of the employees within the education system.

School: the childrens' arena

- Frequent contact with the counselors' coordinators
- Arranged training about the target group for all the counselors. The course will reoccur every other year.
- Participated in group meetings with the counselors, getting the opportunity to further more spread our knowledge and our services.
- Arranged lectures and workshops at a school, 6 classes participated during 2 days.
- Conducted two support groups of 15 weeks each, including picking the younger children up from school and driving them home afterwards. This was established with the students' teachers.
- Participation as a third part in meetings with student, teacher and counselor

Conclusions

- Increased cooperation with the Prison and probation services, Social Services and the school resulted in BUFFF reaching more children and adolescents of the target group than ever before.
- The coordinator of the counselors have frequently spread information about BUFFF which resulted in a brand new contact; Barnhälsan Norrköping (Barnhälsan offers support in several areas to parents and families with younger children).

... Conclusions

- The great importance of being present at all times, not to let ordinary office hours hinder parents and others to contact us. To make BUFFF more available in a way of arranging activities on late afternoons and weekends, as well as picking the younger children up from school and driving them home after the support group.
- There is a larger demand for support groups than we first believed; there are a lot more children in need of support and help.

...Conclusions

- There is also an increased demand for individual coaching, especially from the adolescents but also from parents at home.
- It has come to our attention that there are few (or no?) children of immigrants participating in BUFFFs activities.

Swedish Inheritance Fund

A big thank you goes to the Swedish Inheritance Fund who has given us the ability to achieve all of this.

