

OMBUDSMAN OF THE REPUBLIC OF LATVIA

**Research of the Situation Regarding the Right of the Children of Imprisoned
Persons to Contact with Their Parents**

Author of the research: LL.M Anna Krasanova
Senior Lawyer of the Children's Rights Division

Riga 2016

Contents

Survey of Imprisoned Persons and Children	4
Results of the Survey of Imprisoned Persons Regarding Implementation of the Right of the Children of Imprisoned Persons to Contact with Their Parents	5
Results of the Survey of Children Regarding Implementation of the Right of the Children of Imprisoned Persons to Contact with Their Parents	12
Results of the Survey of Foster Families Regarding Implementation of the Right of the Children of Imprisoned Persons to Contact with Their Parents	13
Amendments to the Regulatory Framework	16
Informative material "How a Small Phone Conversation Can Do a Great Job"	17
Recommendations	18

Relevance of the Topic

The Ombudsman's Strategy for 2014 - 2016 included a topic "The Right of the Children of Imprisoned Persons to Contact with Their Parents". The Ombudsman's attention was turned to this topic for the first time, thus initially the research of the situation had to be conducted regarding the possibilities of the imprisoned persons and their children to implement their right to contact.

This far in Latvia the children of the imprisoned persons were not generally seen as the category of vulnerable persons. It is difficult to classify these children as a separate group of persons because there is no data regarding the number and condition of these children. This causes the lack of understanding about the special needs and rights of the children of imprisoned persons. Yet the international research shows that this category of children faces many problems, and one of them is the restriction on the rights of child and parent contact.¹

The Sentence Execution Code of Latvia determines the procedure for relatives and other persons visiting the prisoners, yet several obstacles out of the control of imprisoned persons exist that make it difficult for the children to use the possibilities of contacting their parents. As shown by the research of the situation in other countries, there are various reasons: lack of social aid and support on the part of state and municipal institutions; meeting rooms in prisons are not suitable (traumatising) for the children; unwillingness of the other parent, relative or other person, guardian or foster family, to reveal the truth to the child and promote implementation of the right to contact, etc.²

"Trauma", "anxiety" and "stress" are words reflecting the psychological condition of the children of imprisoned persons. Science and practice shows that loss or decrease of contact with one of the parents may cause far-reaching negative consequences to the child on a conscious and sub-conscious level. Namely, such as emotional instability, decreased self-respect and self-esteem, asocial or even anti-social behaviour, worsening of socialisation skills and social competence, increased risk for a low level of education, decreased ability to reach a high-quality level of welfare, etc.³ Children often feel ashamed of the parents' imprisonment; fear from the negative attitude of the classmates promotes social rejection of these children.⁴

One of the main goals of the legal system is prevention of further crime and decreasing the number of victims. Taking into account the above, it would be advisable to work with the children of the imprisoned persons as an additional tool for prevention of crime.⁵ In this regard, it is important to promote the understanding of condition of these children, especially their need for contact with their imprisoned parents.

Studies show that children who are in contact with their imprisoned parents are disposed more positively. Maintenance and support of mutual contact between parents and children decreases the negative effect of the parents' imprisonment and provides the

¹ Hannah Lynn, 'Prisons across Europe. National focuses on protocols relating to children of prisoners' (eds), (*Justice for Children of Prisoners*, 2013, 1 (4)), p.23.

² See: Adele D.Jones, Agnieszka E.Wainaina-Wozna (eds) 'Children of prisoners Interventions and mitigations to strengthen mental health' (University of Huddersfield) (further – Children of prisoners) p.53-93.

³ More on psychological condition of the children see: Oliver Robertson, 'The impact of parental imprisonment on children' (Quaker United Nation Office, 2007).

⁴ Hannah Lynn, 'Prisons across Europe. National focuses on protocols relating to children of prisoners' (eds), (*Justice for Children of Prisoners*, 2013, 1 (4)), p.22-23.

⁵ Oliver Robertson, 'The impact of parental imprisonment on children' (Quaker United Nation Office, 2007), p.8.

child an opportunity for positive development.⁶ Yet, mostly the carer hides the truth from the child because of belief that in such a way they protect the child. However, the consequences may be exactly opposite. If the truth is not disclosed to the child, he may feel rejected. The child may lose the desire to share his experiences, and it leaves a negative effect on his ability to overcome difficulties. Because he does not understand the situation, he may also suffer due to his own imaginations. Therefore, awareness of importance of the contact between the child and an imprisoned parent is very essential.

First of all, child and parent contact should be focussed on the needs of the child in order for him to feel comfortable and safe in an unknown place, and he would not be afraid to come to the prison in order to meet his parent. Because of this, the meeting rooms of a prison should have a child-friendly atmosphere (furnished, clean, with a play corner, etc.), and the security systems of the prisons must not be traumatising to the child.⁷ It is just as important that the right to contact could be used also through telephone conversations and by using the video conferencing.⁸

The rights of the children to contact with their parents are established both by international and national legal acts. According to Article 2 of the United Nations Convention on the Rights of the Child (hereinafter referred to as the Convention), States Parties shall respect and ensure the rights set forth in the present Convention to each child without discrimination of any kind irrespective of the status of the child's parents. Article 9 of the Convention provides the duty to a Member State to respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.

In its practice, European Court of Human Rights has acknowledged that a possibility for a child and a parent to enjoy each other's presence is an essential fundamental element of the "family life" in the understanding of Article 8 of Convention for the Protection of Human Rights and Fundamental Freedoms of the Council of Europe.⁹

The task of execution of criminal punishments is to ensure that the convict and other persons would comply with the laws and would refrain from committing criminal offences. It should be pointed out that social contacts promote re-socialisation of the prisoner and an opportunity to be included in the society after release.

In order to assess the compliance of the situation with the standards of the human rights and to promote understanding of the condition, needs and respect of the rights of these children, the Ombudsman conducted the research of the situation within the framework of which imprisoned persons, children and foster families were polled.

Survey of Imprisoned Persons and Children

The Sentence Execution Code of Latvia prescribes procedure for relatives and other persons visiting the prisoners, yet in practice exercising the rights of the child to contact is difficult. The results of the Ombudsman's research indicate very diverse

⁶ Hannah Lynn, (eds), 'Prison Visits & Families Impacts, Successes & Struggles' (*Justice for Children of Prisoners*, 2013, 2 (4)), p.21-22.

⁷ Ibid.

⁸ Committee on the Rights of the child, *Report and recommendations of the day of general discussion on „Children of Incarcerated Parents”* (30 September 2011) available:

<http://www.ohchr.org/EN/HRBodies/CRC/Pages/Discussion2011.aspx>

⁹For example, see *Johansen v. Norway* [1996] ECHR 17383/90, para 78.

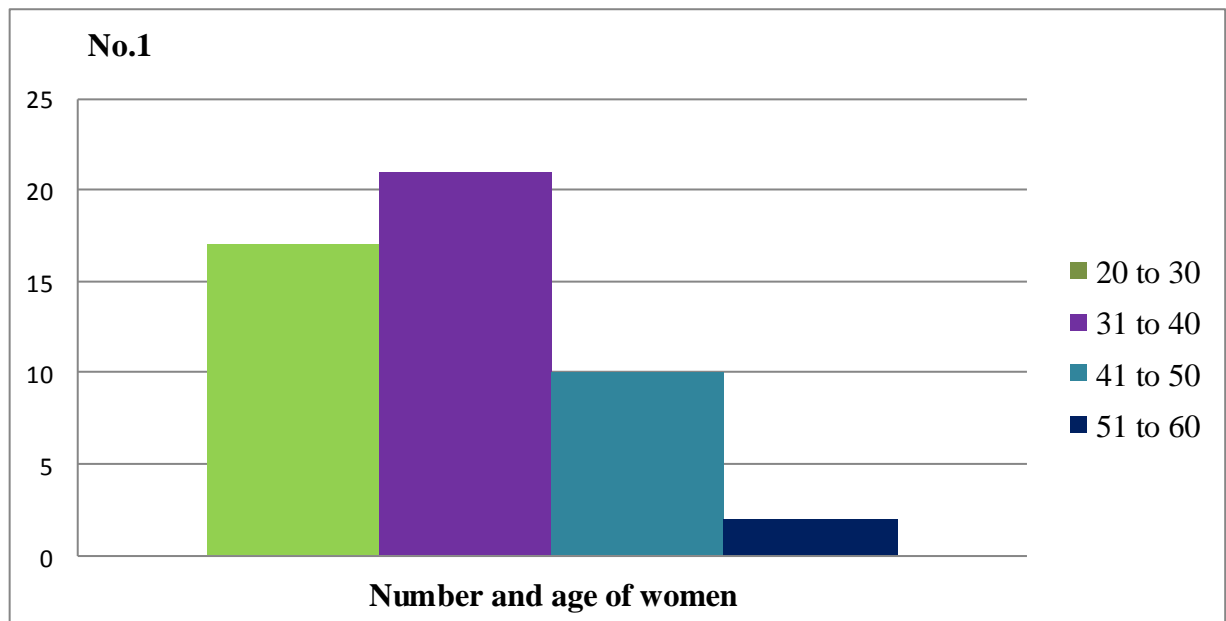
reasons, being lack of social aid and support, unsuitable meeting rooms in the places of imprisonment, as well as indisposition of the parents to contact their children in the place of imprisonment.

In 2014, in cooperation with the Prisons Administration survey of 430 prisoners was conducted in all prisons of Latvia. But within the framework of orphanages monitoring a survey of 44 children in municipal orphanages was conducted.

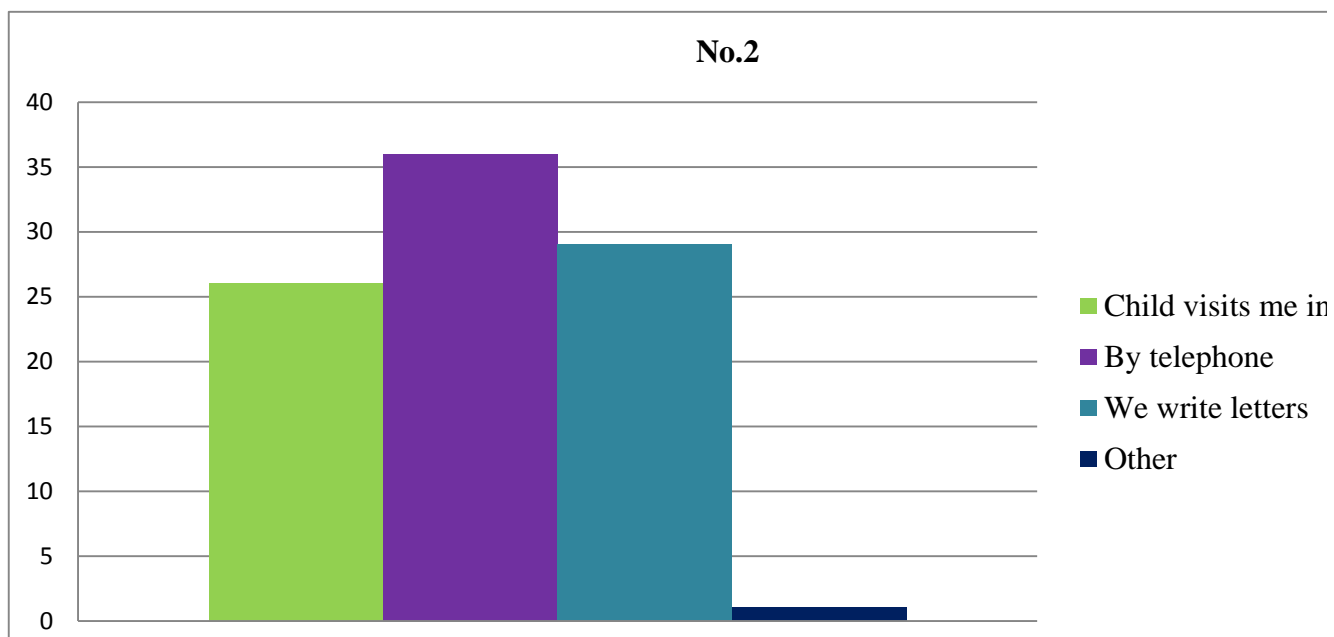
The imprisoned persons were asked about the number and age of their children, with whom the child lives, about the types and frequency of contact. Several questions were devoted to finding out if the child visits the parent in prison, if the child experiences emotional turmoil and how it is expressed, in their opinion. The respondents were asked to provide an assessment of prison rooms, as well as express an opinion on opportunity to maintaining contact through Skype.

The children were asked which of their parents is in prison; how did they found out about the parent's imprisonment; did they maintain contact: how and how often; do they wish to visit their parent in prison. They were also asked if they feel emotional pain due to their parent's imprisonment, and how it is expressed, in their opinion. The children who visit their parents in prison were asked to provide an assessment of the meeting rooms and attitude/responsiveness of the staff towards them.

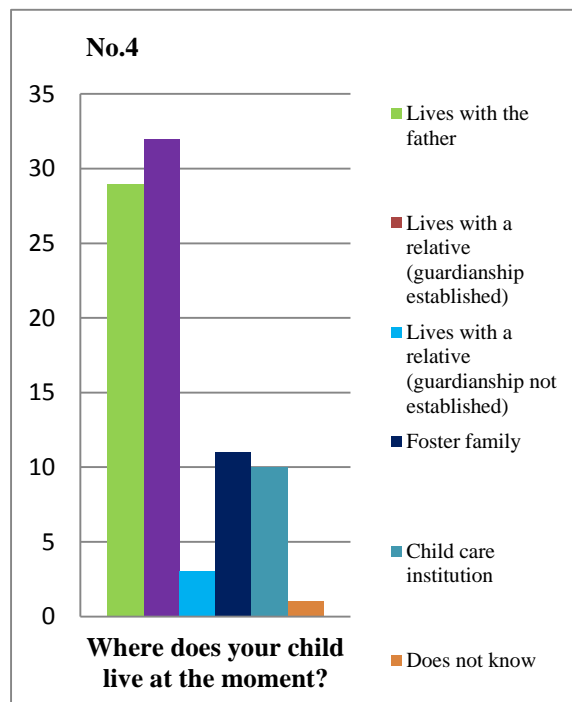
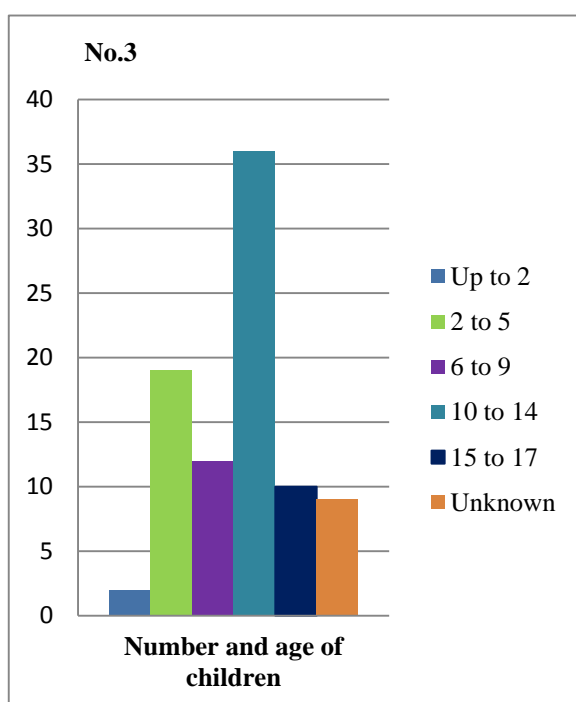
Results of the Survey of Imprisoned Persons Regarding Implementation of the Right of the Children of Imprisoned Persons to Contact with Their Parents



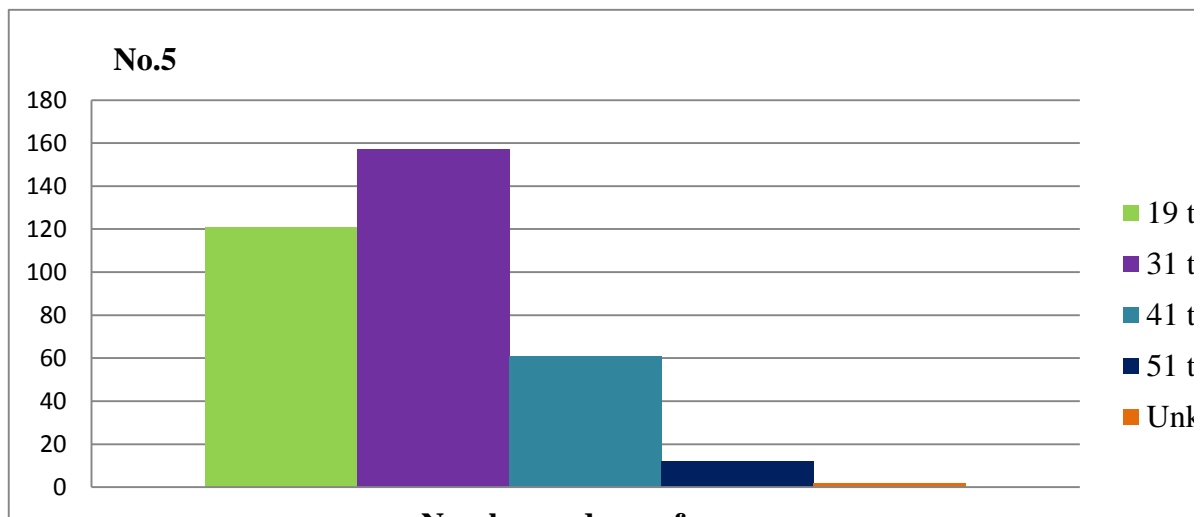
At Ilguciems prison, 51 women expressed a desire to participate in the survey. More than half of these women are between ages 20 and 40 (Chart No. 1).



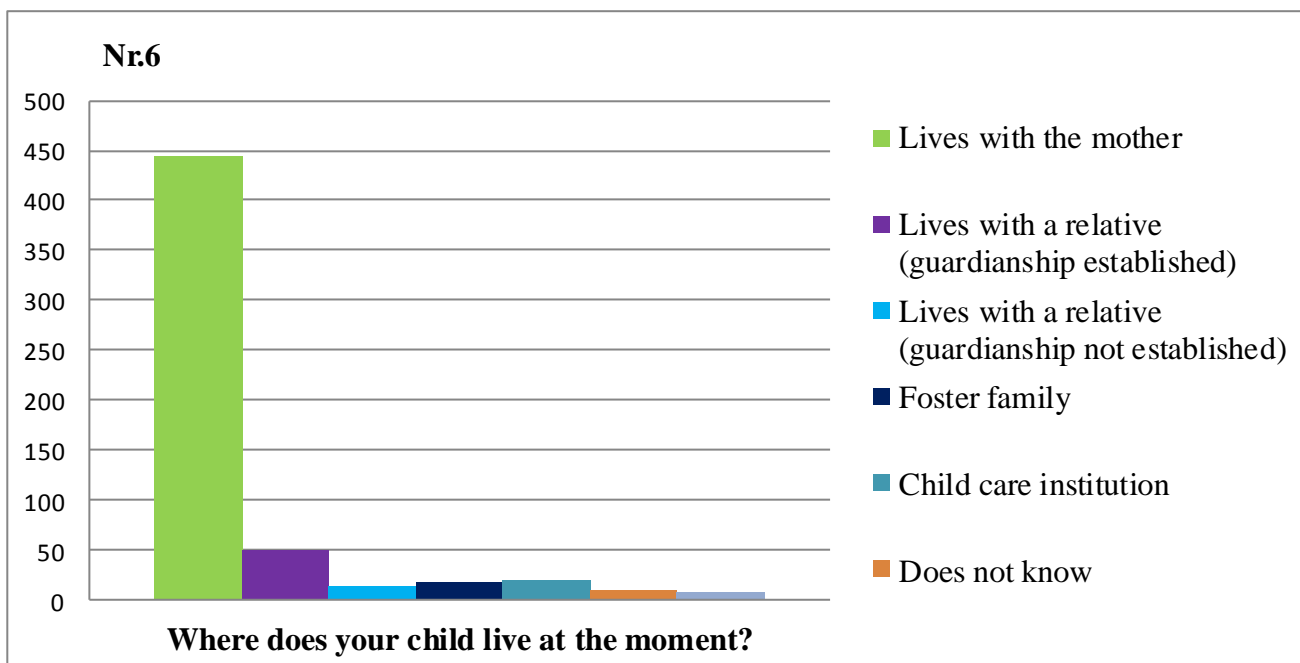
The women use almost all possible types of contact with their children, including going on leave to see their families.



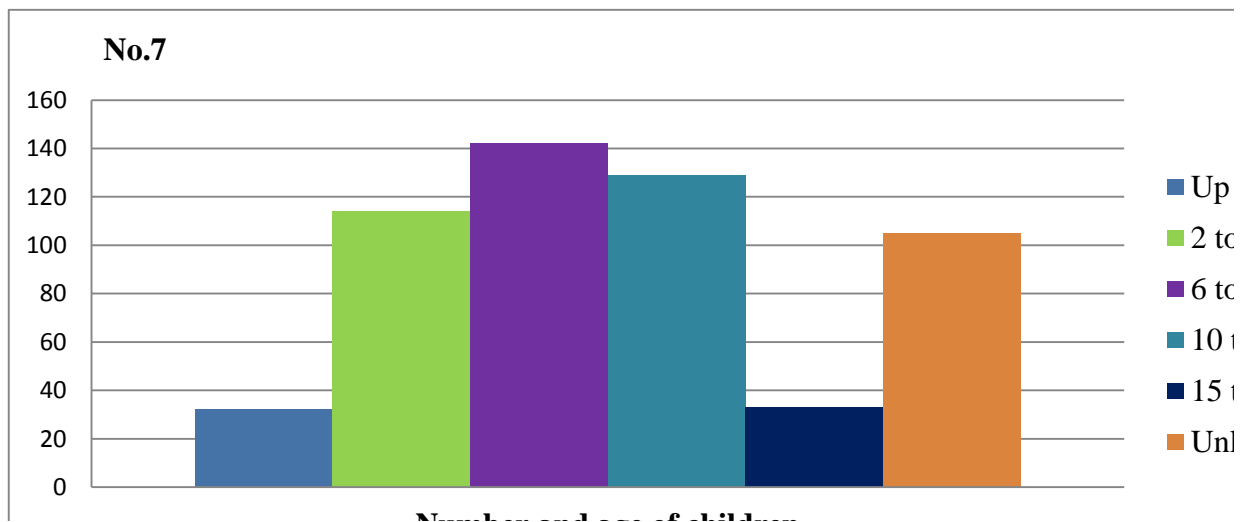
Mostly a woman has one or two teenaged children, but a comparably large number of women also have children between ages 2 to 9 (Chart No. 3). Mostly the children of the imprisoned women live with their grandmothers (mums of mothers), but several children live with their fathers. Mostly the fathers of these children live with their mothers (Chart No. 4).



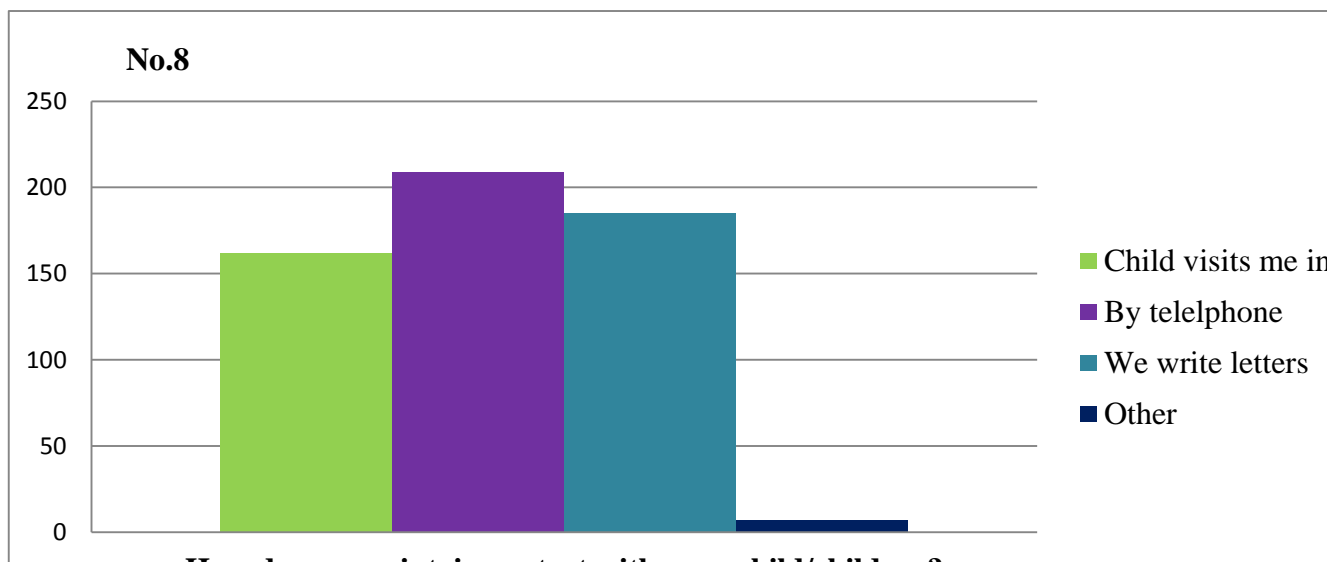
353 men expressed a desire to participate in the survey. Most of the men, similar to women, are between ages 19 and 40 (Chart No. 5).



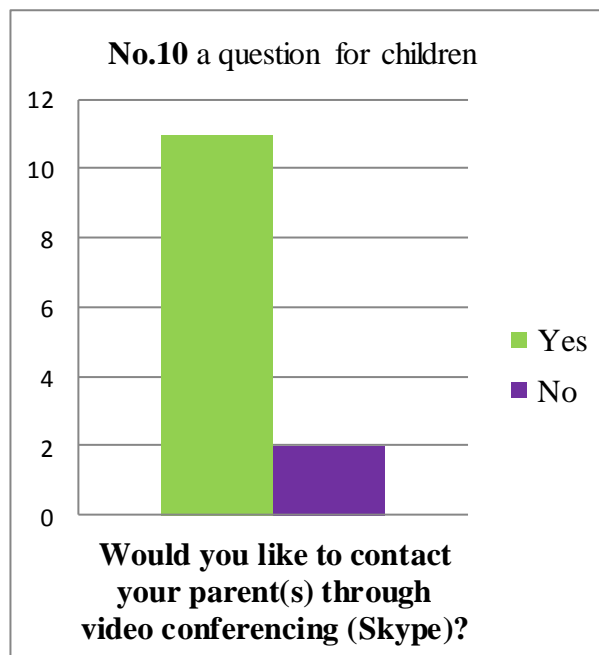
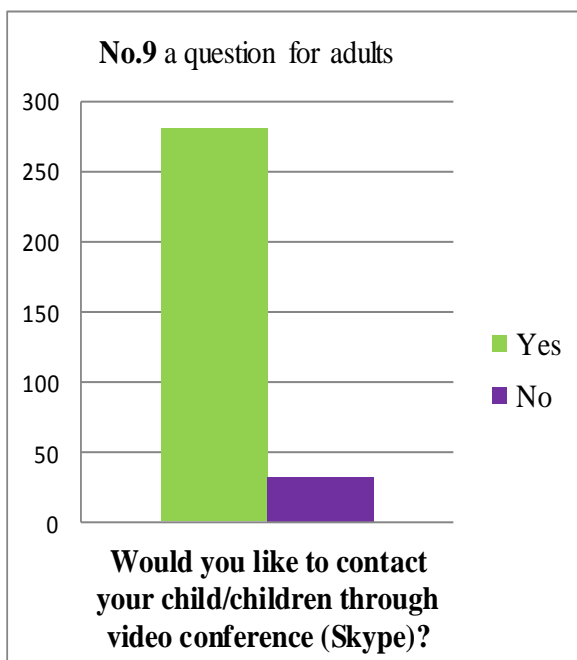
The results of the survey show that most of the children of the imprisoned men live with their mother, the number constituting 80% of the total number (Chart No.6).



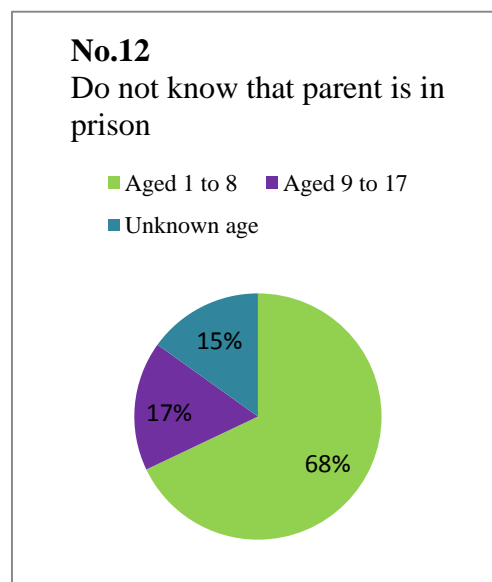
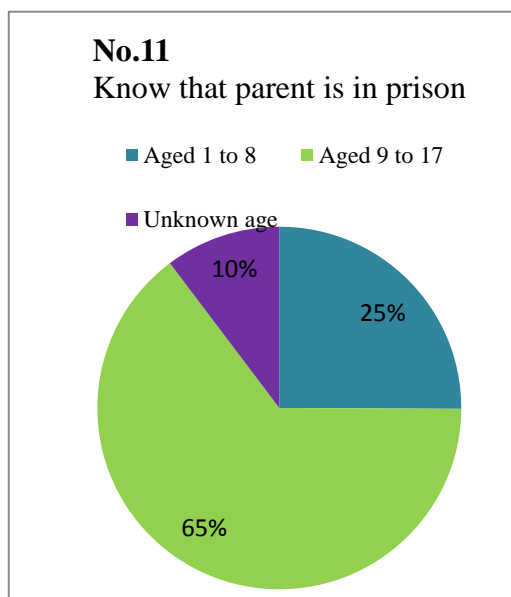
Most of the children of the men are between ages 2 to 14. A rather large number of imprisoned men did not know the age of their children. (Chart No. 7)



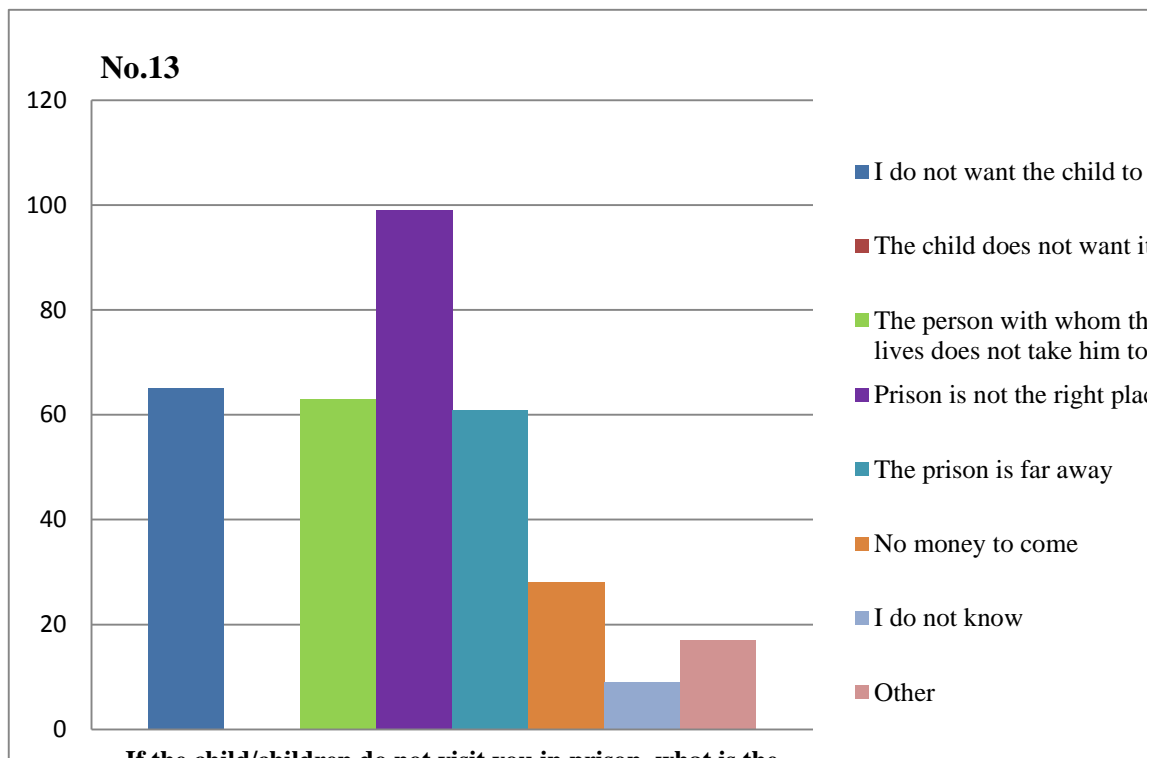
Mostly the men call their children on the telephone. Fewer children come to visit their fathers, and unfortunately it is linked to the fact that mothers and fathers have poor interpersonal relationships. (Chart No. 8)



Both the imprisoned persons and children expressed a great desire to contact each other by means of video conferencing. (Charts No. 9 and No. 10)

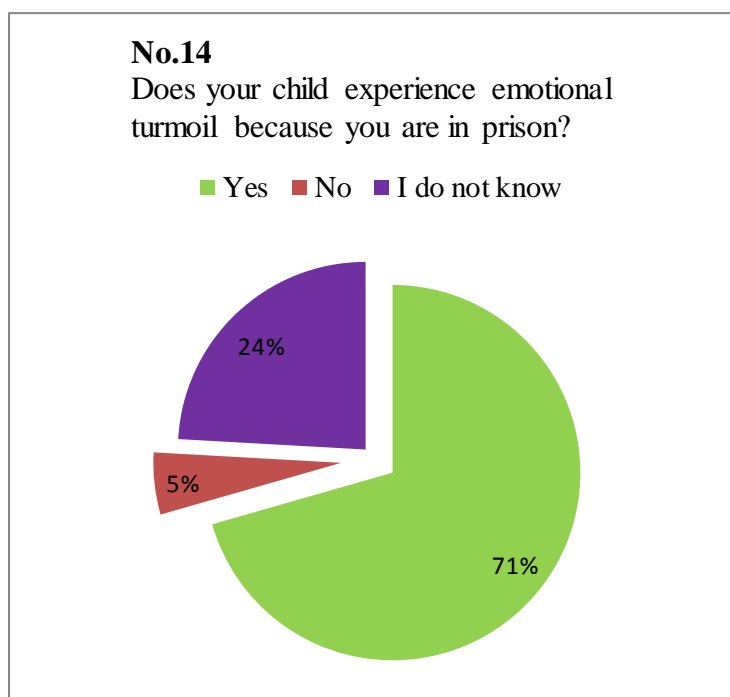


Previously it was stated that children who maintain contact with their imprisoned parents are more positive. But hiding the truth about the imprisonment of the parents may lead to negative consequences. Therefore, the imprisoned persons were asked if their children know where they are. The results show that 25% of children between ages 1 and 8, and 65% of children between ages 9 and 17 know where their parent is (Chart No. 11). But 68% of children between ages 1 and 8, and 17% of children between ages 9 and 17 do not know where their parent is (Chart No. 12). The parents explain that they do not tell the truth to younger children because the child does not understand what a place of imprisonment is and might tell the third parties where their parent is. The fact that older children mostly know that their parent is in prison may be assessed very positively.

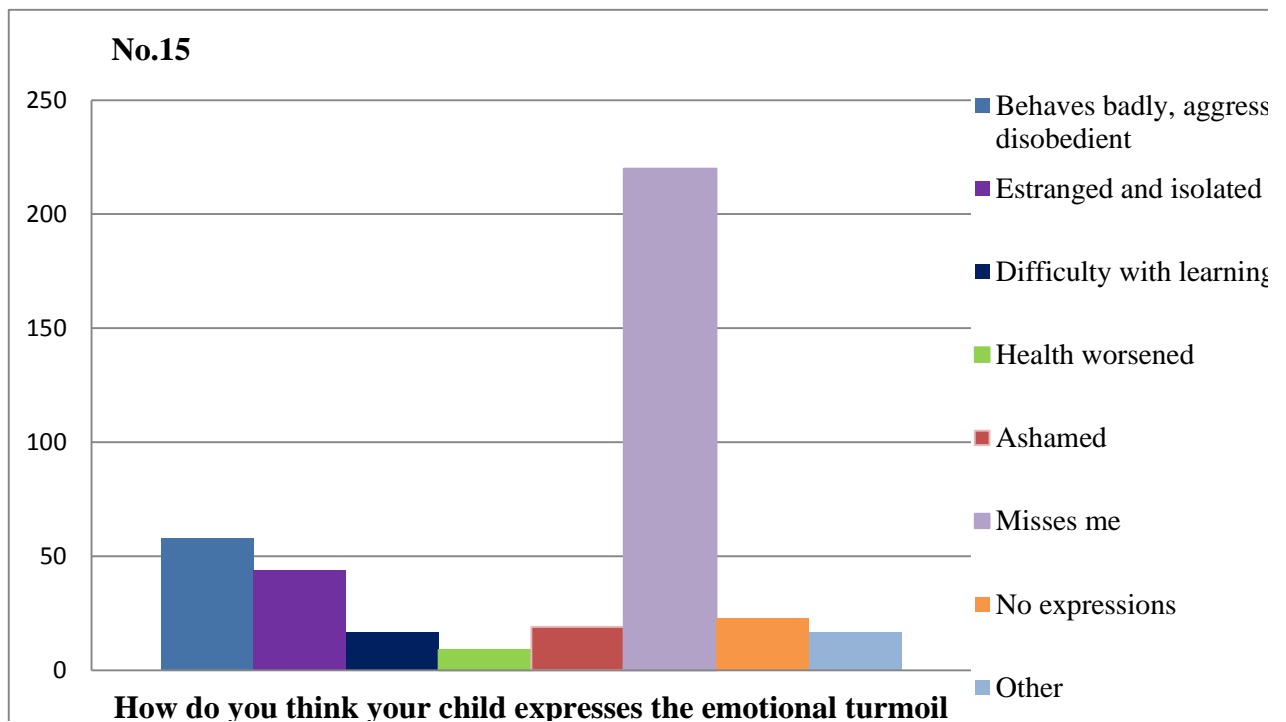


If the child/children do not visit you in prison, what is the reason?

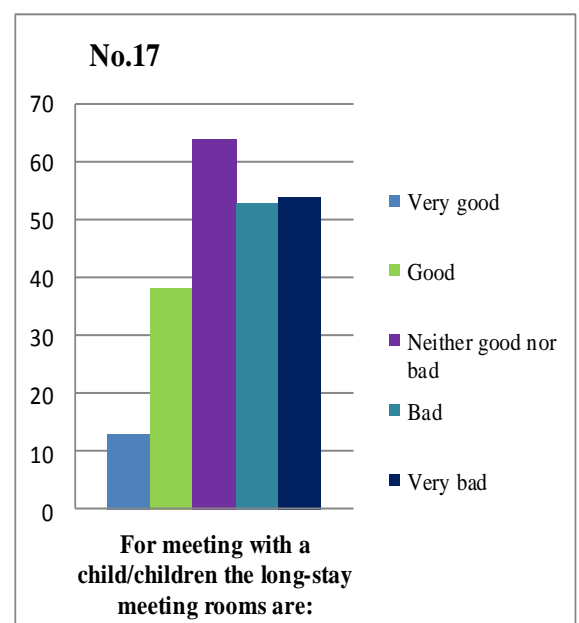
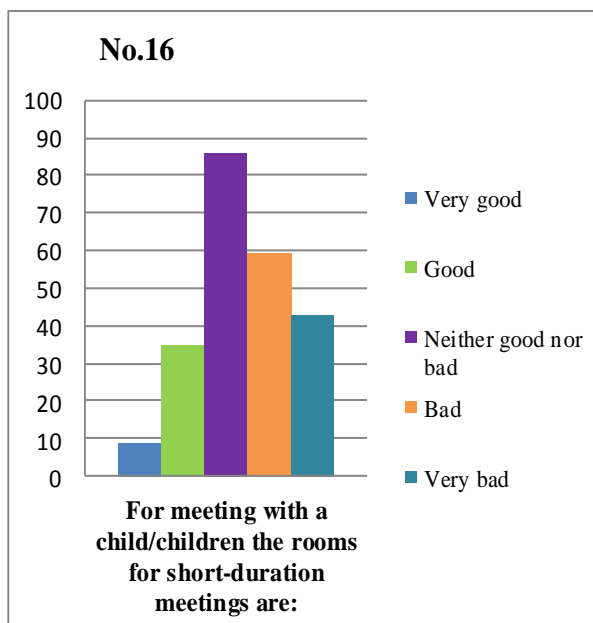
The main reasons why the child does not visit their parent in prison is indisposition of the imprisoned persons themselves and is linked both to withholding the truth and unsuitable rooms of the prison. Moreover, a large percentage consists of persons with whom the child lives and who do not take the children to visit their parents in the place of imprisonment. As previously mentioned, in the men's prison the problem is linked to poor interpersonal relationships between the adults. But women pointed out that foster families are negative towards the contact between children and their imprisoned parents. Many imprisoned persons also pointed out that the prison is very far away and often family does not have financial means to travel to the place of imprisonment. (Chart No. 13)



The imprisoned persons were asked to provide an opinion on if their children experience emotional turmoil because of their parents' imprisonment, and how it is possibly expressed. The prisoners expressed the opinion that children do experience emotional turmoil due to parents' imprisonment (71%) (Chart No. 14).



The imprisoned persons pointed out that children miss them. Many also indicated that they observed the worsened behaviour and estrangement. (Chart No. 15)



The rooms of places of imprisonment were rather assessed negatively. Mostly the imprisoned persons have provided the assessment "neither good nor bad", "bad", "very bad". (Chart No. 16, No. 17)

Within the framework of research three places of imprisonment were visited and their meeting rooms were inspected. Long-term meeting rooms of the places of imprisonment are not suitable for children (the rooms do not contain infrastructure suitable for children; they are small, and in separate rooms, for example in Ilguciems prison, Central prison, a strong smell of cigarette can be felt). Therefore, the meeting rooms of the places of imprisonment are in need of improvements in order for the environment to be child-friendly and suitable, and the children would have an

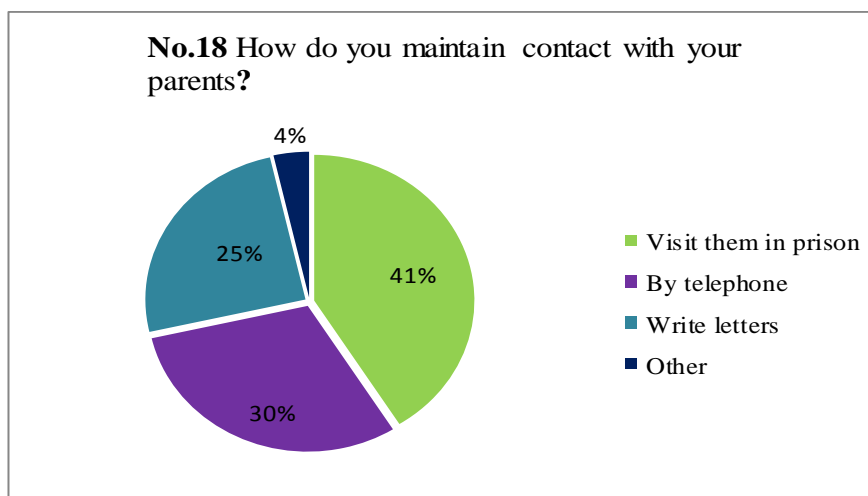
opportunity to play (where and with what). Improvement of the meeting rooms of the places of imprisonment is very significant for facilitating the contact between the children and parents. Not all imprisoned persons and persons taking the children to the meetings are adequately prepared. Playground, games and toys are very necessary in order to improve the quality of the contact, so that children would not be bored, and the parents would be able to communicate with them easier. It is important that a child would positively spend time with his or her parent and would want to visit mum or dad the next time, too.

Due to security reasons imprisoned persons and their visitors are prohibited from being outside the meeting rooms during the visit. In survey, the imprisoned persons pointed out that for children, especially in a warm season, find it very difficult to remain in a closed room for forty-eight hours during the long-stay meeting without being able to go out in the fresh air. But during the short-duration meetings lasting up to two hours the children are not provided an opportunity to use the bathroom. Imprisoned persons pointed out that these aspects impede the opportunity to exercise the right to contact with children.

Every person must receive the necessary amount of oxygen, but the lack of it and air pollution may endanger development and health of the person by causing various diseases.¹⁰ Thus, during the long-stay meeting it is important to ensure an opportunity for children to go out into the fresh air. Lack of exercise yards and difficulty for prisons to ensure the security of a child may not be considered a sufficient basis to deny a child the opportunity to be in the fresh air.

Children, especially younger ones, from the physiological viewpoint visit the bathroom more often. Besides, visiting a parent in the place of imprisonment may agitate the child. A situation when for two hours the child does not have a possibility to go to the bathroom is not acceptable. Furthermore, it may become a cause for an argument and termination of the meeting between a child and a parent. It is important that irrespective of the location and the time spent there the children would be provided with a safe and hygienic environment.

Results of the Survey of Children Regarding Implementation of the Right of the Children of Imprisoned Persons to Contact with Their Parents

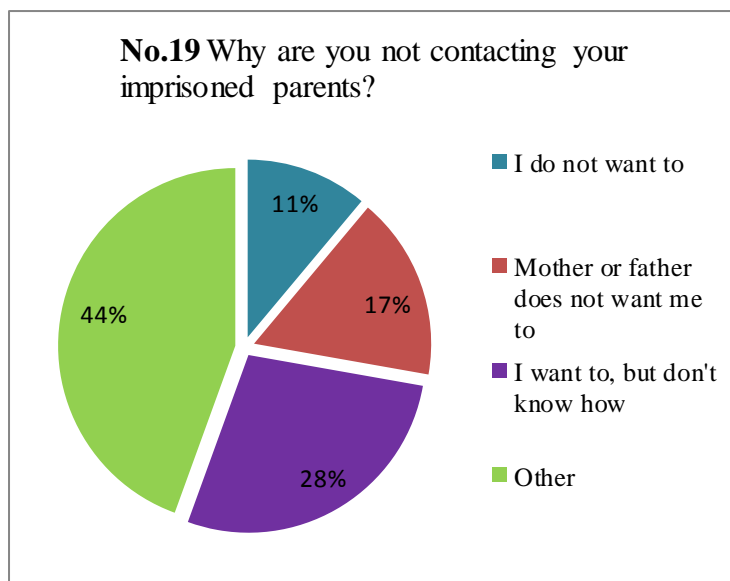


The survey of the children was conducted in June - August of 2014 within the framework of orphanages monitoring.

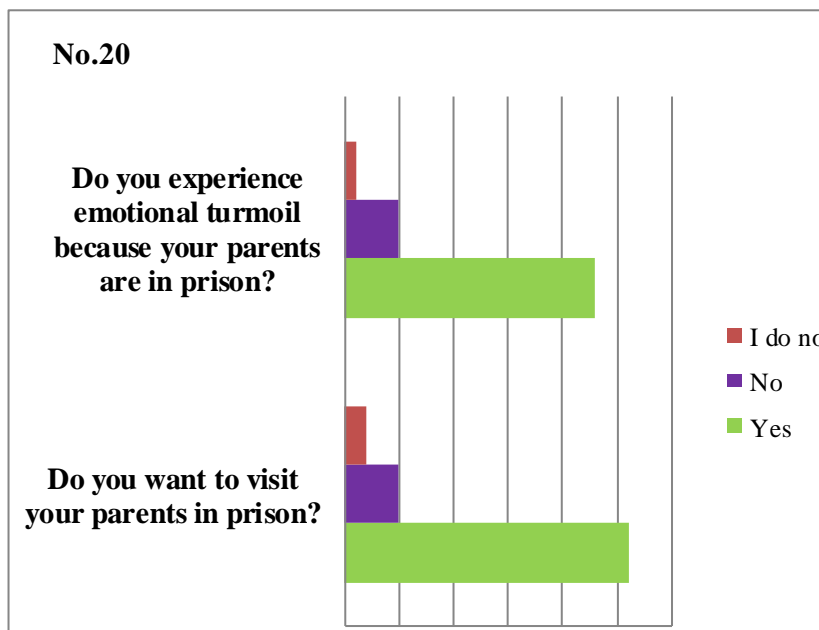
The survey was conducted on a voluntary basis, and 44 children expressed a desire to participate. 25

¹⁰Health Inspectorate. Indoor air quality, problems, and solutions. Available: <http://www.vi.gov.lv/lv/vides-veseliba/gaiss/iekstelpu-gaiss>

of the polled children have a mother in prison; 14 - a father; and 5 - both parents. 41% or 23 children go to visit their parents in prison. Most children go to visit mothers; thus, to Ilguciems prison. (Chart No. 18).



The reason why children and parents do not maintain contact is the indisposition of the parents. A rather large percentage (44%) are children who do not keep in touch because they have suffered abuse from parents (7 out of 8 are cases of sexual abuse). (Chart No. 19)



The results of the survey of children show that children wish to contact and visit their parents in prison, and, of course, they are sad about their parents' imprisonment (Chart No. 20).

Currently children's possibilities to contact their imprisoned parents are limited: meetings are infrequent, and the meeting rooms in places of imprisonment are not suitable for the needs of a

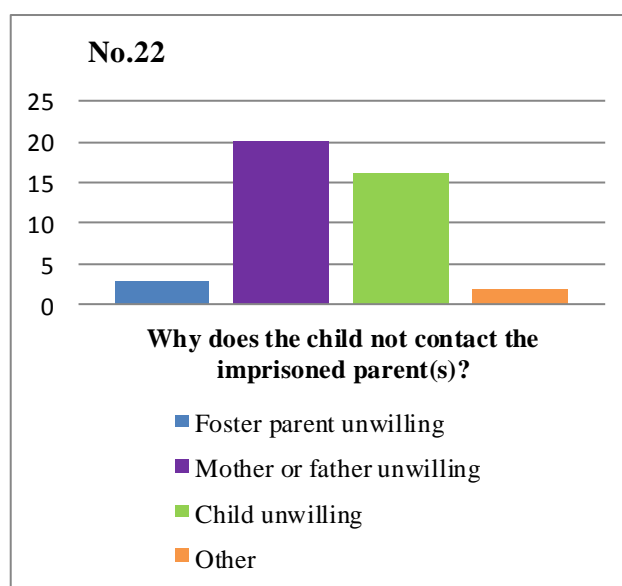
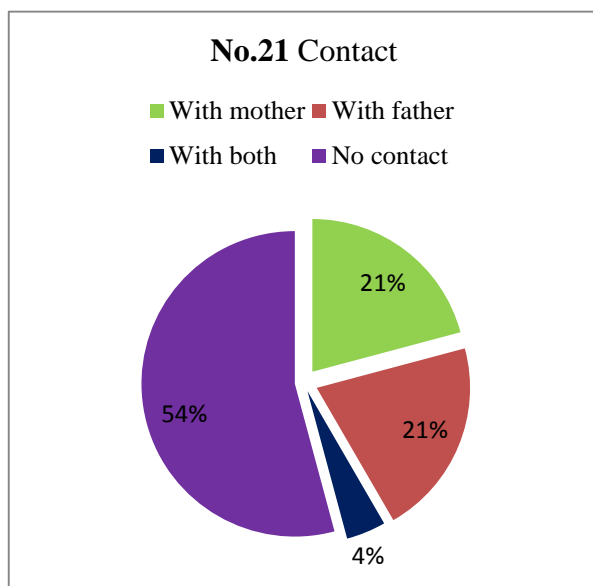
child. Yet, one of the major problems faced by the imprisoned persons when contacting their children are short and infrequent telephone conversations. On 18 June 2015, a law on "Amendments to the Sentence Execution Code of Latvia" was adopted, according to which restrictions regarding telephone conversations were removed for the convicts serving a sentence in a partly closed prison. Therefore, currently only convicts serving a sentence in a closed prison, as well as minors have restrictions regarding telephone conversations.

Results of the Survey of Foster Families Regarding Implementation of the Right of the Children of Imprisoned Persons to Contact with Their Parents

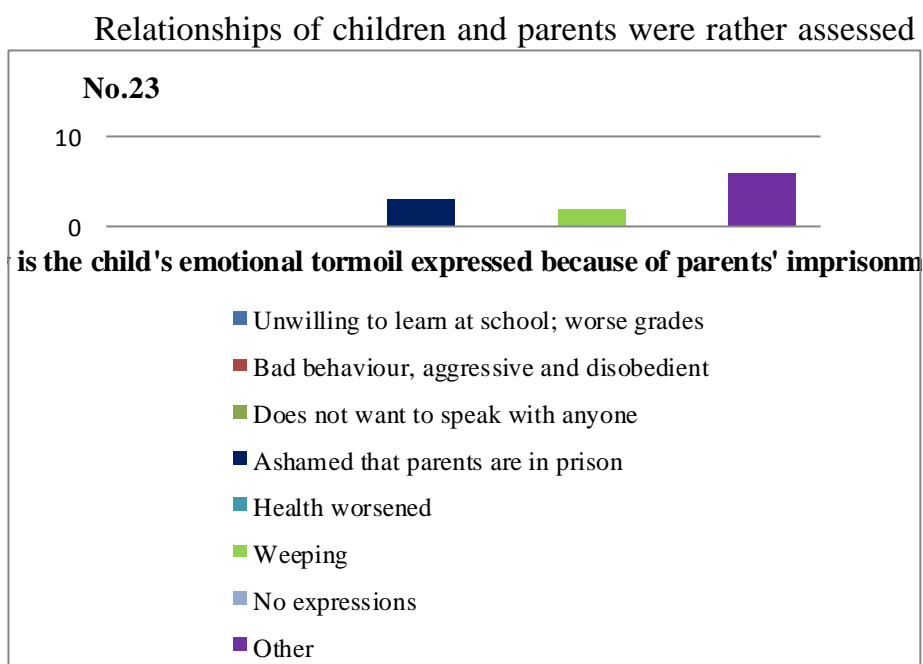
In 2015, research of issue regarding the rights of the children of the imprisoned persons to the contact with their parents was continued. Latvian local governments were asked to provide information on foster families and guardians with whom live the

children whose parents are imprisoned, and information regarding the number of such foster families, guardians and children was summarised. In order to obtain enhanced information regarding provision of contact of children in out-of-family care with their imprisoned parents telephone interviews with the foster families were conducted.

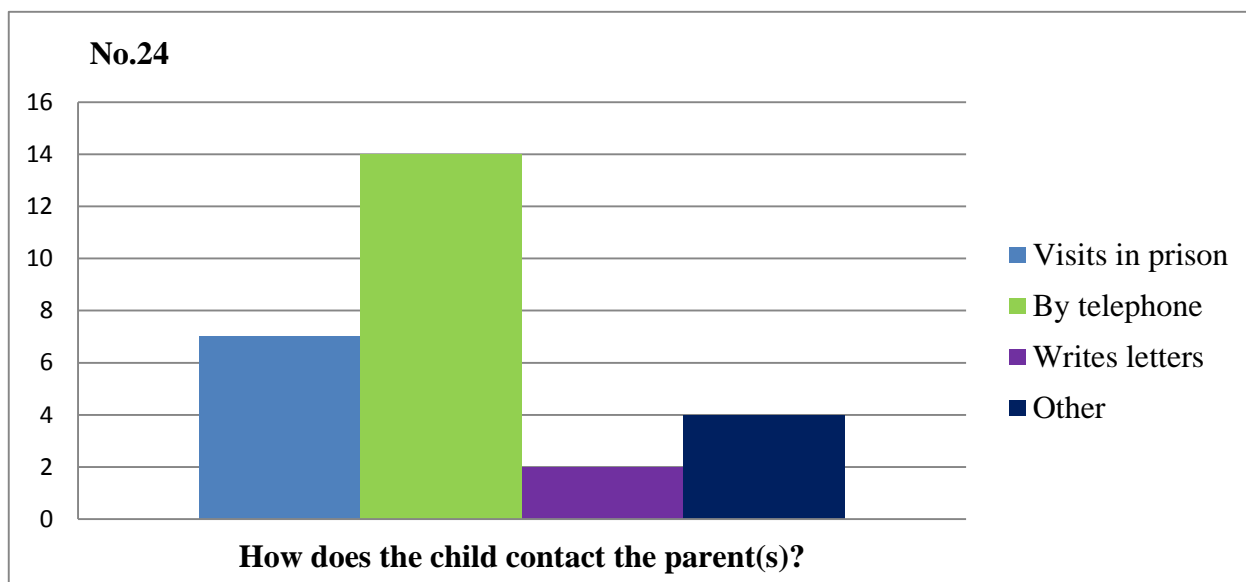
According to the information provided by the local governments (in the period from 24 April 2015 to 16 September 2015), in Latvia 159 guardians provided care to the children whose parents were imprisoned. The total number of children of imprisoned persons under guardianship was 202. But 48 children whose parents were imprisoned lived with foster families. The total number of foster families: 31.



The results of enhanced interview with the foster families show that mostly children living with foster families did not contact their parents, and the main reason was that parents and children themselves did not want it (54%). (Chart No. 21, No. 22)



also pointed out that children feel disappointed because of the promises their parents have not kept, are ashamed because of their parents' imprisonment, and miss their parents. (Chart No. 23)



The most common way of contact between children and parents are telephone conversations; some go to visit their parents in prison, but mostly those are short-duration meetings. A very small number of children and parents write letters to each other. (Chart No. 24)

Example. A family from Bauska provide care for three minor children from various families. Two children have their dad in prison, and one child's mother is imprisoned. These parents are in places of imprisonment in Riga. In order to take two children to meet their parents in the place of imprisonment, travel costs are approximately 25.20 euro for one time (3.05 euro for a one-way bus ticket to Riga, and a public transport ticket in Riga costs 1.15 euro). The family's income at the time of survey in 2015 was approximately 400.00 euro per month; thus, travel expenses of 25.20 euro are a rather large financial burden for such a family.

Children living with the foster families are notified of the location of their parents. Foster families pointed out that such position is expressed by the orphans' courts. Moreover, several foster families added that contact will be affected if orphans' courts will emphasise the need of it.

In regard to what might improve the contact between the prisoners and their children, the families pointed out that social work should be carried out with children and their imprisoned parents. An opinion was expressed repeatedly that parents use their children and maintain contact only in order to decrease the duration of serving the sentence, change the means of security, etc. It is difficult for a child to maintain relationship with an imprisoned parent, especially when the contact is very infrequent and indifferent. Therefore, many foster families pointed out that motivation and desire to maintain contact on the part of parents themselves is very important. Regarding visiting parents in the places of imprisonment several foster families expressed an opinion that it is not a place for a child to be or meet his parents in.

Taking into account the abovementioned, it should be concluded that children living in foster families are less motivated to contact their imprisoned parents. If a child is not inclined to maintain contact with the parents, then this motivation would rather not be promoted and supported by foster families.

Article 9, Paragraph 3 of the UN Convention on the Rights of the Child provides that Member States shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular

basis, except if it is contrary to the child's best interests. These rights have been established also in Section 33, Paragraph 1 of the Protection of the Rights of the Child Law states that a child who has been placed under guardianship or with a foster family or has been placed in a child care institution, has the right to maintain personal relationship and direct connection with parents. Paragraph two of this section states that the orphans' court may take a decision to restrict the right to maintain contact in cases when the contact with parents harms the child or poses a threat to guardians, foster families, employees of child care institutions or other children. But Section 44, Paragraph 2 of Protection of the Rights of the Child Law stipulates that a foster family, guardian and a child care institution shall inform the parents regarding the development of the child and shall encourage the renewal of family ties. Therefore, if the orphans' court has not made a decision to restrict the right to contact, the guardian or foster family should promote the contact between a child and imprisoned parent.

Amendments to the Regulatory Framework

After summarising the obtained information, Ministry of Justice and Prisons Administration were informed regarding the problems discovered by the Ombudsman and restricting the contact between the children and imprisoned parents. Moreover, a request was made to Ministry of Justice to provide information on executed and planned actions regarding improvement of the legal framework in order to ensure the right to contact of the imprisoned persons and their children.

On 16 December 2015, a meeting of the standing working group of criminal punishment execution policy took place. The agenda included suggestions of the Prisons Administration regarding amendments in relation to enhancement of the right to contact of the prisoners.

Ministry of Justice and Prisons Administration made the following suggestions regarding the improvement of the implementation of the right of imprisoned persons to contact with their children:

1) to determine the right of a foreigner to communicate with their child who is not in the Republic of Latvia by using the video call: the working group supported this suggestion by providing that this group of convicts has a right by using the video call to contact not only the minor, but also any other person who is not in the Republic of Latvia;

2) to stipulate that convicts who are minors have a right to use unlimited number of telephone conversations: the working group fully supported the suggestion;

3) to stipulate the right for the arrested foreigners to communicate with their children who are not in the Republic of Latvia by using video calls;

4) to stipulate the right for the arrested persons under long-term imprisonment to long-duration visits: within the framework of the pilot project, in 2016 this practice will be initiated in Ilguciems prison.

Regarding the amendments to Section 66 of the Cabinet Regulations No. 423 "Internal Rules of an Institution of Deprivation of Liberty" of 30 May 2006 in relation to increasing the number of visitors of an imprisoned person, Prisons Administration pointed out that this issue may be solved only in the context with the development of the infrastructure of the places of imprisonment. Yet, at the meeting of the working group a decision was made to amend Section 66 of the mentioned regulations by stipulating the

possibility to vary the number of visitors of the imprisoned persons (for example, 3 children and 1 adult).

On 17 June 2016, Prisons Administration issued an order No. 153 "Regarding the Implementation of the Pilot Project" within the framework of which within the period from 1 August 2016 to 31 January 2017 prisons were tasked with implementation of the pilot project: in addition to the rights ensured in the Sentence Execution Code of Latvia and Law on the Procedures for Holding Under Arrest to provide a possibility to make a video call by using "Skype" software:

1) for minors at Cesis Correctional Institution for Minors and convicted and arrested minors at Ilguciems prison;

2) for convicted and arrested foreign citizens and arrested persons whose permanent residence is not in Latvia who are held in prisons.

The mentioned imprisoned persons will be provided an opportunity to make a video call up to 15 minutes twice a month.

The pilot project is implemented in order to promote maintenance and renewal of socially useful ties with the respective groups of prisoners.

Informative material "How a Small Phone Conversation Can Do a Great Job"

When conducting a survey on contact of the imprisoned persons with their children, it was found that imprisoned persons lack knowledge on how to develop relationship and connection with the children. The imprisoned persons, especially men, indicated in the survey that they would need aid of a specialist in order to develop a positive connection. Furthermore, when interviewing the prisoners and foster families, it was found that a large number of persons with whom live the children of the prisoners do not promote contact between the children and their parents. These problems leave a very negative impact on the relationship of children and the imprisoned person. Estrangement takes place.

Most children whose parents are in prison are between age of 10 and 14. This is a difficult and complicated early teenage period when the child experiences major changes. At this time the child especially needs the presence of a close person who knows how to listen and support.

Taking into account the mentioned, in cooperation with experts in the area of psychotherapy the Ombudsman developed an informative and educational material for promotion of connection between children and parents and lessening of the negative influence of imprisonment on implementation of the parental functions: the brochure "How a Small Phone Conversation Can Do a Great Job"¹¹.

The brochure consists of a theoretical and practical part. In a language that is easy to understand, the theoretical part holds information regarding what is contact, conversation, dialogue; what may be a child's reaction to separation from the parents;



¹¹ Available on the website of Ombudsman:

http://www.tiesibsargs.lv/files/content/Ka_maza_telefonsaruna_var_veikt_lielu_darbu_2015.pdf

why it is necessary to tell the child truth; what physical, individual and emotional aspects should be considered in order for a conversation to be successful; on feelings of the children and parents in case of positive and negative contact, etc. The brochure also contains information on why children might not want to converse, and what to do in such cases; as well as possible reasons why the telephone conversation might not provide the desirable effect.

But the practical part includes information on how to develop a conversation with a child; the general structure of a telephone conversation; examples of various questions, topics and conversations; how to develop positive telephone conversations depending on the age of the child (the child's needs, peculiarities of the particular ages, desirable length and frequency of conversations).

Taking into account that not only imprisoned persons and their children may experience the negative consequences of separation, the material is suitable also for other parents who due to various reasons may not be with their child, for youth who do not live with their parents, as well as for child carers and professionals.

Ombudsman will continue work on promotion of this material.

Recommendations

2016 is a significant year regarding protection of the interests of the children of the imprisoned persons. The new Council of Europe Strategy for the Rights of the Child for 2016-2021 recognises children of the imprisoned persons as a category of the vulnerable persons¹². In this regard the Council of Europe invites action on behalf of provision and protection of the rights and best interests of these children.

Parents have the rights and duties to care for a child. Care for a child means childcare, supervision over the child and the right to determine the child's place of residence. Childcare means maintenance of the child, including caring for the child, his education and upbringing (providing mental and physical development, as much as possible in accordance with the child's personality, abilities and interests and by preparing the child for a socially useful work). Implementation of these rights and duties are based on positive relationship of a child and parent.

Verdict of guilty received by the parent may directly affect the rights and interests of a child. Thus, the state should ensure measures that would support the children of the imprisoned persons in order to lessen the negative effect of the imprisonment of parents and to allow the children to experience positive development. The State of Latvia should pay special attention and take more steps towards observation and protection of the rights and interests of the minors in this category.

Taking into account the abovementioned, Ombudsman highlights the following proposals and necessary improvements:

- 1) regulatory framework for improvement of implementation of the rights of imprisoned persons to contact with children should be improved;
- 2) guardians and foster families should promote contact of a child and imprisoned parent; but orphans' courts should educate foster families and guardians with whom live

¹² CoE Committee of Ministers, Council of Europe Strategy for the Rights of the Child (2016-2021) – Children's human rights (1249 Meeting, 2-3 March 2016) – CM(2015)175 final

the children of the imprisoned persons by explaining the right of the child to maintain personal relationship and direct connection with both parents;

3) improvements are necessary in the meeting rooms of the prisons in order for the environment to be suitable and child-friendly (ensured adequate arrangement and equipment in order for families to spend time usefully while meeting); during long-stay meetings children should be provided an opportunity to go outside and breathe fresh air; during short-duration meetings the children should be provided an opportunity to go to the bathroom;

4) when placing the convict in the institution of deprivation of liberty, Prisons Administration should also assess and take into account the family situation, place of residence of the convict, as well as the possibility of the relatives to visit the prisoner in the place of imprisonment because these conditions directly affect the opportunity of the prisoner to meet his relatives;

4.1) if the convict has submitted a request to transfer him to another place of imprisonment in order to be closer to the place of residence and provide an opportunity for the relatives to visit the prisoner in the place of deprivation of liberty, Prisons Administration has a duty to assess the prisoner's request thoroughly and in case of refusal to argument the opinion adequately;

5) local governments are invited to assess and assign aid for the families with children who wish to visit their father or mother in the place of imprisonment by reimbursing the travel expenses to the place of imprisonment and back;

6) places of imprisonment should ensure a greater psychological support to the imprisoned persons who have experienced difficulties in contact with their child;

7) places of imprisonment are invited to actively plan and organise events for the imprisoned persons and their children in order to facilitate their exercise of the rights to contact and point out its significance.