

# **Policy and practical changes during the COVID-19 pandemic to support children with imprisoned parents**

**Briefing paper**

**15 minute read**



# Introduction

By March 2020, COVID-19 had affected most, if not all, countries worldwide, prompting lockdowns and restrictions to movement and other daily activities. Prisons were shut down, completely altering daily routines in an already confined environment.

Concerns were raised about the living conditions in prisons and whether human rights continued to be upheld despite the rapidly changing environment, but children with imprisoned parents, while outside the prison, were also impacted. Estimates based on extrapolations show there are 2.1 million children with at least one incarcerated parent in Europe [1].

These children have been deeply affected by the pandemic as many prisons prohibited in-person family visits. COVID-19 restrictions have remained in place in many countries, and at the time of writing in November 2021, in-person visits are still not authorised in some countries. In some prisons, virtual communication was present even before the pandemic, in others, however, new virtual communication systems had to be created.

Unfortunately, in both situations, the quality of virtual communication is nowhere close to that previously afforded by in-person visits. Financial difficulties made themselves apparent, as families of prisoners struggled with digital connectivity, latest devices and apps, and could not fulfil the prisons' requirements of having the most updated form of the software to communicate with their incarcerated family members [2]. Moreover, virtual communication is ill-adapted to infants and toddlers, as they rely on physical touch and smell to identify and bond with their parents [3].

This brief will look at how prisons have adapted to the COVID-19 pandemic, specifically in terms of how they have implemented (or not) child-rights based policies and effective communication between prisoners and their families.



[1] Figure based on extrapolations made by Children of Prisoners Europe, from an extrapolation of a 1999 INSEE study to prison population figures supplied by the International Centre for Prison Studies. For more information see: Ayre, L., Philbrick, K., & Lynn, H., Eds. (2014). *Children of Imprisoned Parents: European Perspectives on Good Practice*, 2nd ed., p.15.

[2] Children of Prisoners Europe (2021, June 3). *Mitigating Uncertainty for Children – Children of Prisoners Europe*. [Video]. YouTube. [https://www.youtube.com/watch?v=8Am8fK9vFpQab\\_channel=ChildrenofPrisonersEurope](https://www.youtube.com/watch?v=8Am8fK9vFpQab_channel=ChildrenofPrisonersEurope)

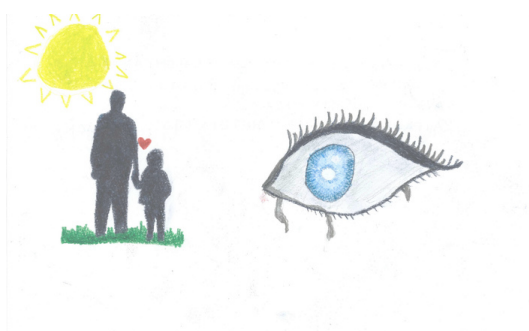
[3] Sullivan, R., et al. (2011). Infant bonding and attachment to the caregiver: insights from basic and clinical science. *Clinics in perinatology*, 38(4), 643-655.

## Examples of good practice in psychological support for children

A strong child-parent bond is crucial to the child's development and overall well-being. The more sustained, positive, and healthier the bond, the more likely the child will grow up to become a well-adjusted adult [4].

When the world shut down due to COVID-19, the abrupt severance between a child and their imprisoned parent due to restrictions to visits had profound effects on many children and parents. Parental imprisonment in itself is listed among commonly known ACEs (Adverse Childhood Experiences) like sexual abuse and physical and emotional neglect. Indeed, the EU-funded COPING Project [5] revealed that children separated from a parent in prison have a 25 to 50 per cent greater risk of mental health problems than children in the general population, especially among children older than 11 years of age, if they don't have adequate support.

It can be understood that the pandemic has contributed to increased challenges and difficulties for children with imprisoned parents.



*"My two-year-old wakes up every morning and the first thing she says when I dress her every day – 'Can we go and see Daddy today?'"*

*And I say, 'No we can't go and see Daddy'.*

*And she points at the picture we've got on the fire, and she says, 'That's my Daddy'.*

*I say, 'I know I know'.*

*She's two, she doesn't like phone calls neither, she won't go on the phone calls, she's not interested".*

From Shona Minson's 2021 research, an example of how children experience confusion, stress, worry and clinical anxiety [6].

## Legislative changes in prisons to maintain communication during COVID-19

Legislation and standards exist to protect children and their well-being, and EU member states have had to adapt in light of these during COVID-19 to maintain the rights of children. Article 25 of Recommendation CM/Rec(2018)5 of the Committee of Ministers to member States concerning children with imprisoned parents recognises the importance of facilitating video communications and visits in between in-person visits.

*Art. 25 CM/Rec (2018)5:*

*"In accordance with national law and practice, the use of information and communication technology (video conferencing, mobile and other telephone services, internet, including webcam and chat functions, etc.) shall be facilitated between face-to-face visits and should not involve excessive costs. Imprisoned parents shall be assisted with the costs of communicating with their children if their means do not allow it. These means of communication should never be seen as an alternative which replaces face-to-face contact between children and their imprisoned parents" [7].*

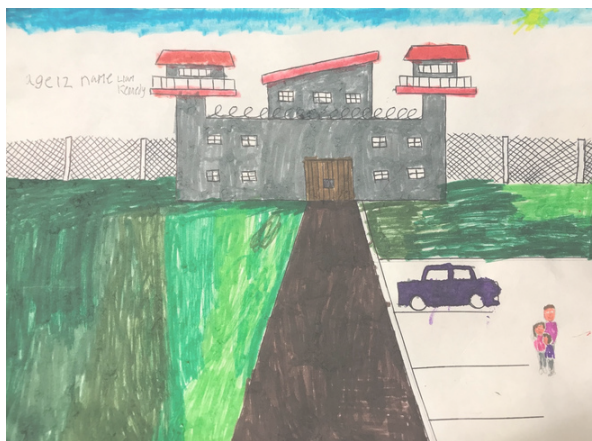
[4] Social Sciences and Education, Board on Children, Youth, and Families, Committee on Supporting the Parents of Young Children, Breiner, H., Ford, M., & Gadsden, V. L. (Eds.). (2016). *Parenting Matters: Supporting Parents of Children Ages 0-8*. National Academies Press (US)

[5] Jones, Adele, Gallagher, Bernard, Manby, Martin, Robertson, Oliver, Schützwohl, Matthias, Berman, Anne H., Hirschfield, Alexander, Ayre, Liz, Urban, Mirjam, Sharratt, Kathryn and Christmann, Kris (2013) Children of Prisoners: Interventions and mitigations to strengthen mental health. *University of Huddersfield, Huddersfield*. Available online at: <http://childrenofprisoners.eu/wp-content/uploads/2013/12/COPINGFinal.pdf>

[6] Minson, S. (2021, January 6). The impact of parental imprisonment on children during lockdown. *Dr Shona Minson*. Available online at <https://shonaminson.com/2021/01/06/the-impact-of-parental-imprisonment-on-children-during-lockdown/>

[7] Council of Europe (2018, April 4). *Recommendation CM/Rec(2018)5 of the Committee of Ministers to Member States Concerning Children with Imprisoned Parents* (Adopted by the Committee of Ministers on 4 April 2018 at the 1312th Meeting of the Ministers' Deputies). Available online at <https://rm.coe.int/cm-recommendation-2018-5-concerning-children-with-imprisoned-parents-e/16807b3438>.

In **Switzerland**, the organisation REPR (Relais Enfants Parents Romands) provided a “Guide for Skype with Children from prison” to all prisons working with this type of technology, also available for all families.



**Italy:** a decree issued on 10 May 2020 established that from 19 May until 30 June 2020, prisoners were allowed and encouraged to have video calls with their family members or telephone calls with them, even beyond the limits set by the Penitentiary Law and Regulations in ordinary situations.

**Catalonia** implemented policies in prisons that used technology to aid prisoners: “221 smartphones and 21 tablets were distributed among the prisons and 30 smartphones and 7 tablets among juvenile justice educative centres for enabling video calls via WhatsApp with families (...). Since the start of the pandemic, the time of regular phone calls has been doubled from 10 phone calls of 8 minutes each to 20 phone calls 8 minutes each per person. Video call frequency and length have been managed like a regular family visit and the record has been kept in a similar way. When prisoners have no income, their phone calls, both national and international, are at the expense of the prison budget. When using mobile phones, video calls are made via WhatsApp which allows for international calls as well” [8].

These practices are important for children because they aid positive reinforcement and reassure them that their parents are safe and still love them. This is especially important during COVID-19 as children expressed being worried about their parent in prison getting sick or dying due to COVID-19. When children do not have contact with their parent in prison they can imagine the worst.

## Creative ways to keep children connected

Although numerous studies have recommended that children be able to initiate contact with their parents in prison, most prisons do not allow incoming calls, only outgoing. However, states like Cyprus allow unlimited calling (only initiated by the prisoner), reporting that: “All inmates are provided with unlimited access to telephone calls on a daily basis between 08:00–20:30 hours” [9]. They can therefore contact their children daily during this period of time as many times as they wish.

The ability to maintain contact using video calls has led to unexpected results. Some children have reported feeling more connected to their parents as they are able to show them their rooms, their favourite toys, and even place the tablet on the dinner table and eat with them. This, although by no means replacing the need for face-to-face interaction, does provide significant bonding opportunities and a chance to maintain their relationship.

COVID-19 has also seen the greater use of so-called “protected” visits. If there is a glass or Perspex barrier, marker pens are a good way to engage in play.



### “Creative Connection Ideas for Prison Visits” by Barnardo’s [10]

Tips for adults supporting the child in the community	Tips for imprisoned family member	"Child activity boxes", example of activities to do with children
Find the time which would be best for your child to video call	Practice looking at the camera	Puppets
Help children to concentrate on sight or sound only	Play games to hold interest	Books
Prepare items (e.g. storybooks, instruments) to help engage your child and to draw their attention	Use the same greeting with the same tone of voice each time	Quizzes
	Use a lot of gestures and movements	Games with limited resources and time

[9] Human Rights Committee (2020). *Fifth periodic report submitted by Cyprus under article 40 of the Covenant pursuant to the optional reporting procedure, due in 2020*. United Nations. International Covenant on Civil and Political Rights. Available at <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPrICAqhKb7yhSiBp1nyOLO74j5cSzp5g425XmZw8iKuULMAFB0ty5EMJCVsWSq7E57kwzjijunzn9Ij5SrUfuUECqptO4v9wlrWXatQcfY56u6oAV44RajsWo>

[10] Higgins, S. (2020). Creative connection ideas for prison visits. *European Journal of Parental Imprisonment*. Perspectives on Keeping Connected during a Pandemic: Challenges to Child Rights and Well-Being, vol. 9, pp. 31–34. Available online at: <https://childrenofprisoners.eu/wp-content/uploads/2020/06/Creative-Connection-Ideas-for-Prison-Visits.pdf>

## Studies showing positive benefits of certain bonding styles [11]

Fulfilment of the child's need for "enduring forms of interaction in the immediate environment" [12] may depend on mesosystem factors such as the parent's own sense of parenting competency and skill, and on exosystem factors such as the hospitality of the visits setting. Letters and phone calls may remove some of the potentially negative aspects of visits settings. Clarke et al. [13] reported that the fathers in their study perceived letters and phone calls to be a more positive form of contact than visits because they provided an opportunity for a show of paternal commitment to their children's welfare in a safe and controlled setting.

Studies focusing specifically on visits documented positive child outcomes when such contact occurred as part of an intervention [14][15] and found negative reactions when such contact occurred in the absence of intervention [16][17]. In contrast, research documented benefits of mail contact even when interventions were not in place [18]. Given these findings, emphasis should be added to the need for support at each contextual level, especially when visits occur.

In the United States, a programme started by Alyssa Tamboura called Walls to Bridges is helping to find ways in which the prisoner and the child can bond.

Imprint news reports, "To mitigate the pain wrought by Coronavirus, Walls to Bridges is using books to promote family bonds. Children receive a book bearing a personalized message from their incarcerated family member, and the organization later sends a picture of the child with the book back to the parent." [19].

Tuerk and Loper [20] found that frequency of letter writing, rather than of personal visits or phone calls, improved the relationship with the child and reduced parenting stress. This general pattern was replicated in the Loper et al. study [21], in which incarcerated mothers who were frequently in mail contact with their children recounted less distress concerning feelings of competence as a parent.

## Dealing with COVID-19 restrictions

COVID-19 has brought forth a range of serious restrictions on mobility, transforming simple daily tasks into tedious activities that require planning and care. It has been particularly difficult on prisoners, however, as the limited freedoms they enjoyed were completely cut off for the first four to six months of the pandemic. Family visits were cancelled or indefinitely postponed, leaving children and their families faced with uncertainty and worry.

[11] Poehlmann, J., Dallaire, D., Loper, A. B., & Shear, L. D. (2010). Children's contact with their incarcerated parents: research findings and recommendations. *The American psychologist*, 65(6), 575-598. <https://doi.org/10.1037/a0020279>

[12] Bronfenbrenner, U. & Ceci, S.J. (1994). Nature-nurture reconceptualized in developmental perspective: a bioecological model. *Psychological review*, 101(4), 568-86.

[13] Clarke, L., O'Brien, M., Day, R. D., Godwin, H., Connolly, J., Hemmings, J., & Van Leeson, T. (2005). Fathering behind bars in English prisons: Imprisoned fathers' identity and contact with their children. *Fathering: A Journal of Theory, Research & Practice about Men as Fathers*, 3(3).

[14] Byrne, M. W., Goshin, L. S., & Joestl, S. S. (2010). Intergenerational transmission of attachment for infants raised in a prison nursery. *Attachment & human development*, 12(4), 375-393.

[15] Landreth G.L., & Lobaugh, A.F. (1998). Filial therapy with incarcerated fathers: Effects on parental acceptance of child, parental stress, and child adjustment. *Journal of Counseling and Development*, 76(2), 157-165. <https://doi.org/10.1002/j.1556-6676.1998.tb02388.x>

[16] Dallaire, D. H., Wilson, L. C., & Ciccone, A. (2009, April). Representations of attachment relationships in family drawings of children with incarcerated parents. In *biennial meeting of the Society for Research in Child Development*, Denver, CO.

[17] Poehlmann, J. (2005). Representations of attachment relationships in children of incarcerated mothers. *Child development*, 76(3), 679-696.

[18] Dallaire, D. H., Wilson, L., & Ciccone, A. E. (2010). Children's attachment representations and problem behaviors in relation to their contact with their incarcerated parent. *Manuscript submitted for publication*.

[19] See <https://news.ucsc.edu/2020/06/tamboura-alyssa.html>

[20] Tuerk, E.H. & Loper, A.B. (2006). Contact between incarcerated mothers and their children: Assessing parenting stress. *Journal of Offender Rehabilitation*, 43(1):23-43.

[21] Loper, A. B., Carlson, L. W., Levitt, L., & Scheffel, K. (2009). Parenting stress, alliance, child contact, and adjustment of imprisoned mothers and fathers. *Journal of Offender Rehabilitation*, 48(6), 483-503

In **England** and **Wales**, the Prison Reform Trust (2020) reported on restrictions which meant that prisoners were in lockdown 23 hours per day, coupled with suspended visits. Here secure phones and SIM cards were refused, while video calls were present, although their roll-out was slow [22].

**Belgium** implemented, with few exceptions, in-cell telephones for each prisoner to ensure contact with their relatives, but the prisoner had to bear the cost themselves.

- Prisoners with no financial resources had access to support services to contact their children (if they couldn't afford a phone plan).
- Since the pandemic, virtual contact opportunities have been organised (at least 20 minutes per week).



Unfortunately, **Sweden**, **Germany** and **Austria** do not have provisions for the children to initiate calls, which can leave children waiting anxiously for their parents to call from prison.

**Austria** increased video conference technology to enable visual contact despite restrictions for visitors.

**Hungary** recognised the importance of face-to-face visits, but also introduced the possibility of video for prisoners. This did not count as a face-to-face visit, nor did it lower the allowed timeframe.

**Romania**, following art. 20 of the CM/Rec (2018)5 and with the observation of the sanitary regulations imposed by the pandemic, created special spaces for visits between imprisoned parents and their minor children endowed accordingly in 38 prisons. Visits could unfold all day long.

[22] Flynn, C., Harrigan, S., & Bartels, L. (2020). *Maintaining family contact during COVID-19: Describing the experiences and needs of children with a family member in prison.*

## Adverse effects of alternative forms of communication

However, some children experienced adverse effects when only virtual communication was made available. Calls frequently would be dropped in the middle of the conversation, leaving the child to feel like it was their fault and creating a sense of abandonment. This often led to a sense of frustration. There were rules in some member states that the primary caregiver must be present at the time of the video conference and did not provide exceptions for separated parents or even domestic violence cases [23]. In this case, the remaining parent is left with an uncomfortable choice of interacting with their abuser to support the child's bond with their parent. There are also times when the parents are separated and the remaining parent is unwilling to join the video call. This situation is even more complex if the child does not live with their parent but with a member of their extended family. The incarcerated parent then has to rely on their separated partner's decision to be able to see their children [24].

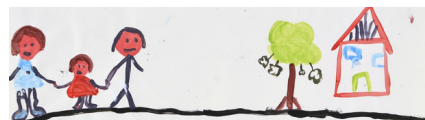
As a result, there was a major development in non-digital methods of communication, such as letters. Denise Jennings, on behalf of the International Coalition for Children with Imprisoned Parents, wrote "Non-digital innovations also took place across the globe, including supporting children to write songs and plays about having a parent in prison, encouraging them to document their experiences and teaching them about other countries and how they are responding to the current situation.

Unfortunately, a large proportion also responded that there were no supports, or nothing that they were aware of, being put in place in their areas, although this may have improved as time went on" [25].

## Support for the remaining parent

In cases where a father or a mother is imprisoned, the remaining parent becomes in effect a single parent, considerably adding to the challenge of dealing with the consequences of having a partner in prison. If the imprisoned individual was the main source of financial support, then the remaining parent needs to juggle childcare duties along with finding and/or maintaining a job to support themselves and their child(ren) as well as their partner in prison. This can cause a tremendous amount of stress and worry, and can negatively impact the children, especially if they are left with neighbours and relatives who may not have the best interests of the children in mind.

Despite the fact that the majority of children with a parent in prison have a father in prison, children with imprisoned mothers may face more risks and stress, such as mental and physical health difficulties and housing insecurity. While children with incarcerated fathers usually live with their mothers during parental imprisonment, children with a mother in prison are more likely to remain with their grandparents, other family members or in foster care [26].



[23] Contributors, Multiple. "DIRECTIVE 2012/29/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 25 October 2012 Establishing Minimum Standards on the Rights, Support and Protection of Victims of Crime, and Replacing Council Framework Decision 2001/220/JHA." Directive 2012/29/EU of the European Parliament, European Union, 12 Oct. 2022, <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:315:0057:0073:EN:PDF>.

[24] Children of Prisoners Europe (2020, June 13). *Children of Prisoners Europe: Forum for reflection and exchange* [Video]. YouTube. <https://www.youtube.com/watch?v=zvbE7W607L8&t=605s>

[25] Jennings, D. (2020). The impact of COVID-19 worldwide on children with an incarcerated parent. *European Journal of Parental Imprisonment. Perspectives on Keeping Connected during a Pandemic: Challenges to Child Rights and Well-Being*, vol. 9, pp. 15–19. Available online at: <https://childrenofprisoners.eu/wp-content/uploads/2020/06/Creative-Connection-Ideas-for-Prison-Visits.pdf>

[26] Poehlmann, J., Dallaire, D., Loper, A. B., & Shear, L. D. (2010). Children's contact with their incarcerated parents: research findings and recommendations. *The American psychologist*, 65(6), 575–598. <https://doi.org/10.1037/a0020279>



A 1998 study by Landreth and Lobaugh [27] discovered that a parenting intervention for 16 imprisoned fathers and their young children in the United States increased children's self-esteem though a 10-week intervention. This consisted in a weekly scheduled visit when there could be a real and physical interaction and contact between father and child. Moreover, research by Poehlmann [28] focused on imprisoned mothers, stated that telephone calls produce more positive maternal perception than visits.

There is also a need to raise awareness about the gender differences in the remaining parents and thus their resulting influence on the children. According to Shona Minson's research [29], the main cause of worry and anxiety of an imprisoned mother is her children's well-being and how they might cope without her. There is also a tremendous amount of guilt linked to these feelings. There is a need to raise awareness about a father's responsibility in ensuring that the children are well taken care of without the mother's presence. Fathers too need support to develop certain skills to be a single parent and to aid in maintaining the bond between the children and their mother.

A 1997 report by Caddle and Crisp said this about mothers in prison: *"All the evidence from this study and previous studies suggests that imprisoned mothers are in a sense, doubly penalised – they are serving a sentence and at the same time trying to make provision for their children with all the associated difficulties and strains. Fathers on the other hand generally serve their sentence in the knowledge that their partners will continue to care for their children, albeit with difficulty. This fundamental difference in the experience of imprisonment between men and women perhaps needs greater recognition than it currently receives by sentencers and the Prison Service"* [30].



## Conclusion

The COVID-19 pandemic has impacted and disrupted the lives of millions of families and children. Many children with imprisoned parents are not receiving the attention or support that they deserve and need from both justice systems and child rights and child welfare agencies, as they fall under a specific intersectionality between the two categories. At the time of writing (November 2021), the pandemic is still not behind us, with cases once again rising around the globe, creating another whirlwind of uncertainty and worry about the future and the bond between the children and their parents in prison.

[27] Landreth, G. L., & Lobaugh, A. F. (1998). Filial therapy with incarcerated fathers: Effects on parental acceptance of child, parental stress, and child adjustment. *Journal of Counseling & Development*, 76(2), 157-165.

[28] Poehlmann, J. (2005). Incarcerated mothers' contact with children, perceived family relationships, and depressive symptoms. *Journal of Family Psychology*, 19(3), 350.

[29] Minson, S. (n.d.). Disrupted Lives: Choosing to Challenge Maternal Imprisonment. Dr Shona Minson. Retrieved December 4, 2021, from <https://shonaminson.com/disrupted-lives-choosing-to-challenge-maternal-imprisonment/>

[30] Caddle, D., Crisp, D. (1997) Imprisoned women and mothers: Home Office Research Study 162. London: Home Office, as cited in Minson, S. (n.d.). Disrupted Lives: Choosing to Challenge Maternal Imprisonment.



Children of Prisoners Europe (COPE) is a pan-European network of non-profit organisations working on behalf of children separated from an imprisoned parent. The network encourages innovative perspectives and practices to ensure that children with an imprisoned parent fully enjoy their rights under the United Nations Convention on the Rights of the Child and the Charter of Fundamental Rights of the European Union, and that action is taken to enable their well-being and development.

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