



Child-friendly 'protected' visits when physical visits are unable to take place

Background and context

From the onset of COVID-19 in early 2020, 'lockdown' and virtual visits have become common in the vocabulary of families with someone in prison. As well as the negative connotations surrounding the word 'lockdown' in a prison context, the vast majority of states globally suspended in-person visits,¹ with families losing their right to family life.² This has particularly impacted the rights of children with imprisoned parents, as framed in Recommendation CM/Rec(2018)5 of the Committee of Ministers to member States concerning children with imprisoned parents.³

The suspension of physical visits has caused high levels of distress among families and children, as they have had to adapt to new formats for visiting, including video visits and closed visits. These alternative forms of visits have advantages as well as challenges, which will be explored in this briefing. The most concerning risk is the danger that video visits might begin to replace physical visits, as has happened in certain cases in the United States.⁴ However, maintaining the relationship and connection between children and their incarcerated parents in all ways possible is essential, keeping the best interests of the child in mind.⁵ But what are the best interests of the child and how are they defined? What is important in evaluating the impact of various visits schemes on children is to tease apart and take account of the many variables that come into play with respect to children's reactions — the child-parent

¹ Jennings, D. (2020) *The impact of COVID-19 worldwide on children with an incarcerated parent*. Edinburgh: International Coalition for Children with Incarcerated Parents (INCCIP).

² Halton, L. (2020) *COVID-19 and the rights of children of parents who are incarcerated: Impacts and recommendations*.

³ <https://rm.coe.int/cm-recommendation-2018-5-concerning-children-with-imprisoned-parents-e/16807b3438>

⁴ Rabuy, B. And Wagner, P. (2015). *Screening out family time: The for-profit video visitation industry in prisons and jails*, Prison Policy Initiative.

⁵ REPR (Relais Enfants Parents Romands), *Guide: To adapt the best way possible Virtual visits with children*.

relationship prior to the parent's imprisonment; children's varying moods and needs from day to day; who is accompanying the child on the prison visit, etc. It is clear that the suspension of in-person visits and lack of information on the parent's welfare in the midst of the COVID-19 pandemic has raised new challenges for children who have a parent in prison, with many organisations claiming that these children are being largely overlooked in some jurisdictions.⁶ Sarah Burrows (Children Heard & Seen) argues that, even without lockdown, children with an imprisoned parent are heavily stigmatised and now feel like they are being punished even further.⁷

Over the last few months, COPE has chaired and attended a series of forums and webinars on how to address the issue of visitation in the current climate. On 13 June 2020, COPE hosted a Forum for Reflection and Exchange, addressing the topics of 'Promoting the child-parent relationship through a Partnership Model' and 'Prison Visits for Children: the New Normal'; gathering members and guests to share ideas on how to prioritise children with imprisoned parents in the COVID-19 era. Ann Adalist-Estrin, Director of the Center for Children and Families of the Incarcerated (USA), focused on the need to unpack children's responses to a visit, and the need to know more about this. She underlined the importance of reframing the issue, noting that both video and closed visits could be interpreted as positive and fun experiences for children, as many may be traumatised by not seeing their parents at all or seeing them in a context that is not child-friendly. Closed visits, in comparison to video visits, are conducted through Plexiglas: families and children are on one side of the glass, and the imprisoned parent is on the other. Many agreed on the need to prepare children for visits when the types of visits are changing. Bente Grambo, senior counsellor at For Fangers Pårørende (FPP) in Norway, believes that video visits will carry on in addition to physical visits, as this is a useful platform for families who need more flexibility. She and other forum participants emphasised the need for children to have options in terms of visits configurations.

Forum participants agreed that the primary focus should always be on the needs of the child, and the ways in which the visits can be as child-friendly as possible, noting that while virtual and closed visits had limitations, they were better than nothing at all. Forums, and the work of the COPE network, provide opportunities to continue the conversation about children with imprisoned parents and of broadening awareness of this issue. For example, through COPE's advocacy work with Saskia Bricmont (Member of European Parliament – Belgium), opportunities have presented themselves for further awareness-raising among key institutions on the European level. During a webinar on 2 July 2020 hosted by Saskia

⁶ Moore, B. (2020), 'Coronavirus: Children denied contact with parents in prison', *BBC*. <https://www.bbc.com/news/av/uk-england-oxfordshire-53498170/coronavirus-children-denied-contact-with-parents-in-prison>

⁷ *Ibid.*

Bricmont which focused on the situation of prisons in Europe during the COVID-19 crisis, Didier Reynders (European Commissioner for Justice) emphasised that video visits should be maintained in addition to physical visits for families of prisoners, and that maintaining these two streams in parallel is essential as an option for families.

Impact of touch

One development during the COVID-19 pandemic is recognition of the impact of touch on positive mental health. The sudden loss of physical contact has been experienced throughout society, but this is especially important in the context of the mental health of children with imprisoned parents, and how the physical disconnection from their parents may have an effect on their development. Many members of the COPE network focus on Adverse Childhood Experiences (ACEs)⁸ in their work, where touch plays an important role. For those who have experienced ACEs such as sexual, physical or emotional abuse, they may be less comfortable with aspects of touch or hugging, even from family members. In an article in *The Guardian*, Kevin Powell shared his experience of this, stating "Touching, hugging was a privilege reserved for those who had lives that were not traumatic like ours."⁹ Following this, he described his gradual acclimatisation with touch and re-associating this with care and love, only having this then taken away in light of social distancing measures.¹⁰ As a result, Kevin feels much more isolated and is more vulnerable to depression than previously. The same can be said for children who have now lost physical contact with their parent(s). With imprisonment of a household member itself an Adverse Childhood Experience, this additional loss of touch compounds the trauma they are facing.

Through in-person prison visits, children are able to visit and touch their imprisoned parent, helping to foster an emotional connection and relationship with them while they are unable to be at home. This is fundamental for younger children who are going through fast-paced developments in their lives and particularly need the support and presence of their parent. Therefore, it is imperative that measures such as video visits remain available to those who may struggle to get to prisons, but only act as a substitute to in-person visits where absolutely necessary.

In Canada, 'hug gloves' have been created, consisting of a clear sheet of plastic with sleeves, maintaining a safe barrier for COVID-related restrictions. These were created by a woman longing to hug her mother and gained enthusiasm

⁸ https://childrenofprisoners.eu/wp-content/uploads/2019/09/ACEs_briefing.pdf

⁹ Powell, K. (2020). 'The power of touch: I was hugged for the first time at 18. It meant confronting my deepest fears', *The Guardian*.

<https://www.theguardian.com/lifeandstyle/2020/jul/15/i-was-18-hugged-first-time-sister-souljah-activist>

¹⁰ *Ibid.*

following the positive impact this had:¹¹ children loved this creation and were moved by being able to hug family members. Joannes Eichstaedt, a computational social scientist and psychology professor at Stanford University, described that 'Humans have a brain pathway that is specifically dedicated to detecting affectionate touch', contending that humans need physical affection, as this helps to reduce stress by calming our sympathetic nervous system.¹² Linsey Marr of Virginia Tech, an aerosol scientist with expertise on viral transmission, instructed safe ways of hugging during this time, stating that "if you don't talk or cough while hugging, the risk should be very low".¹³ Hugging while looking in opposite directions is also less risky, and children can hug adults around the knees or waist. Even so, the risk of infection is never zero. Regardless, touch is an important factor in connection¹⁴ that has now been removed in the majority of cases, especially for children who may now only be able to see their parent every few months.

Video visits

Contact with family, it has been demonstrated, is highly important for the mental wellbeing of prisoners and their families and must be made possible at all times, whatever the form. Video visits have been introduced in many jurisdictions, with some implementing these for the first time as a direct result of the suspension of in-person visits. Video visits can help to ensure that families and those in prison can remain in contact when in-person visits are not possible. One family visiting a Scottish prison shared their experience, saying "being able to see my son was fantastic, because we had been worried about his mental health and it was good to see him face to face, reassured us a bit. It doesn't replace the physical visit, but it was good".¹⁵ Therefore, while this may be useful for the time being, it should not replace physical visits as a whole, as per the recommendation from the UN Committee on the Rights of the Child (Article 25)¹⁶ and Council of Europe Recommendation CM/Rec (2018)5 (Article 25)¹⁷.

¹¹ Parker-Pope, T. (2020). 'How to hug safely during a pandemic', *New York Times*. <https://www.nytimes.com/2020/06/04/well/family/coronavirus-pandemic-hug-mask.html>

¹² *Ibid.*

¹³ *Ibid.*

¹⁴ Evidence on this dates back to early studies of attachment such as Bowlby, J. (1969) *Attachment and loss, Vol. 1: Attachment*. New York: Basic Books.

¹⁵ Feedback from families receiving support from Scottish COPE member Families Outside

¹⁶ Robertson, R. (2011). *Collateral Convicts: Children of incarcerated parents. Recommendations and good practice from the UN Committee on the Rights of the Child Day of General Discussion*. https://quno.org/sites/default/files/resources/ENGLISH_Collateral%20Convicts_Recommendations%20and%20good%20practice.pdf

¹⁷ 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). <https://edoc.coe.int/en/children-s-rights/7802-recommendation-cmrec20185-of-the-committee-of-ministers-to-member-states-concerning-children-with-imprisoned-parents.html>

Advantages

Although in-person prison visits are seen as the optimal means for maintaining contact, there are certain advantages to video visits, and when in-person and physical visits are not possible, video visits are argued to be the most effective substitute. They are better than a phone call or letter and allow people to stay in contact when they are far apart. Many prisons are located far away from the families and home communities of the prisoner, which can make video visits a much-welcomed option that is less expensive and less disruptive for the family, as they do not have to spend time and money travelling to the prison. In addition, video visits allow the imprisoned parent a look into their home environment which they may not have seen for a significant amount of time.¹⁸ As well as this, there are more logistical advantages, such as the family not having to go through screening processes in the prison or be restricted by prison policies; the imprisoned parent not having to move from throughout the prison to the visiting room and back; and it is not possible to transmit contraband via computer screens. Video visits and calls are more normalised as a method of communication amongst teenagers, which may encourage them to keep in contact with their parent when they may be less inclined to visit a prison in person.¹⁹

Disadvantages

Despite the advantages, certain disadvantages make it problematic if video visits were to become a replacement rather than a supplement to in-person visits. As mentioned, video visits will never be an equivalent to visiting someone in person, as unavoidably they are much less intimate and personal, arguably even more so than closed visits. Furthermore, funding and cost are key issues that need to be addressed. Families in many jurisdictions have to pay for the service and in some cases still need to travel to use the remote video visits if they do not have the technology at home. This service can be expensive, yet those who use it most tend to be low-income families; as well as not being able to afford the WiFi connection, they may also have limited access to a quality webcam.²⁰

To help aid the implementation of video visits, Relais Enfants Parents Romands Switzerland (REPR) released guidance for Skype, and how to approach and conduct video visits with children of varying ages.²¹ In virtual settings, focusing the attention of the child for a long period of time can be extremely challenging, especially if the imprisoned parent is not there in person. Each age group will understand technology at different levels, information about how these visits will be conducted and how to make them child-friendly should be circulated. Further,

¹⁸ Rabuy, B. and Wagner, P. (2015). *Screening out family time: The for-profit video visitation industry in prisons and jails*, Prison Policy Initiative.

¹⁹ *Ibid.*

²⁰ *Ibid.*

²¹ REPR (Relais Enfants Parents Romands), *Guide: To adapt the best way possible Virtual visits with children.*

not all prisons are subject to the same measures, and in some European states, visits to nursing homes are now allowed while prisons remain closed. This has resulted in many families of prisoners feeling discriminated against and punished, isolating them and exacerbating challenges even further.²² Restrictions are often based on the infection rate of an area, but many find this unfair to be restricted from seeing family members based on their location. This is especially the case in the United States, where the individual states and even counties differ in practice.

Even before COVID-19, the limitations of video visits were evident in the US. Video visits were initially introduced throughout the US as early as 2015 and have become increasingly present, especially now. Almost three-quarters of jails and prisons in the US rely on video visits, often now replacing the option of face-to-face contact.²³ With costs of up to \$1.50 per minute, a 15-minute video visit 'can be the difference between buying a day's worth of food, or forgoing groceries to speak with a loved one'.²⁴ Regardless, experience in the US has shown that companies and correctional facilities set and negotiate the prices without consulting those who will be using the service. Many companies will also charge per visit rather than per minute, which has generated questions on whether families receive the full value of the video visit, furthered by recurring technological difficulties in this service.²⁵ The dominance of private companies in prisons and jails in the US is a factor here, but the practice provides a strong note of caution for other jurisdictions.

Just as with regular visits, virtual visits also have specific time slots family members can book, which at present are not always compatible with working hours or when children are most attentive. Another family member of a prisoner in Scotland expressed, "I've been trying to book a video visit and due to my working hours I had to decline 3 or 4 time slots in a row and now my requests to book a visit keep being declined...is this due to me declining so many slots offered? It's really difficult because of my work!".²⁶

All of these aspects can change the dynamic and emotional connection of the visit entirely and can result in an outcome that is more stressful for both the family and prisoner. An article for *Prison Policy* conveyed this perfectly,

²² <https://www.lesoir.be/314834/article/2020-07-23/plainte-contre-linterdiction-des-contacts-physiques-dans-les-prisons>

²³ Sims, S. (2017). 'The end of American prison visits: jails end face-to-face contact – and families suffer', *The Guardian*. <https://www.theguardian.com/us-news/2017/dec/09/skype-for-jailed-video-calls-prisons-replace-in-person-visits>

²⁴ Couloute, L. (2017), 'American Correctional Association says that video visitation should not replace in-person visits', *Prison Policy Initiative*.

https://www.prisonpolicy.org/blog/2017/04/24/aca_video_policy/

²⁵ Rabuy, B. And Wagner, P. (2015). *Screening out family time: The for-profit video visitation industry in prisons and jails*, Prison Policy Initiative.

²⁶ Feedback from families receiving support from Scottish COPE member Families Outside

emphasising, 'when this technology works, it should be considered a supplement to in-person visits, not a substitute; and when the technology fails, it's useless'.²⁷ This again underlines the emphasis in the UN Committee and Council of Europe recommendations that these should supplement rather than substitute for contact visits.

Closed visits

Advantages

Another method of visiting available in some prisons during the pandemic is 'closed' or 'through-the-glass' visits. For these visits, the family has to travel to the prison and experience security measures when entering and exiting the prison. 'Closed' visits allow children to see their parents in person, and more importantly encourage eye contact and connection between the child and imprisoned parent, but it does not allow them to touch. In many cases, video visits are conducted either at home or in a non-secure part of prison establishments, and result in fewer passages through security.²⁸ In comparison, closed visits incur longer waiting times, although children are able to spend more time with their parents and engage in conversation, rather than being limited by internet connection or the abrupt endings to the call with video visits.²⁹ As observed by Julie Poehlmann-Tynan et al., the longer children were in the prison for closed visits, the more clingy and distressed they became, with an evident increase in negative expression among many children the longer they spent in the prison.³⁰ Yet, again, each child's emotional state, context and situation prior to the prison visit needs to be assessed and taken into account to fully weigh the impact of closed prison visits on children.

Disadvantages

While these alternative methods of visiting can be helpful in increasing the frequency of contact between families and imprisoned parents, they are not without limitations. There are many problematic aspects of closed visits that could be detrimental to children, particularly if they are applied as a permanent alternative rather than as a substitute to in-person visits. Closed visits are used as a punishment or as a restrictive measure in many jurisdictions and are not likely to be a method of choice for visitors, unless no other option is available.

²⁷ Couloute, L. (2017), 'American Correctional Association says that video visitation should not replace in-person visits', *Prison Policy Initiative*.

https://www.prisonpolicy.org/blog/2017/04/24/aca_video_policy/

²⁸ Poehlmann-Tynan, J., Runion, H., Burnson, C., Maleck, S., Weymouth, L., Pettit, K., and Huser, M. (2015). *Springer Briefs in psychology: advances in child and family policy and practice*.

Young Children's Behavioral and Emotional Reactions to Plexiglas and Video Visits with Jailed Parents. In: *Children's Contact with Incarcerated Parents: Implications for Policy and Intervention*, Julie Poehlmann-Tynan (ed).

²⁹ *Ibid.*, p51.

³⁰ *Ibid.*

Substitutes to visits and their subsequent restrictions differ between both states and prisons themselves. For some countries, such as England and Wales, no specific dates have been given for the resumption of visits, as this will be decided based on infection rates. However, many prisons throughout Europe have begun to open, with measures differing between countries. In comparison, the Irish Prison Service announced plans for the phased recommencement of physical visits to prisons from 20 July 2020. This was welcome news, however the Irish Penal Reform Trust (IRPT) stressed the importance of video visits remaining an option to supplement contact even once regular visits resume.³¹ This is especially the case as there are still no child visits to prisons in Ireland due to COVID-19 restrictions, changing to a maximum of one child per visit from 17 August 2020.³²

Similarly, from the end of May and throughout June, prison visits are beginning to reopen for visits across Europe but are also limited, with the extent of limitations differing for each state. In particular, there are restrictions on the number of visitors, especially the number of children allowed to visit, and their ages.³³ For example in early August 2020, children were not yet admitted for visits in Belgium, while in the Czech Republic and the Netherlands, visits were limited to one visitor per prisoner, with the Netherlands also allowing one child up to the age of 4 years old. Many states only allow three visitors maximum. This is problematic for parents with multiple children, as no parent or carer should be asked to choose which child does not get to see their imprisoned parent. This has been seen to be the case even for some video visits, with many prisons only allowing two children and a parent to connect on the screen at one time.³⁴

Recommendations

Regardless of the limitations and risks involved with these substitutes for in-person visits, there are many ways in which prisons, prisoners, parents and carers can help make this an enjoyable and engaging experience for children. All information about visits and COVID-19 should be made readily available for all family members and prisoners, and how this will alter contact with their

³¹ Irish Penal Reform Trust (2020), 'Reopening prisons': Easing of COVID-19 restriction measures'. <https://www.iprt.ie/covid-19-in-prisons/reopening-prisons-easing-of-covid-19-restriction-measures/>

³² Irish Prison Service (2020), 'Irish Prison Service Announcement on Recommencement of Physical Family Prison Visiting'. <https://www.irishprisons.ie/irish-prison-service-announcement-recommencement-physical-family-prison-visiting/>

³³ Irish Penal Reform Trust (2020), 'Reopening prisons': Easing of COVID-19 restriction measures'. <https://www.iprt.ie/covid-19-in-prisons/reopening-prisons-easing-of-covid-19-restriction-measures/>

³⁴ Higgins, S. (2020) *Protected Visits during the COVID-19 Pandemic*. HMP Portland, Visiting Guide.; <https://www.sps.gov.uk/Corporate/Information/covid19/Information-for-families-and-friends.aspx>

relatives.³⁵ This is especially the case for children who are living in prison with their parents, and ensuring that while new measures are being introduced, they are prioritised.³⁶

Video visits

To help conduct video visits in the most 'child-friendly' way possible, Barnardo's in the UK published a document on "Creative Connection Ideas for Prison Visits", while REPR Switzerland published a document on Skype guidance, noted above. Such guidance helps children and their priorities be heard, ensuring that they are not discouraged by new formats for visits. Some tips for making the video visit more comfortable for the family include:

- Making use of sight and sound, as it is good to focus on these senses when touch is not possible. This can involve using more hand gestures, and asking simple and open questions
- Discussing what times of day to avoid calls with the imprisoned family member, as you will want to avoid times when your child might be hungry, tired, or restless
- Encouraging those in prison to practice looking at the camera, as this can help the child feel as though they are being "looked at", and greeting the child in the same tone of voice during each call to make them feel comfortable
- Explaining to your child who will be present on the different sides, and explaining the rules and functioning of the visit
- Finding a space in which each family member will feel the most comfortable and secure

There are also many ways to ensure that the child can stay engaged throughout the call:

- Bringing games to the meeting such as: books; quizzes; word association; 20 questions; animal, vegetable, or mineral; rhymes, songs, dancing, peek-a-boo; video call karaoke; other games such as charades, two truths and a lie, would you rather, Simon says; have your child interview their family member
- Thinking about what you are going to talk about beforehand
- For the parent on the side of the screen with the child, bringing items that the child has made to show to the imprisoned parent.
- The parent with the child acting as the "hands and heart" of the person on-screen, such as kissing or tickling the child as the other parent would.³⁷

³⁵ Halton, L. (2020) *COVID-19 and the rights of children of parents who are incarcerated: Impacts and recommendations.*

³⁶ *ibid.*

³⁷ Higgins, S. (2020) *Creative Connection Ideas for Prison Visits*, Barnardo's; REPR (Relais Enfants Parents Romands), *Guide: To adapt the best way possible Virtual visits with children.*

Closed visits

As well as releasing a guide on video visits, Sarah Higgins (Barnardo's) also addressed how closed visits will be taking place during COVID-19 in an HMP Portland Visiting Guide; HMP & YOI Portland also published a children's visiting guide to help with this. There are two options of visiting times a day, lasting an hour, and only three people to visit a prisoner at one time. There are many ideas on how to make closed visits more enjoyable for families and children while ensuring no physical contact. Some of these ideas include:

- Ensuring that social distancing is enforced throughout, with spaced out chairs and only 11 prisoners having visitors at one time
- No movement around the hall, and can leave your belongings in the car or lockers³⁸
- Lots of colour in the rooms is good for creating a more child-friendly atmosphere when visiting, making it a welcoming space for families
- Lots of choices of things to do while waiting - board games, playing cards, colouring, books. These will all need to be disinfected after use.³⁹ Larger toys and playthings are easier to disinfect.

These documents also provide some tips on how to engage the children once the closed visit begins, making it a fun experience. These include:

- Using glass/chalk marker pens that can be washed off between visits
- Using these pens, the children and incarcerated parent could draw around each other's faces (good for eye contact), draw a scene together, or have a drawing conversation
- A variety of games such as Pictionary (no literacy boundaries), charades, "squares", noughts and crosses⁴⁰

Supportive family relationships are crucial to maintain throughout a prison sentence, a task more challenging when physical visits are no longer an option.⁴¹ While frequency and types of visits are important to consider, it is of fundamental importance that children's experiences of visits and voices are taken into account and made a priority when the visits scheme changes.

³⁸Higgins, S. (2020) *Protected Visits during the COVID-19 Pandemic*. HMP Portland, Visiting Guide.

³⁹ Higgins, S. (2020) *Visiting HMP & YOI Portland 2020: a children's visiting guide*. HM Prison & Probation service.

⁴⁰ Higgins, S. (2020) *Creative Connection Ideas for Prison Visits*, Barnardo's.

⁴¹ Poehlmann-Tynan, J., Runion, H., Burnson, C., Maleck, S., Weymouth, L., Pettit, K., and Huser, M. (2015). *Springer Briefs in psychology: advances in child and family policy and practice. Young Children's Behavioral and Emotional Reactions to Plexiglas and Video Visits with Jailed Parents*. In: *Children's Contact with Incarcerated Parents: Implications for Policy and Intervention*, Julie Poehlmann-Tynan (ed).



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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