

A “one roof”
approach to support
children with a
parent in prison: the
role that children's
ombudspersons can
play

Briefing paper



CHILDREN OF
PRISONERS EUROPE

I. Introduction: Integrated child safeguarding systems

The purpose of this briefing is to give an overview of the life situation of children who are impacted by parental imprisonment in Europe, and the cross-sectoral holistic support required to promote positive outcomes and to safeguard their rights and meet their needs. To be effective, this support requires the hammering out of an integrative framework on European, national, local and community levels, allowing children's rights and needs to be mapped out and systems gaps identified and filled. Children's Ombudspersons can play a key role within their national context as an impetus in developing these integrative frameworks [1]. The United Nations Convention on the Rights of the Child (UNCRC), a benchmark for all action on behalf of children and their rights, is itself an integrative document, highlighting the all-encompassing and comprehensive nature of children's rights. Member States have a duty to establish integrative approaches to implementing the UNCRC within their contexts, and a duty to articulate this approach in Member State and alternative reports to the Committee on the Rights of the Child (CRC) regarding UNCRC implementation.

The UNCRC itself identifies which stakeholders are responsible for a given area of children's rights.

So when referring to stakeholders as well, an integrative approach should encompass all concentric circles of the child's environment: both micro-environment (family and individuals from child's close environment, including place of residence and school) and macro-environment (child rights defenders, lawmakers, decision makers, policy makers, public and executive authorities, judicial bodies, those who collect, analyse and interpret data about children, scientists, general public, media). The macro-environment also refers to local, national, European and global levels of influence on children.

It is only through these perspectives that adults can adequately respond to children's needs—assessing individual children's needs and what is required when cooperating with others; they must connect these elements and strive to bring those entrusted with a duty of care for these children together under "one roof" to enable appropriate planning, development, evaluation and

1. In this briefing, COPE uses the term 'Children's Ombudsperson' to refer to the public authority in charge of the protection and promotion of the rights of children and young people. In some contexts, the name for this body may differ e.g., 'Children's Commissioner' or 'Child Advocate'. The advocacy messages in this document equally apply to such institutions.

revision of activities for children, and to define individual and joint responsibilities. Significantly, an integrative approach must drive any assessment or evaluation of the impact of these activities on children and their rights.

Robust systems incorporate a variety of disciplines and the transdisciplinary outcomes which emerge from such integrative approaches can be highly useful, creative and original in comparison to individual disciplines or approaches. Although there may be greater challenges in bringing these transdisciplinary perspectives together under "one roof" and in defining values and common goals, the enrichment and better understanding that can emerge from these kinds of exchanges make these extra efforts well worth their while.

This cross-agency approach effectively promotes and strengthens child safeguarding, helping to keep children safe at all times and free from any exposure to the risk of harm or abuse. It draws on the successful EU-funded Barnahus model^[2]. In this way, law enforcement, judicial, criminal justice, child protection and child welfare services, prison services, education and mental health workers and NGOs can better cooperate and coordinate policies and interventions, provide referral pathways so children do not go

without support, identify systems gaps, work to help fill these gaps.

Children are offered a more harmonised inter-agency, cross-sectoral, professional and child-friendly intervention revolving around their best interests and ensuring child safeguarding at all times.

2. The EU-funded Barnahus model operates as a child-friendly office bringing together law enforcement, criminal justice, child protective services and medical and mental health workers to cooperate collectively, assess together the situation of the child and decide upon follow-up, offering referral pathways.

II. A look at what's at stake for children when a parent goes to prison

2.1
Million

Estimated number of children who are separated from an imprisoned parent across CoE countries on any given day

Source: COPE (based on CoE Penal Statistics - Space 1 - 2020)

Some 2.1 million children are separated from a parent in prison in Council of Europe countries each year, 800,000 in European Union Member States. Parental imprisonment is recognised as an Adverse Childhood Experience—an event that is often associated with negative outcomes later in life when children do not receive adequate support. Since the original study in 1998,^[3] which listed ten ACEs, studies continue to explore the relationship between multiple categories of childhood trauma (ACEs) and behavioural and health outcomes later in life.

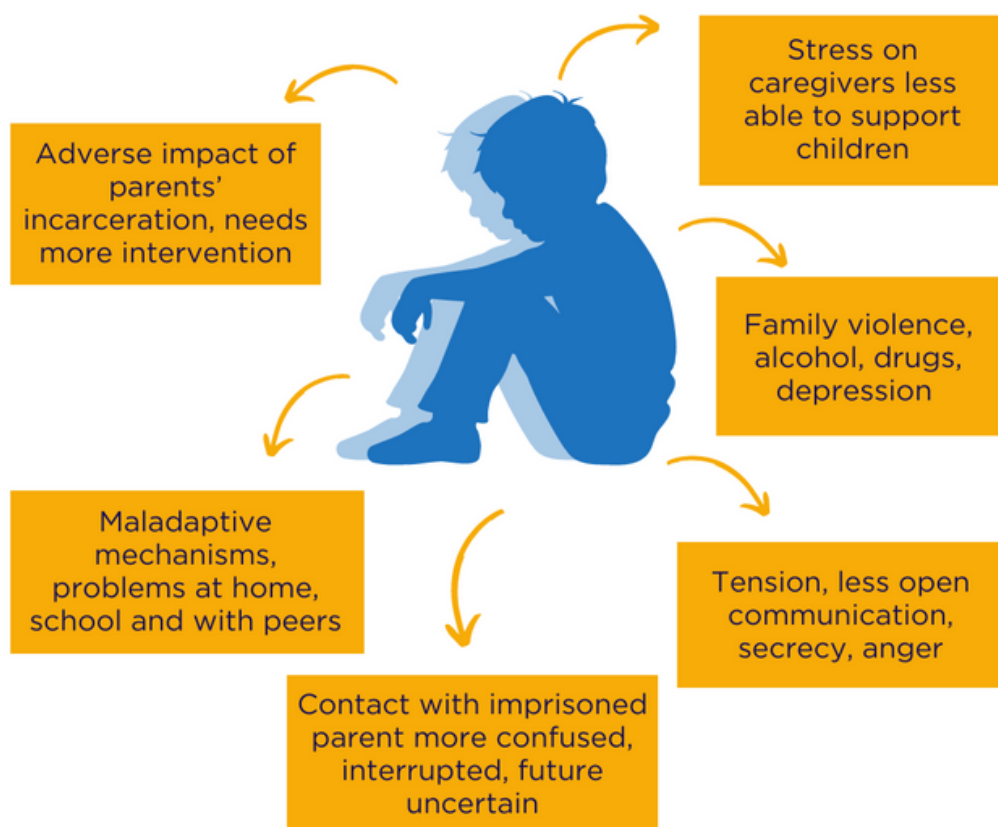
A child whose parent faces legal conflict often experiences:

- Trauma and other harmful effects which can result from violent parental separation, including witnessing the parent's arrest at home
- Social stigma
- Prejudice associated with having imprisoned parents
- Diminished self-esteem
- Economic vulnerability
- Social exclusion
- Resilience or the adaptation of a coping mechanism
- Imprisonment of the parent can be beneficial for the child
- Violations of personal rights
- These effects may last way beyond the parent's imprisonment and also include difficulties with familial adjustments when someone who has been in prison returns to the community.

3. Original study: Felitti, V.J. et al. (1998), 'Relationship of Childhood Abuse and Household Dysfunction to Many of the Leading Causes of Death in Adults: The Adverse Childhood Experiences (ACE) Study', American Journal of Preventive Medicine 14(4), 245-258.

The EU-funded FP7 Framework COPING study[4] identified factors which can inhibit the resilience of children when a parent goes to prison if support is not available or is inadequate, both for children and for those in their entourage:

RESILIENCY FACTORS - LESS POSITIVE



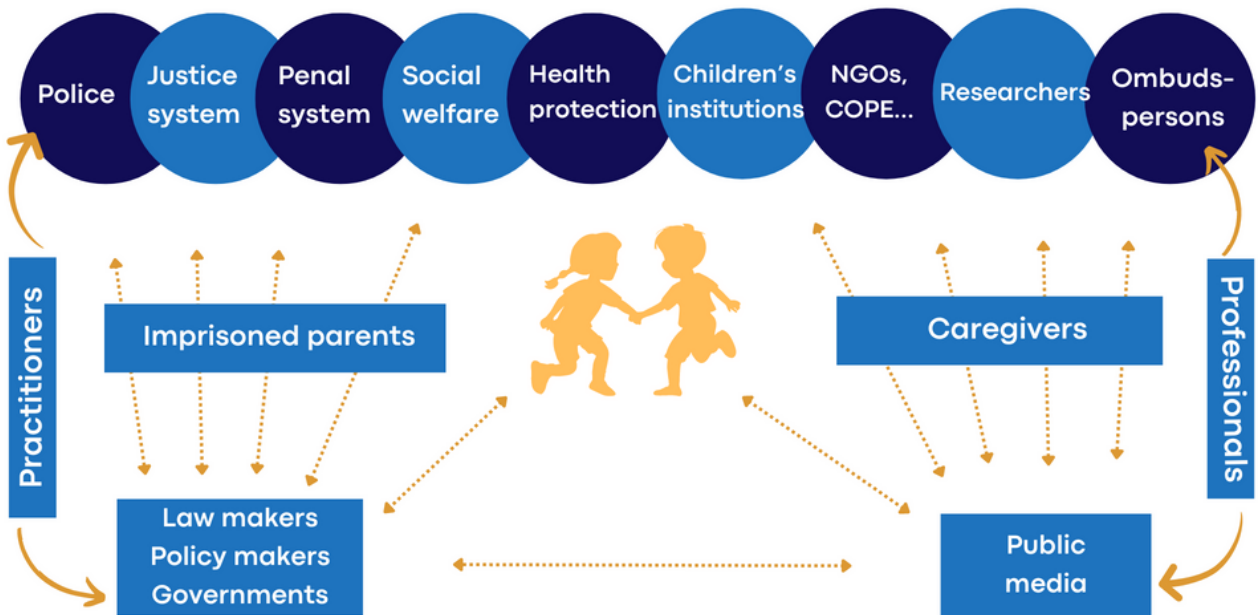
It is clear that the issue of parental imprisonment is a complex one and involves a range of cross-sectoral and multidisciplinary stakeholders that impact children directly and indirectly.

4. Jones, A. (Ed.), Wainaina-Woźna, A. E. (Ed.), Gallagher, B., Manby, M., Robertson, O., Schützwoh, M., Berman, A. H., Hirschfield, A., Ayre, L., Urban, M., & Sharratt, K. (2013). Children of Prisoners: Interventions and mitigations to strengthen mental health. University of Huddersfield. <https://doi.org/10.5920/cop.hud.2013>



It is key to approach children's support needs from both prison related and community related perspectives. Seen more holistically this can involve:

Context



Significantly, children who have a parent in prison have rights, enshrined in international, regional and national standards and instruments.

"The child's dignity is not only a fundamental principle underpinning the architecture of the rights of the child, but also an operational tool, a standard by which we may evaluate how the right of the child is applied and whether or not it has been violated."^[5]

— Jean Zermatten, former chair UN Committee on the Rights of the Child.

The UN Convention on the Rights of the Child (UNCRC) does not deal specifically with respect to children who have a parent in prison; their rights need to be viewed through the lens of more general articles, including:

- the child's right to maintain relations with their family (art. 8);
- the child's right to be brought up by their parents (art. 5 and art. 18) and the parent's right and obligation to ensure their child's development and guide their education;
- the child's right not to be separated from both parents (art. 9);
- the right of the child who is deprived of a family environment to receive appropriate alternative care (art. 20).

"A child born with the Convention, a child who has rights, walks on two feet: one is Article 3, paragraph 1; the other is Article 12. They can advance toward harmonious development (Article 6, CRC), the ultimate goal of the Convention, only if both limbs progress together, at the same pace and in a coordinated manner."^[6]

— Jean Zermatten, former chair UN Committee on the Rights of the Child

The child's legal regime must respect the right not to be discriminated against (art. 2); • the right to have their best interests assessed and accounted for as a primary consideration (art. 3, par. 1); • the right to life, survival and harmonious development, which is the ultimate goal of the UNCRC (art. 6); and, • the right to have their views heard (art. 12).



5. "The rights of children with imprisoned parents: Their best interests and views". European Journal of Parental Imprisonment. The child's best interests: from theory to practice when a child has a parent in conflict with the law, p. 3. COPE, 2019.

6. Ibid., p. 4.

Article 5 (the child's evolving capacities) of the UNCRC is also crucial, highlighting how the child can develop into an autonomous actor over time as they exercise their rights, while those exercising parental responsibility gradually reduce their influence in parallel. Independent decision-making may be particularly relevant when assessing whether a young person can take own-initiative action in requesting a visit to his or her parent in prison.

Not only should children's economic, social and cultural rights be respected, but they should benefit from all protective measures, as stipulated by the UNCRC.

Drawing on the principles laid down in the UN Convention on the Rights of the Child, Council of Europe Recommendation CM/Rec (2018)5 concerning children with imprisoned parents, adopted by the Committee of Ministers on 4 April 2018 at the 1312th meeting of the Ministers, provides a benchmark for highlighting the rights of children who have a parent in prison and for developing integrated child safeguarding systems. It sees children who have a parent in prison as being entitled to the same rights and protection as all children and must be provided with comparable opportunities, while acknowledging the impact of a parent's imprisonment on them and that prison can be a difficult environment for them. It also acknowledges that child-parent relationships are not always positive and healthy,

and that consideration of children should form part of cross-sectoral, multidisciplinary national child safeguarding and welfare strategies.

A look at CM/Rec(2018)5:

I. Definitions, underlying values and scope[7]: Children with a parent in prison are not per se in conflict with the law: their rights, best interests and views must be protected / respected, as must the child's right to—and need for—an emotional and continuing relationship with their imprisoned parents. Parents have a duty and right to play their parental role.

II. Basic principles: Non-custodial measures to be considered where possible, particularly where parent is a primary carer (2 and 3). Data collection is crucial to obtain a more precise number of children with a parent in prison (5). Resources and training should be provided (6 and 7).

III. Police detention, judicial orders and sentences: Particular attention must be paid to the parent's arrest and the principle of custody as a last resort must prevail.

IV Conditions of imprisonment: Data collection on children is important following entry as is the parent in prison being able to inform their family and support and information being provided for the family. It calls for contact and visits to be close to home at child-friendly times in child-friendly facilities in the

7. Appendix to Recommendation CM/Rec(2018)5

prison or outside; and for visits and searching to be respectful of children's dignity and privacy, as well as the dignity of the parent in prison in interacting as parents with their children, which they should be encouraged to do. Staff should receive training on how to respect the rights and dignity of children and their imprisoned parents. Video calls are useful should not replace in-person visits. A multidisciplinary and multi-agency approach is needed.

V. Monitoring: The relevant ministries responsible for children, as well as Children's Ombudspersons or other national human rights bodies with responsibility for protecting children's rights, shall monitor and report regularly regarding the recognition and implementation of the rights and interests of children with imprisoned parents, including infant children living in prison with their parent. Governments of Member States:

Governments of Member States are to be guided in their legislation, policies and practice by the rules contained in the Recommendation, it stipulates, ensuring that it is translated and disseminated broadly to all relevant authorities, agencies, professionals and associations.

Other relevant instruments and procedures include:

Council of Europe

European Convention on Human Rights (1953):
Article 8: Everyone has the right to respect for their private and family life


Council of Europe legal Instruments
-including **European Prison and Probation rules (2006 and 2010)**

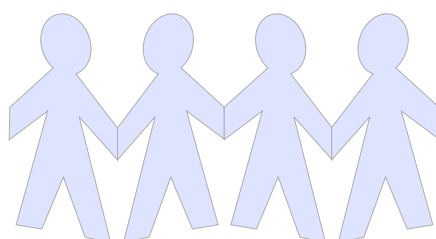
Relevant case law of the European Court of Human Rights
e.g., Children separated from a parent in prison have the right to ongoing and meaningful contact with their parent, including during pre-trial detention. [Deltuva v. Lithuania](#): 21 March 2023]




European Union

- **Charter of Fundamental Rights of the European Union (2000/2009)**
Article 24: Rights of the child to protection, care, well-being, express views freely, best interests and the right to maintain a personal and direct relationship with both parents
- **EU Strategy on the Rights of the Child**
- **The EU Recommendation on pre-trial detention procedures and on material conditions**





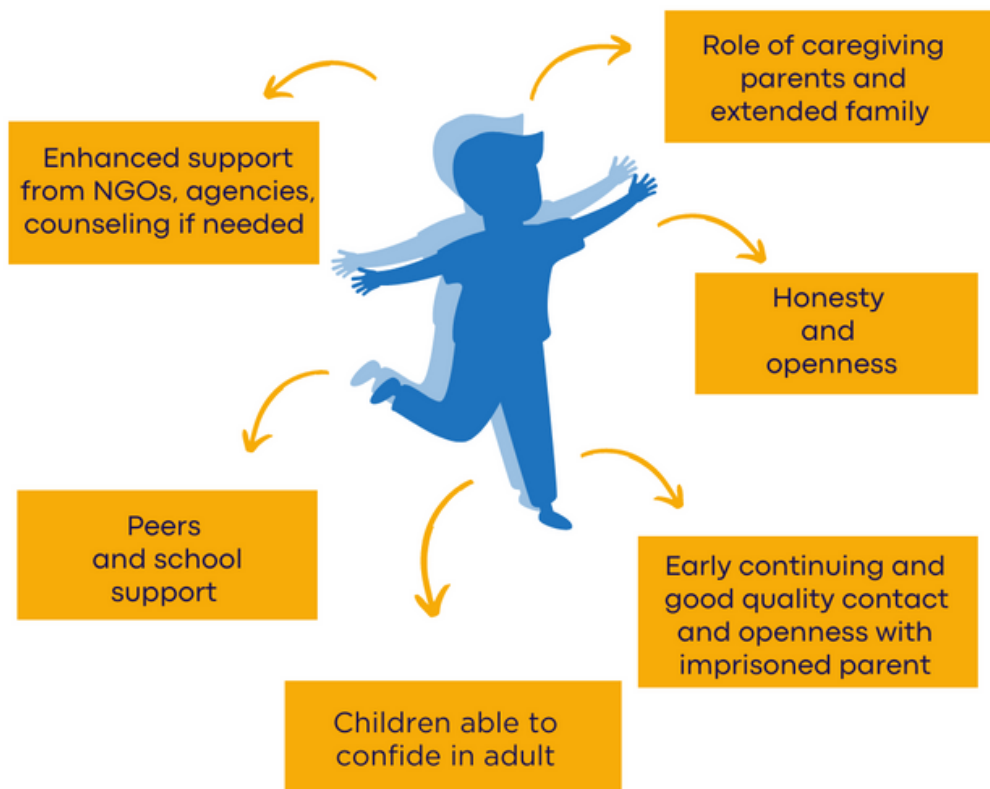
There is a “classic” situation that we call “parentalisation” or “parentification”, meaning that children assume responsibilities that are beyond the capabilities of a child. In many cases, children are obliged to take care of themselves, their younger brothers and sisters, to run a household or even care for a parent. This creates a lot of stress and deprives them of their right to be a child.

— Zermatten, *op. cit.*, p. 6

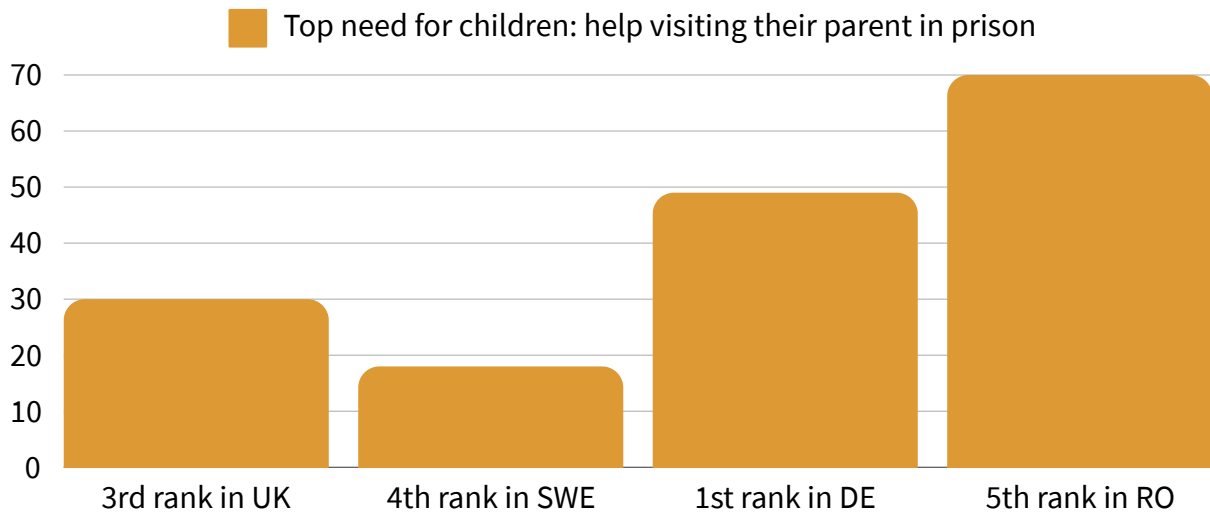


III. Meeting the needs of children with imprisoned parents

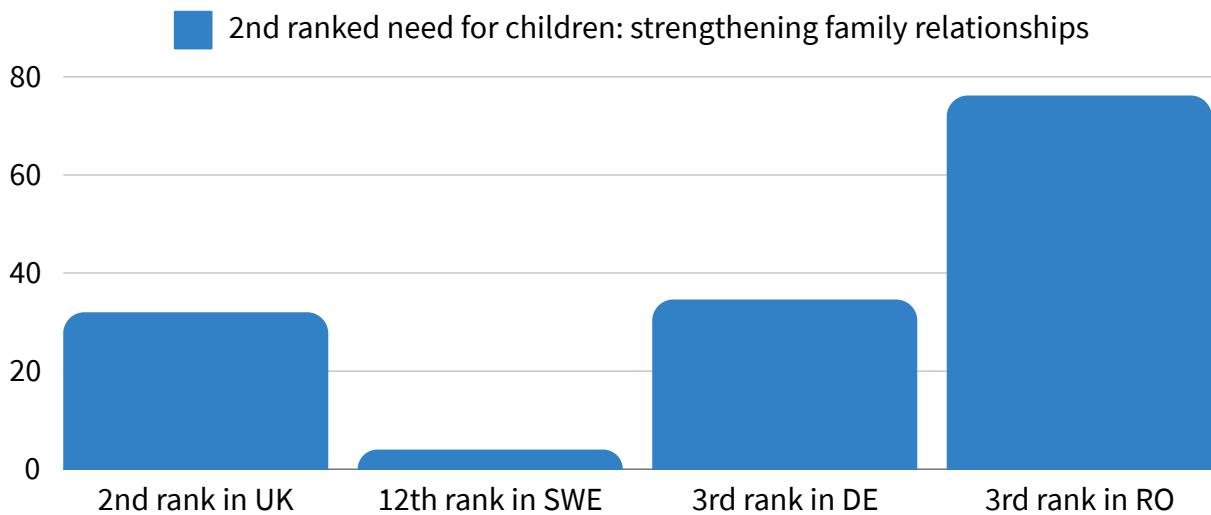
RESILIENCY FACTORS - POSITIVE



**Top need for children of imprisoned parents (COPING study finding[8]):
Help visiting their parent in prison**



**Second ranked need for children of imprisoned parents (COPING study finding[9]):
Strengthening family relationships**



8. Jones, A. et al., op cit.
9. Ibid.

In addition to the needs identified in the graphs above, taken from the results of the EU-funded FP7 research study COPING Project, the study found that children also had a need for:

- **Early, continuous and meaningful contact** with the imprisoned parent, in a child friendly setting; telephone contact is vital for day-to-day contact. Child-parent contact when a parent is in prison has been shown to be a protective factor. Support from the caregiving parent / extended family can facilitate this contact.
- **Support for the relationship with their imprisoned parent**, in coping with the parent's alleged moral failure; with their own shame & embarrassment; in handling ambivalence towards parent and for a better understanding of the nature of the offence/alleged offence. Likewise, parents in prison need support to help them better support their children; it is challenging to be a figure of authority in prison.
- **Options in terms of contact** with the parent in prison (onsite, virtual, shorter more frequent visits for young children, longer visits for those who live at a distance).
- Opportunities for **prison visits that don't coincide with school time**.
- **Prison settings that offer quality contact**, including non-verbal contact, with the parent in prison, and prison staff to better understand the challenges that they are facing.
- Greater child protection and child safeguarding within prison settings.
- **Alternative possibilities to prison-based contact**, hence [COPE's Annual Campaign](#) revolving around football matches with Mum and Dad (2023, 2024). Primary carers also need access to alternatives to prison, hence the need for training of judges and prosecutors on compassionate sentencing.
- **Emotional, financial, logistical, practical support** in general.
- Support for **all stakeholders** impacting their lives.
- **Reduced stigma**, which is debilitating; children need to be in communities and societies that don't pigeonhole or reject them but have empathy and a better recognition of the issues they are dealing with and the challenges they are facing. As such, media, NGOs, the general public need to use language and messaging that does not stigmatise or pigeonhole children as being destined for 'a life of crime'. This frame wreaks havoc

in children's lives and guts self-esteem. In addition, children take on the stigma which attaches to their parents in prison,

- Opportunities for **acknowledging & sharing distress** (e.g., with caregiving parent, school, friends, NGOs), as well as space to express, as there is a tendency to suppress expression, compounded by feelings of stigma.
- Greater awareness of society and stakeholders of **gender-specific dynamics** when a parent is in prison. COPING found that separation from a mother can be equally impactful as that from a father. The mode in which children express their responses can differ: boys seem more likely to be disruptive, while girls tend to internalise their difficulties. Children need to have access to mental health workers and other supports aware of the impact a parent's imprisonment can have on children and of the impact that a child's gender – and indeed age – will have on their needs. For example, girls may need support in verbalising their feelings, boys may need encouragement to connect with peers and the community. Some children will cope just fine with support from an emotionally intelligent caregiver and from their parent in prison.
- School support. The COPING study found that schools are the most

important resource for children after the family. Children need support from teachers, who can provide emotional support and signposts for counselling, as well as empathy, non-judgmental understanding of how parental imprisonment can impact school performance, mood, behaviour, need for discreet support, preventing and stopping bullying. Teachers can create communities of compassion so other children don't stigmatise and bully those who are dealing with the parent being in prison. Yet, as with any adverse childhood experience, children need teachers and those in their lives to be aware that parental incarceration does not necessarily define their lives per se. Children need to maintain social relationships.

- **Continual assessment** of their needs and how they are being met (or not) as they adjust to new circumstances.
- The **opportunity to be involved in these assessments**. Example: Child Impact Assessment, developed by a COPE member/Prison Reform Trust associate. This pioneering practical tool encourages children to articulate their needs. It is not about assessing children, it is about assessing their needs, featuring a set of questions, in child-friendly language, that ask children how they feel and what support they require. To be answered with a trusted adult.

Promoting participation of children with imprisoned parents

Child participation is the first thematic area of the EU Strategy on the Rights of the Child, in which it is stated that EU action should 'empower children to be active citizens and members of democratic societies'. Certain aspects of parental incarceration can hinder a child's ability to voice their feelings and opinions and actively participate in decisions that affect them. The first step to ensuring meaningful active participation of children and young people with a parent in prison is being aware of these aspects, which can include:

- 1) ensuring that child participation does not further stigmatise children in light of the difficulties they already can be vulnerable to as a result of the parent's incarceration;
- 2) understanding how shame can inhibit child participation, as it can be associated with children shying away from the gaze of others;
- 3) understanding that young people often do not want to have the parent's imprisonment be the defining factor in their lives, by teachers, peers and others;
- 4) significantly, understanding that some children's being discouraged from speaking about their home situation or their feelings can stifle expression and hinder child

participation—taboos around discussing parental imprisonment can make children feeling 'different', young people become 'voiceless', fear expression;

- 5) grasping the importance of a deeper understanding of the cross-sectoral factors impacting children and the importance of bringing these various sectors together 'under one roof' to provide quality support.

Further guidance for service providers, child rights defenders and practitioners on how to better support children and help them overcome these barriers to child participation is [available here](#).



IV. Some good national practices in EU: Croatia, Italy, Greece, Estonia

Case Study: Croatia

The Ombudsperson for Children Office in Croatia: a milestone impetus

"The Children's Ombudsperson's sphere of interest embraces all children without exceptions, and we feel called upon and obligated to speak out about all of them, to warn of the shortcomings and negligence towards children, and to point out positive examples. No child or group of children is allowed to be marginalized or forgotten. A key task of the Ombudsperson is to point out the significance of protecting children of incarcerated parents and encouraging those who participate in their care – or make decisions directly or indirectly affecting children – to take the proper approach, show special sensitivity, and protect such children from further trauma and stigma."

— Proceedings of The Rights Of Children Of Incarcerated Parents, an expert panel organised by the Children's Ombudsperson, Zagreb 2009

The Office of the Children's Ombudsperson has been continuously monitoring the implementation of the rights of children of incarcerated parents since 2006, making every effort to ensure they are protected. The impetus for this was the Deputy Ombudsperson for Children participating in an international conference on children of incarcerated parents, organised in Paris by Eurochips (subsequently COPE) in 2006 and gaining a glimpse of practice and how approaches to working with affected children were evolving in other countries. COO Croatia moved to publicly discuss the issue to garner attention of relevant professional services to the importance of the approach to children of incarcerated parents. They faced mockery, resistance, disbelief in the legitimacy of the action but pursued in their awareness raising and study of relevant issues. The Children's Ombudswoman of Croatia visited twelve Croatian prisons and correctional facilities, interviewing staff members and men and women in prison and inspecting facilities in which meetings between children and incarcerated parents took place. The Office organised study days. They organised an expert panel "The Rights of Children of Incarcerated Parents" (27 Feb. 2008), at the Tribina grada Zagreba, with some 120 participants.

Participants included representatives from the Ministry of Health and Social Welfare, Ministry of Justice, Ministry of the Family, Veterans' Affairs and Intergenerational Solidarity, social welfare centres, the Bureau of Prisons, correctional facility administrations, police, courts, the Public Prosecutor's Office, scientific and higher education institutions, nongovernmental organizations and professional associations, the Ombudsman, the Gender Equality Ombudsperson, the Education and Teacher Training Agency, lawyers and other interested parties.

And they asked key questions: How do children whose parents are serving a prison sentence feel? How do they cope with being separated from a parent? Do they get to see their parent? Do they know where their parent is and do they visit him/her? What kind of help and support do they need? What are the actions that society and the State are required to take to help children – provided that they want to and that circumstances allow it – maintain communication with their incarcerated fathers and mothers? What is the legislative and legal framework for these actions and what can (or is being) done by the professionals? How are children with a parent in prison treated by the media?

They highlighted systems gaps across child welfare and prison-related spheres in Croatia: the lack of comprehensive protection of these children's rights. Systems, organisations and institutions which in joint effort may do a lot for such

children – each in its own specific area have been identified yet are not interlinked or coordinated. They encouraged civil society organisations to get more involved but at the time the latter were slow to respond. The Office highlighted the lack of available services that could regularly and systematically provide assistance and support to families and children impacted by incarceration. Family centres had such resources but were still not properly accessed. There was little feedback from children on their experiences and needs. It was necessary to improve spaces in which children could meet with their parents, as insufficient funding had been invested. The Office did manage to improve visiting areas for children and their parents in penal institutions, while emphasising the importance of capacity-building prison staff to better help and support children visiting prisons, their families, their parents in prison, strengthening relationships and spending some quality time together. The Office underscored other challenges to children maintaining contact with their parents in prison either due to great distances needing to be covered between homes and the prison, the high travel costs necessary for contact, or the caregiver parent's resistance to the child's prison visit. Logistical problems hampered contact – how visits were organised and carried out; the additional obstacles to children visiting parents in pre-trial detention.

In short, through the longstanding efforts of Deputy Children's Ombudswoman Maja Gabelica and

with the support of the Children's Ombudswoman's Office, Croatia has been a leader in providing an impetus for a One Roof approach from the start of their advocacy on behalf of children who have a parent in prison.

[Source: The Rights of Children of Incarcerated Parents. Proceedings of the Expert Panel Meeting, Published by The Ombudsperson for Children, edited by Maja Gabelica Šupljika, M.Sc.]

Italy

Bambinisenzasbarre in Italy created great national momentum by bringing together the National Ombudsman for Childhood and Adolescence and the Ministry of Justice to sign a tripartite milestone Memorandum of Understanding for children with imprisoned parents on 21 March 2014. This pioneering document formally established a unified commitment to implementing actions that promote the rights of children when a parent is in conflict with the law. Such actions include, inter alia:

- the promotion amongst judicial authorities of sentencing measures for parents that consider the best interests of their children;
- the systematic collection of data regarding children with parents in detention, on remand or in prison;
- establishment of child-friendly spaces in prison visiting areas;
- implementation of prison staff training on parental imprisonment and child-friendly procedures.

Article 8 establishes a permanent working group between the three signatories to periodically monitor the implementation of the Memorandum of Understanding and to promote cooperation between institutional and non-institutional agencies involved in the protection of this group of children's rights.

Estonia

Thanks to the ongoing advocacy of Estonia's Chancellor of Justice (CoJ), which performs the function of Ombudsman for Children, the rights of children with an imprisoned parent are gaining increased visibility in Estonia, reflected by important shifts in practice. Notably, strip-searching of children visiting prison is now banned in all three prisons in Estonia. The CoJ, the independent supervisor of basic principles of the Constitution of Estonia, has repeatedly called upon the Estonian Prison Service to ban this practice. The Tallinn Court of Appeal agreed with the CoJ, holding in February 2022 (in case No 3-21-161) that this procedure was unlawful. In its ruling, the court states:

“ . . . being naked in a strange environment in the presence of a stranger greatly infringes a person's right to self-determination. The intensity of the intrusion is increased by the fact that the applicant is a minor, in whose case it can be assumed that the intrusion into her private sphere is generally

"The issue is not improving the work of professionals who work for the child, but in fact improving the work of professionals who try to build solutions with the child. This necessitates a change in the mindsets of professionals in the legal, sociomedical and educational fields. It also means breaking taboos and promoting discussions, so that everyone feels free to ask for support.

-Jean Zermatten [10]

significantly more traumatic than in the case of an adult. (...) For minors, visiting a loved one in prison can be mentally difficult and confusing. Therefore, it can be assumed that the additional intrusion into their private sphere that comes with the (strip) search will have significant impact and potentially cause an emotional distress."

Even after entry into force of the court ruling of 2022, the practice of strip-searching children continued. However, in the recently published 'Report on the implementation of the UN Convention on the Rights of the Child', the CoJ states that children are no longer strip-searched. While this is a significant milestone, the report also draws attention to other concerning practices that deny children their rights when visiting a parent in prison (e.g., the use of glass partitions that separate children from parents during visits; fees that families are required to

pay for long-term visits) and calls upon Estonia to enact several key recommendations:

- to acknowledge that children of imprisoned parents need to be seen and protected by the State;
- to support relationships between children and their imprisoned parents;
- to collect systematic information about children of imprisoned persons;
- to create an environment for meetings between a child and their imprisoned parent which supports the child-parent relationship while, as a rule, allowing the child and the parent to meet without being separated by a glass partition;
- to enable a child and their imprisoned parent to also communicate via video call;
- to abolish the automatic ban on meetings with the child during disciplinary confinement;

10. Jean Zermatten: pp 6-7, op. cit

- to train officers dealing with children visiting their parent in prison
- (See [paragraph 6.3](#)).

The CoJ made several recommendations concerning family visits in another recent [report](#) on an inspection of Tartu Prison (e.g., calling for adequate training of prison officers in dealing with children visiting a parent in prison and allowing parents in prison to wear their own clothes when meeting with children).

Significantly, the Ombudsman for Children in Estonia has provided the impetus for COPE being invited to capacity-build the European Network of Ombudspersons for Children (ENOC) on the rights of children who have a parent in prison, as part of ENOC's Spring Seminar 2024. The Ombudsman for Children has joined the COPE network as a member, as has a representative of the National Preventive Mechanism.

Greece

Deputy Children's Ombudswoman Greece has been instrumental in getting the issue of parental imprisonment off the ground in that country, and showcasing the issue of the rights of children who have a parent in prison. The Children's Ombudsman's office in Greece intervenes in the public and private sector. Children can report, but also inspections are carried out — in

institutions, camps as well as in correctional facilities. They also supervise NGO networks, contributing to committees on national rights.

Child-friendly materials are created and published working with established youth advisory groups. A holistic development of respect for child's rights is key, as is the importance of the Council of Europe's Recommendation CM/Rec (2018)5 concerning children with imprisoned parents. Certain challenges were identified:

- Children with imprisoned parents are not seen as a priority for policy makers
- Often a prison visit is allowed only once a month
- Staff are not appropriately trained so they can often be harsh or brusque
- Insufficient promotion of reintegration involving families when prisoners are released.

Following exchanges with COPE in 2022, the Deputy Ombudswoman began forging new pathways for children with imprisoned parents in that country, creating an impetus for study days, roundtable discussion, data collection, the mapping of legislation and available services for children with imprisoned parents and the development and expansion of support initiatives for these children and their parents. COPE organised two cross-sectoral one roof roundtables, championed by the Deputy Ombudswoman, who was instrumental in galvanising the Ministry of Citizens'

Protection, the Ministry of Labour and Social Affairs, the Institute for Children, EuroPris, UNICEF, a psychologist at Korydallos Prison currently running a support group for imprisoned fathers as part of an Erasmus+ NESTOR project, two representatives of the NESTOR project, NGO representatives from COPE (EU), Bambinisenzasbarre (Italy), Epanados (Greece), Defense for Children International (Greece), Freedom Gate Greece, ARSIS (Greece), and academics from Democritus University of Thrace and University of Crete. COPE Roundtable III, with an emphasis on training of prison staff, is scheduled to

take place in autumn 2024. These and other initiatives have significantly advanced COPE's work in capacity-building cross-sectoral professionals on the rights and needs of children with a parent in prison.



A look at COPE's cross-sectoral capacity-building

JUSTICE SYSTEM

- ✦ Detention
- ✦ Judges
- ✦ Disciplinary measures
- ✦ Custodial alternatives
- ✦ Children as witnesses
- ✦ Compassionate sentencing

POLICE

- ✦ Parent's arrest
- ✦ Arrangement of the care of the child
- ✦ Training and guidelines
- ✦ Protocols of arrest

PENAL SYSTEM



- ✦ Visit and contacts
- ✦ Programs for parents in prison
- ✦ The way of searching
- ✦ Child friendly spaces
- ✦ Child centred visits
- ✦ Training for prison staff

EDUCATIONAL SYSTEM



- ✦ Direct support for children
- ✦ Trusted adult
- ✦ Reduced bullying
- ✦ Homework clubs
- ✦ Parent-teacher meetings
- ✦ Workshops for teachers

COMMUNITY SUPPORT SYSTEM



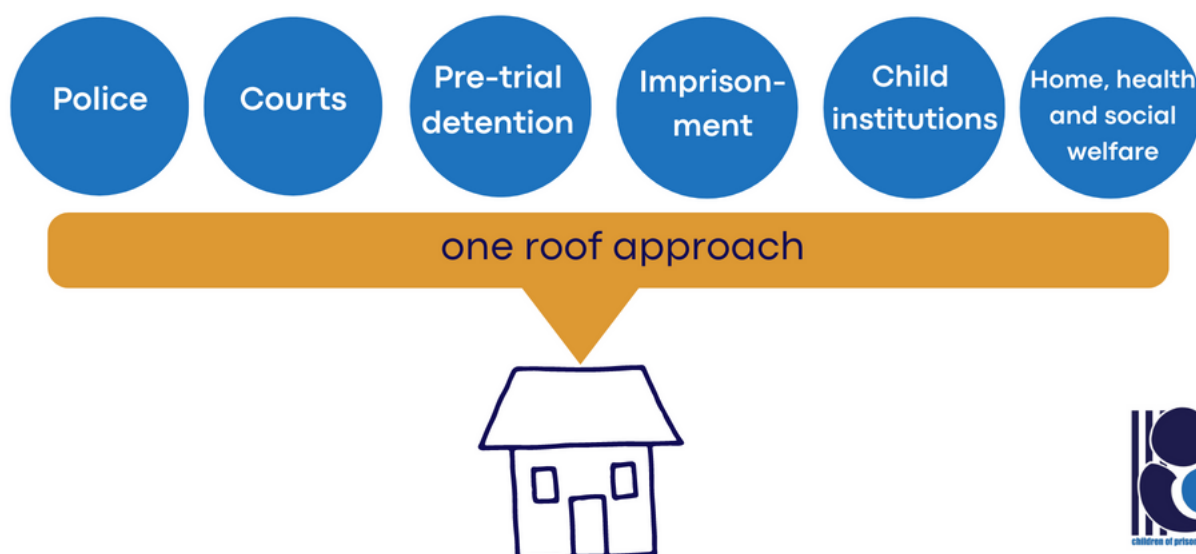
- ✦ Direct support for caregivers
- ✦ Child mentors
- ✦ Health, housing, family support services
- ✦ Community centres

V. Filling systems gaps: ENOC as impetus for one roof approach

The Ombudsperson can:

- Handle **independent cases**
- Promote **research and legislation** regarding children with a parent in prison
- Encourage **child-friendly play areas in prison visiting rooms**
- Encourage **all relevant stakeholders**, including NGOs, to recognise and meet the rights of children with a parent in prison
- Motivate the **media** to meet children's needs and protect their privacy
- **Produce materials** which promote the rights of children with a parent in prison as well as their support needs
- **Foster respect for the children's perspective**
- Cultivate environments where **children with imprisoned parents are listened to, supported and regarded as "co-creators"** of positive change
- Provide an **impetus for a one roof approach**, organising public discussions and bringing together cross sectoral stakeholders including involving children so that their views can be heard and their suggestions implemented.

Children's Ombudsperson: integrated child safeguarding and support



Promoting a one roof approach brings together cross sectoral stakeholders providing parallel support (or not yet providing but have duty of care) for children who have a parent in prison—to better understand the issues children are facing, engage in a more holistic and multidisciplinary discussion to identify and eliminate systems gaps and open onto a more integrated system of support. Silos are broken down, synergies developed; sectors often acting in parallel come together under one roof for concerted action.

In this way, children who are impacted by parental imprisonment can benefit from child welfare/community services and criminal justice agencies coming under one roof during a roundtable session or seminar, engaging with one another in concerted action, with and on behalf of children to protect their rights and wellbeing. As seen above, such a model would involve police; judges and prosecutors; prison services; child protection, child welfare and social services; schools; mental health workers; civil society organisations, children's voices. Children's Ombudspersons in each Member State could commit to organising one cross sectoral, cross agency One Roof meeting at their premises annually concerning children with imprisoned parents. As two EU-funded organisations, COPE and ENOC could leverage EU funding (e.g., multiannual, action grant, operating grant) for the organisation of such events. COPE is including three to four one roof

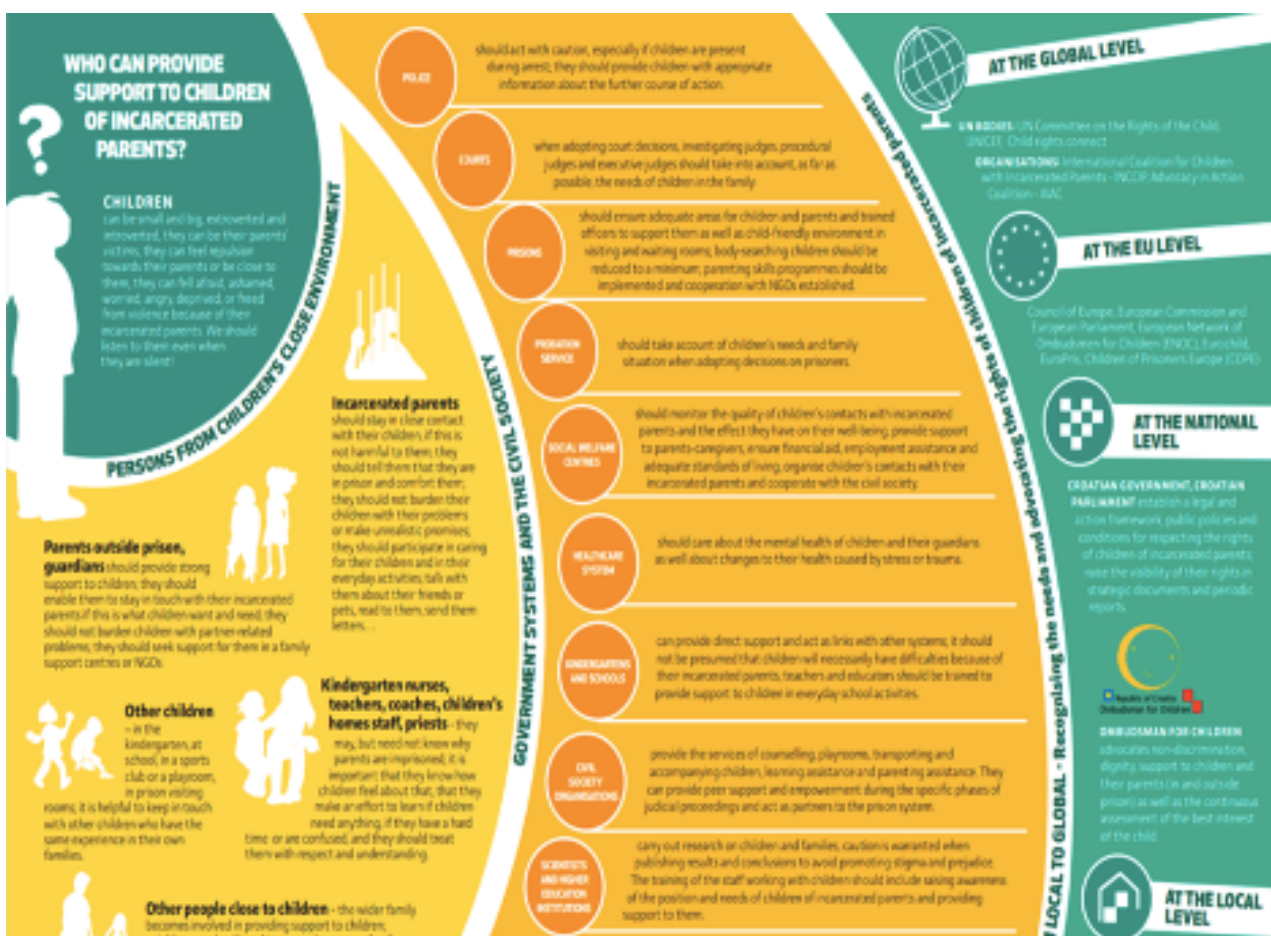
roundtables in EU Member States as part of its 2025 operating grant application. In this way, the EU would be helping to bring cross-sectoral stakeholders together as part of this approach. A long-term objective could be the EU offering support in establishing a permanent venue for one roof support; the launch of a permanent EU agency for child rights, currently under discussion, would strengthen this broad, across-the-board perspective. Likewise, the EU could help strengthen building blocks for a one roof approach via training for each relevant sector. Each sector is a building block.

How could this look?

- Fund research on the quantitative and qualitative benefit of cross-pillar collaboration in supporting child rights and their wellbeing across EU Member States and candidate countries.
- Police and law enforcement: help fund relevant training by the European Union Agency for Law Enforcement Training (CEPOL).
- Judges and prosecutors: help fund relevant training by the European Judicial Training Network (EJTN).
- Penal system: continued EU funding for training prison officers on children's rights and wellbeing when a parent is in prison (DG Justice).

- Education system: train teachers on how to better support children with imprisoned parents, organising workshops for teachers inside prisons (Erasmus+ projects, other more sustainable funding).
- CSOs: continue to fund child-rights civil society organisations active in supporting children with imprisoned parents in each Member State, ensuring a robust child safeguarding approach being a mandatory element in all EU funding.
- Children are involved and given platforms to express their views and have their voices heard as "co-creators" of positive change.

In this way a more integrated discussion can open onto a more integrated system of support. The EU can establish minimum benchmarks in terms of inter-agency collaboration at MS level with the active participation of CSOs from diverse backgrounds but united in supporting child rights and interests—a one roof approach for both government agencies and CSOs. This cements the EU values that bring together all participants, beneficiaries and stakeholders, transfers children's advice and expertise into practice and policy and establishes the most effective and most sustainable practices in EU Member States and beyond.



Thanks to Deputy Children's Ombudswoman Maja Gabelica Šupljika of Croatia for the slide above and for her contributions to this briefing. Thanks also to Kate Philbrick.



Children of Prisoners Europe (COPE) is a pan-European network of non-profit organisations working with and 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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