

Prisoners' families
have been referred to
as the forgotten
victims of crime
essay...



**ASSIGN
BUSTER**

The current prison population in England and Wales is reaching 80, 000¹ and in the coming year there will be a further 150, 000 people being sentenced to imprisonment². Being subjected to the punishment of being held in custody can be a devastating and life changing experience for a person. It can also have a huge effect on the prisoners' family, damaging the way they work and function, making them the " forgotten victims" ³ of the Penal System. Matthews work on the prisoner's family was backed by Shaw⁴ whose detailed work provided figures that around 100, 000 children are affected every year from their parents being imprisoned.

His work went on to illustrate how proper visits should be made available, it was in the interest of the child, regardless of the prisoner's interests. It was also pointed out that in recent years there have been several advances in victim support agencies, but few for the forgotten victims. Considering this, there is still no statutory agency that caters for the needs of the prisoners' families. There are increasing numbers of aid and support groups that represent and help the prisoners' families.

The importance of the relationship between offenders and their family, especially their spouse, has been the subject of much research. The maintenance of good family ties has been recognised as one of the main factors that contribute to a prisoner's successful reintegration into society⁵. Though time within prison may have damaged his connections with his family a majority will wish to return to them once their sentence is over. There is much evidence that the family is a vital aspect in the prisoner's life and good connections influence the prisoner's life and behaviour⁶.

Official government statistics back this point, showing that young fathers who are in custody, but maintain contact with their family, are six times less likely to re-offend once released⁷. The importance of family ties was supported by Cherie Booth QC who believes that “ young prisoners should be given better access to their families” ⁸. The prison service is piloting and encouraging new schemes involving increased visitation rights for prisoners and families. An aspect of this is improved home leave and visiting arrangements between both parties. Such schemes have the potential to allow for an intimate yet relaxed environment for the family.

Other schemes by the Home Office include the prospect of weekend jails for those offenders who are not of such a risk to the community that they require immediate jail. The prisoner would spend either weekdays or weekends in jail and the rest of the time within the community, limiting separation times and allowing the prisoner to keep his job and home life while maintaining the custody obligations⁹. The importance of this relationship works both ways, and affects the forgotten victims. The Cambridge Study carried out longitudinal research into the effect of a parent being imprisoned onto the spouse.

The study took 411 males and established a strong correlation of 59% that children who were separated from their parent, usually the father, to prison, was more likely to be to be a delinquent up to the age of 32. This was shown to be one of the best predictors, of self reported juvenile delinquency¹⁰. The Cambridge-Somerville Youth Study in Boston conducted by McCord¹¹ showed that where, typically in this situation, the father figure is not available for the child, it is possible for the mother to retain them from <https://assignbuster.com/prisoners-families-have-been-referred-to-as-the-forgotten-victims-of-crime-essay-sample/>

having such criminal tendencies, if they show them enough maternal loving, more so than if the father was still in the household.

In a home with a loving mother, only 22% of children would offend, this can be compared the 59% in unloved homes, the figure that Farrington discovered in 1996. According to the Prison Reform Trust¹², over 17, 700 children are parted from their jailed mothers every year. This leaves many children traumatised one child described how they had to “ develop a hard streak and grow up quickly” ¹³, some even have to be taken into care. The Pittsburgh Youth Study¹⁴, brought about similar results, arrests of a family member, especially that of a father was a good predictor that a child would lead to delinquency.

In helping the prisoner's families, these studies have shown that it will minimise further delinquency from their spouses. The Mothers Union are supporters of single mothers, and the Chief Executive of the Mothers Union states how “ their children have not committed any crime, but they are the innocent victims of the current sentencing policy” ¹⁵. It has a range of services to help the family has been developed by the union, including providing childcare on visits, parenting courses for prisoners and safe playing areas for their children.

Therefore it is vital that society realise that contact between the prisoners and their family be made more available and readily maintained. It will result in fewer delinquents and criminals, both through the prisoner's spouses and through the prisoners themselves, who are both less likely to offend if a healthy relationship is maintained between them. The possibilities for the

prisoners to maintain this relationship depends on the stance taken by the Prison Service and the vision of support groups. Why else should we support prisoners' families?

Many believe that the family should also suffer, as it was a member of their family who punished society with their illegal act. However there is the concept of liberal humanism to be considered. As with natural disasters, for example, the Tsunami, the recent earthquake in Pakistan and the ongoing suffering in Africa, people within the society are willing to offer help and aid to those who suffer harm. The theory presents the argument that the more serious the crime, society will endure greater suffering. It was Matthews¹⁶ who began the research into the affect that a prison sentence had on the family, and coined the term " forgotten victims".

Her work showed at length the level of suffering that large numbers of innocent people were subjected to due to their family member's sentence. As fellow victims of crime, surely society should cater for their needs too? The initial problem that the family will face is the immediate separation period upon the relatives' submission to custody. It is vital that the family receive honest, reliable information from the solicitor, so they can prepare for the worst which would be the family member sentenced to custody.

It would be possible that at this stage that the solicitor put the family in contact with suitable support groups that could aid their struggle from the outset. The Probation Service and probation volunteers can be used as outlet for the family, though a study in 1989 found that only 19% of the families used in the study were contacted at this stage by the probation service¹⁷.

There are some organisations, which offer support for the family, support that only arose after recommendations, in the 1988 national conference¹⁸ in Bristol.

The families ordeal continues throughout the custody sentence, bringing further issues into light, including problems with visiting the prisoner, financial difficulties rehabilitation courses and, as mentioned the breakdown of the relationship, especially that between the child and the parent. Help for the families can be found in support groups. These are fundamental in helping the family cope with the situation. They give advice, information that is vital to aid the family in getting over the emotional and practical difficulties that imprisonment can cause.

The group, Action for Prisoners Families (APF) is an example of such an umbrella group, they have a helpline that is available for the families. Their work includes the influencing of government policy, sitting on external committees and rising awareness of their members cause. They have been involved in the Halliday Sentencing Review, the governments recent Social Exclusion Unit and in the Reduction of Re-Offending by Ex-prisoners. Their Publication¹⁹ shows figures that represent who and why people were calling them.

The figures showed that a majority (81%) of their callers were members of the prisoner's family. The top three reasons for the call were concerns with; prison visits (45%), financial difficulties (13. 5%) and emotional support (14%). Many of these problems are interlinked, for example travelling can be expensive, in one case study, after finding difficulties to book a visit, due to

under staffing²⁰, the average distance to visit a prison for the family was 62 miles²¹. This adds to the emotional hardship for the family and well as further financial detriment for them, travelling is not very cheap.

Though, for those families that receive a low income or are on benefit, it may be possible for them to make a claim from the Assisted Prison Visits Unit (APVU). They allow the family to make as many as 26 claims a year, and will also cover the cost of child minding if it is not suitable for the child to visit the prison. In circumstances where the journey takes more than five hours, it may be possible for the family to claim the price of overnight accommodation, though this is at the discretion of the APVU²².

The APVU can be seen to help the low income families, to make sure that they do not suffer any disadvantages in maintaining contact with the prisoner, compared to those who have little financial restrictions. Upon the committal to custody, the breakdown of the family bond begins. A study by the University of Nottingham²³ studying the effects of imprisonment on prisoners' families found that a quarter of all marriages broke as a result of prison. In recognising this problem, the prison service has implemented the 'Meeting with a Marriage Counsellor and Marriage Support Services in Prisons'²⁴(MWMC) provision.

But, it needs to be used more widely. Some prisons offer counselling services, so there is no reason why the MWMC cannot be made more available, helping the partner to get to grips with the her spouse being away from them in prison. A further method used to offer support to the forgotten victims can be seen in the Government's Social Exclusion Unit. The group,

<https://assignbuster.com/prisoners-families-have-been-referred-to-as-the-forgotten-victims-of-crime-essay-sample/>

founded in 1997, was set up to tackle some of the problems within society. Their report on 'Reducing Re-Offending' by Ex-prisoners reiterates how maintaining a good tie with their family meant re-offending decreased.

Although the report did state that between 40-50%²⁵ of prisoners lost contact with their families upon entering prison; it also states how the family are able to help themselves, by maintaining contact, with landlords, local authorities and legal departments, but also maintains the fact that it is difficult for them. From the summer of 2003, those prisoners aged 18 and over who serve sentences less than four years are able to spend the last four and a half months of their sentence under an electronically monitored curfew system.

The system makes the offender stay at home during specific hours of the day. There is no maximum length of the curfew, but it must run for at least nine hours a day. It is in the interests of both the prisoner and their family if they maintain their relationship, as this option is only available after the successful completion of a risk assessment form. This option will allow the family to get back to normal in controlled circumstances, enabling them to get over their ordeal and rebuild the bond they will have had prior to the separation that was forced onto them by the Criminal Justice System.

Therefore it can be seen that there are several provisions available to aid the "undeserving victims"²⁶ of the legal system. However it is submitted that these do not go far enough. There are still some that believe that we should not go to any lengths to help the families but Charles Clarke's recognition of the prisoners family in his five year strategy, shows that the

government is aware of the issue and that is a first great step towards helping them.