

Witten Evidence from Children Heard and Seen (COV0204)

The Government's Response to Covid-19: Human Rights Implications

Children Heard and Seen is an Oxfordshire based charity supporting children with a parent in prison. Since it was founded by Sarah Burrows in 2014 the charity has supported over 500 children and their families. In response to Covid19 CHAS moved its service online, delivering virtual activity groups, one to one mentoring, a youth advocate group and specific one to one interventions to support children.

Article 8 of the Human Rights Act 1998 enshrines the rights of a child to a family life. As the Equality and Human Rights Commission states:

'You have the right to enjoy family relationships without interference from the government. This includes the right to live with your family and where this is not possible, the right to regular contact.'

Since the suspension of social visits across the prison estate this right to a family life has been denied to children in the UK with a parent in prison. Children Heard and Seen has gathered information from families we work with that demonstrates the negative impact these arrangements have had on them. The MOJ/HMPPS have introduced measures to mitigate against the lockdown of prison regimes such as an allowance of five pounds in phone credit for each prisoner and the partial introduction of video visits. Despite this, our concern is for the detrimental effects of loss of meaningful contact between children and their parent(s).

The majority of children and families we work maintain regular contact with their parent(s) in prison, however, this contact has been interrupted for a period of up to five months. The impact of a suspension of ROTL along with social visits has resulted in children having no physical contact with their parent and it is currently unclear when this situation will change significantly.

1. Telephone Contact

Despite the addition of five pounds phone credit and 900 handsets being provided to 55 prisons our respondents reported in 57% of cases that telephone contact had either decreased since lockdown or remained at the same level that existed prior to lockdown. This may be explained by the lack of in cell telephony in the majority of public prisons and the limited opportunities for access to a wing telephone for prisoners who are experiencing twenty-three hour lockdown. Telephone calls when available are also limited, between seven and fifteen minutes, although families have reported the length of call can be extended if there is a kind officer on duty who will allow additional time. For children who are pre/non-verbal, contact via telephone calls is largely meaningless. Where there are more than one child in a household the limited duration of calls makes it impossible to maintain a parent/child relationships or to sustain the bonds that make this relationship meaningful.

2. Video Visits

The introduction of video visits has been slow across the prison estate with only 26 prisons having access at the end of June. Only 12% of our respondents had taken part in a video visit with 88% not yet being able to access one. Whilst the potential for video visits could initially be viewed as a positive there are also concerns.

- The total number of prisons that provide video visits is limited meaning access to them is a lottery for children and families
- The length of the call is only thirty minutes

- Only four people can access a visit at one time, resulting in a family with five children only being able to have three of them on the call as the account holder always must be present
- Where there have been offences of domestic abuse against the other parent, during lockdown with no access to another adult in the household, the victim has to hold the account and be present on the call. This results in the perpetrator effectively being in the lounge of the victim to facilitate contact with the child
- Security settings also require participants to remain motionless during the call, any movement results in the call being terminated and the verification process having to be completed repeatedly, reducing the time of the call. Remaining still could be considered difficult enough for adults but for young children, toddlers or babies who do not understand the requirement it is impossible
- Being able to see a parent but not being able to touch or cuddle them has meant some children refusing video visits as it would be too painful for them, causing them additional stress
- Access to video visits where they are available is restricted to one visit per month, a significant reduction in visits for many children who could visit weekly

The implementation of video visits started in June 2020 with a limited number of prisons now active. Children have been without physical or visual contact with their parent(s) for five months, severely impacting on their ability to maintain a family life. The roll out of video visits to all prisons is not guaranteed and with social visits being reinstated in only a small number of prisons it is impossible to say when regular, in person contact between children and their parent will return. These levels of uncertainty are damaging for children and where they are too young to have the situation explained to them the concern is that young children will forget their parent after being separated from them for what is a significant period of their lives. For babies who only knew their parent briefly or who have been born since lockdown the opportunity for crucial parent and child bonding in the initial weeks is an opportunity that cannot be revisited. The long-term impact on the relationship between parent and child is not to be underestimated.

3. Impact of Separation

The impact of a lack of contact with a parent is hugely significant, we asked children and their carers to tell us how it has affected them, their words are below:

'She has been upset and angry not being able to see her dad when she got used to him coming home. She doesn't want video visits as she said it will upset her to see him and not be able to hug him its causing a lot of stress for her.'

'My 7 year old has lost a stone in weight, my 12 year old is making herself sick and all the children do is cry. My 9 year old wanted to end his life.'

'Not seeing dad, my relationship with him and my mental health'

'They have gone back to being withdrawn and emotional and they've lost their sparkle again'

'My son is anxious about the welfare of his father and it's made him miss him a lot, he's also been getting up even earlier than usual due to worrying'

'Kids miss visiting'

'Youngest two have really struggled with not being able to see mum and dad, nightmares, worry, no physical contact'

'Misses her father she asks for him on a daily basis, he has not been part of her life for nearly 5 months. He has had no home leaves.'

'Severed mother child bond and relationship. Added to huge mental distress of mother and mental health problems, her son doesn't know now who his mum is.'

'Our little boy won't even talk to his daddy on the phone I genuinely think he has started to forget him although there are pictures on the wall of him.'

'Behaviour problems, anxiety/mixed emotions, trouble sleeping.'

'They would love to see him but can't. Phone calls have been very important.'

4. Reintroduction of Social Visits

The return of social visits can be viewed with positivity but communication with children and families about arrangements has raised concerns. Some have received information via social media rather than direct communication from the prison. Of our respondents 70% will not attend social visits due to the restriction that will still be in place. Again, their words are below:

'No, she doesn't want to go if she can't hug him, she said that would be too upsetting for her'

'...because the children are unable to play, kiss and cuddle their dad'

'As with the video call not all of the children would be allowed on the visit. After 4 months of not seeing mum and dad it would be torture for the children not to hug mum and dad. Also, mum was coming home on ROTLs before lockdown and had promised the children they would never have to visit her at the prison again. The two youngest didn't cope well with visits and having to leave her their'

'Prison over 2.5 hour drive away and no contact. 4 year old won't understand why, after not seeing her father for 5 months, she can't hug or kiss him. It's cruel.'

'If I don't attend it is because of the distress it will cause to mother and child without any physical contact after so long'

Children choosing not to attend social visits due to restrictions on physical contact and the potential trauma this creates only extends the period of time they have been separated from their parent(s); increasing the damaging impact of the lockdown on their mental health and wellbeing.

5. Conclusion

At Children Heard and Seen we are deeply concerned by the lack of access to a family life for the children of prisoners. The immediate and long-term effects of lack of contact on the children's mental health and the impact on the child/parent bond cannot be underestimated. Rebuilding these relationships after enforced separation will be difficult and in some circumstances impossible. Whilst we understand the need for implementing Public Health England guidance in our prisons we believe more consideration could have been given to how this would impact on children experiencing parental imprisonment. Children of prisoners are already exposed to increased vulnerabilities; the current situation has seen their initial loss/trauma compounded by the lack of contact with their parent. We must be vigilant to ensure they receive any and all support they do and will need to offset the impact of this experience.

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