

Somebody's mum, somebody's dad: Parents as offenders and offenders as parents in New South Wales

Courtney P. Brown, Griffith University; Kevin O'Sullivan, Corrective Services New South Wales

Abstract

This paper discusses first, the current literature on parenting programs and services and their effect on offending behaviour; and second, the current situation in CSNSW for offenders in custody who are parents. In section one, the review of literature focuses on findings that discuss the links between parenting and re-offending behaviour. First, theories of attachment and generativity are described to explain the mechanisms of parenting related to offending behaviour. Second, the limitations in the current literature that reduce the possibility of evidenced-based practice are discussed. Section two outlines the regulatory framework in NSW to illustrate the duties and limitations by CSNSW in the management of incarcerated offenders who are parents, and provide services that affect the wellbeing of children. Section three first presents an overview of the current population of incarcerated offenders who are parents is presented. Second, an account of the current programs and services available to this large subpopulation is detailed.

Acknowledgements

The authors gratefully acknowledge the assistance of CSNSW staff, especially the Principal Advisor, Women Offenders, Deirdre Hyslop, and the Principal Advisor, Family and Community Issues, Allison Jones and the Director of Corporate Strategy, Lioba Rist.

Introduction

Many influences promote or deter offending behaviour (Farrington & West, 1993) and they often, but not always, co-occur in the same variable (Stouthamer-Loeber et al., 1993). These variables range from social influences such as socioeconomic status, individual factors such as impulsivity, and family influences such as child-rearing practices (Farrington, Loeber, & Ttofi, 2012). One causal and modifiable predictor of offending behaviour is poor parental-child rearing behaviour as demonstrated by the Cambridge longitudinal study (see Farrington, 2003).

Around half of incarcerated offenders in New South Wales are parents to at least one child between the ages of zero and eighteen¹, and with an average daily population of about 9,000 inmates, this means that on any given day in NSW a minimum of 4,500 children are separated from at least one parent due to incarceration. This number could be dramatically larger due to many offenders in custody having more than one child. It is also of note that the childhood experiences of the inmates themselves include parental incarceration with the 2009 Inmate Health Survey (Indig et al., 2010) finding that almost one in five incarcerated adult offenders had a parent who had been incarcerated during their childhood².

If it is the case that more effective parental-child rearing behaviour can reduce the risk of offending behaviour in a child (Smith et al., 1994), is it also the case that more effective parental-child rearing behaviour can reduce the risk of offending behaviour in the parent?

¹ See 'Section Three: What is currently happening in CSNSW?' for an overview of the population of incarcerated offenders who are parents.

² See Appendix A

What about the re-offending risk for a parent who has already been incarcerated for an offence? One of the principal aims of Corrective Services NSW is to reduce re-offending and if parenting were shown to be implicated in reducing re-offending such a finding would be of great significance given the large size of the parent offender population.

The Statement of Purpose of Corrective Services New South Wales (CSNSW) indicates that the agency "delivers professional correctional services to reduce re-offending and enhance community safety" (CSNSW, 2012). Correctional systems typically aim to reduce re-offending in three ways: incapacitation, retribution and rehabilitation. All of these approaches target the individual who is charged and convicted of the offence, but all of them in fact impact upon the broader social system from which the offender or alleged offender comes, notably upon partners and children. This paper does not argue that this impact is always negative, but it does assert that the social ties of parenthood need to be taken into account when planning services and programs for offenders. This is especially true for offenders in custody, as their ability to pursue the role is severely curtailed.

CSNSW provides programs and services that aim to enhance parenting skills and facilitate contact between parents and children. These programs and services are provided as part of a duty of care, but may also play a part in the rehabilitation of offenders who are parents. They may even have a positive effect in decreasing the risk of crime being committed by children of offenders. This paper aims to clarify the principles that should underlie the provision of these programs and services so that they achieve these aims. We do this by asking: 1) What

does the literature say? 2) What does the regulatory framework require and/or allow? and 3) What is currently happening in CSNSW?

This paper is relevant to the subpopulation of incarcerated offenders who are parents to a child (0-18 years of age) regardless of gender and conviction category, with the exception of those convicted of child related offences, and domestic violence offences that directly involve children.

Section One

What does the literature say?

The information in this section was obtained by using search engine databases 'Australian Criminology Database via INFORMIT', 'PsycINFO via OVID', and 'Sage Journals Online'. The truncated terms parent* and incar* were searched in the abstracts of full text English language articles from 2000 to 2012. A total of 234 articles were found across the three databases.

Our review of this literature suggests that there is interest in defining the relationship between parents and their children in predicting offending. Despite this interest, there is a lack of quality in the empirical evidence for the hypothesis that parenting programs and services reduce re-offending. While factors that are known to be associated with positive child-rearing behaviour are evaluated, actual re-offending rates of participants are not directly measured or assessed.

Incarceration prevents offenders who are parents from properly engaging in parenting (Garzarelli, 2011). The incarceration of a parent increases the risk of poor parental-child rearing behaviour by increased powerlessness and reduced connectedness. Increased powerlessness reduces self-control and self-efficacy resulting in

parenting that is less likely to involve behaviour that produces positive outcomes (Bandura, 1977 in Freiberg, Homel, & Lamb, 2007). Similarly, reduced connectedness has been found to involve less positive parenting behaviour due to the increased perceived lack of support and reassurance (Wahler & Dumas, 1985 in Freiberg, Homel, & Lamb, 2007).

Theoretical underpinnings

Attachment theory and, more recently, the theory of generativity, have been invoked to explain the mechanisms of parenting. These two theories are also of interest to the explanation of offending behaviour. For historical reasons, most available literature on attachment theory is about the relationship between mother and child and most available literature on the theory of generativity is about the relationship between father and child. In, general, both theories indicate that parenting programs that increase opportunities for mother-child attachment (physical contact visits, communication techniques) and/or promote fathers' sense of influence on their child's social-emotional development (knowledge of child developmental stages, communication techniques based on development stages), combined with parents' sense of parenting self-efficacy and increased self-esteem are most likely to reduce offending behaviour in the incarcerated population.

Attachment Theory

Attachment theory is based on the influential work of John Bowlby from the 1940s to the 1980s with his major work *Attachment and Loss* appearing in three volumes (Bowlby, 1968, 1978, 1980). Originating from his reports on the mental health of children in post-war Europe, Bowlby described the high levels of anxiety

that both mothers and their children experience from early separation. The relief of this anxiety is a powerful motive for closeness in which nurturing and growth occur. If separation occurs, a child will not form an attachment to their mother, and will most likely develop a range of problems that will ultimately interfere with optimal development (Parke & Clarke-Stewart, 2001).

There are significant detrimental outcomes for both mothers and their separated children when attachment with the child is severed or disrupted by incarceration (Parke & Clarke-Stewart, 2001). However, the majority of parenting programs for mothers in custody that focus on enhancing attachment between mother and child evaluate the outcomes for the mother (Makariev & Shaver, 2010).

Carlson (2009) followed the re-offending trajectory of incarcerated mothers of infants (N=65, female, USA) who participated in an attachment style parenting program compared to controls (N=30, female, USA). The program enabled the mother to reside with their child as well as receive structured parental training. The mothers who participated in the program had a 16.8% re-offending rate compared to 50% for controls. The control group comprised mothers who were incarcerated prior to the inception of the program, (1992-1994), and therefore could not participate. The control group were demographically similar in age and offence, but different in race. The author does not clarify whether the control group would have met the strict participation criteria and this methodological limitation makes it difficult to know whether the lower re-offending rate is attributable to program participation.

Loper and Tuerk (2010) evaluated the program 'Parenting from the Inside: making the mother-child

connection' (N=136, female incarcerated offenders, USA) to assess participants' emotional adjustment and communication patterns following separation from children due to incarceration. The program focused on cognitive-behavioural strategies to reduce emotional responses to stressful situations by educating participants on custody-related parenting issues and their solutions (e.g. communication techniques with child and child's caregiver). The authors found from self-reports pre and post that the program reduced parenting stress and increased both alliance with the caregiver and communication with the children. Conclusions that can be drawn from these positive results are limited by the absence of any measurement of post-release re-offending rates.

Theory of Generativity

The theory of Generativity takes its name from the seventh of the eight life stages identified in the work of Erik Erikson (1950) and is defined as a process of establishing, guiding and promoting the next generation (Erikson, 1963:267). Generative persons show favourable orientation towards social norms including, pro-social behaviours, responsibility, tolerance to others, and empathy (Kotre, 1984; Ryff & Heinicke, 1983). As one of the most pervasive and influential forms of generativity, parent generativity has been widely investigated (Erikson, Erikson and Kivnick, 1986; Hawkins et al, 1993, Kotre, 1984). It has been found to be a predictor for 'social generativity' (McAdams & de St Aubin 1992; Peterson, 2006; Peterson & Klohen, 1995; Snarey et al., 1987) understood as prosocial behaviour that involves the creation of a product or legacy for the next generation "in one's own image," (McAdams, 1985:1006). Parental generativity has also been found to enhance social bonds and increase protective factors against criminal

behaviour (Farrington & Welsh, 2007).

Most studies focus on fatherhood as a predictor of increased levels of social generativity (McAdams & de St Aubin 1992; McKeering & Pakenham, 2000; Peterson & Stewart 1993; Pratt et al., 2001; Snarey, 1993; Snarey et al., 1987) and a number of studies have found a positive association between parental generativity and social generativity (McAdams & de St Aubin 1992; McKeering & Pakenham, 2000; Peterson, 2006; Peterson & Klohen, 1995; Snarey et al., 1987; Walker, 2009).

McKeering and Pakenham (2000) evaluated the relationship between parental generativity and social generativity in cohabiting parents (N=134, male and female, Australian) using the Loyola Generativity Scale (McAdams & de St. Aubin 1992). McKeering and Pakenham defined generative parents as parents who spent more time on caring for their child, and particularly exhibiting higher levels of psychological involvement with their child. The authors explored three questions. First, is parental generativity related to higher levels of social generativity in fathers? Second, what are the specific components of parental generativity that are related to social generativity in fathers? Third, are the same relationships found in mothers? The results indicated that parental generativity was related to fathers' societal generativity but not to mothers'. However, the results also indicated that different components of parental generativity resulted in social generativity in fathers compared to mothers. Fathers who promoted their child's social-emotional development displayed more social generativity. Mothers who promoted their child's academic-intellectual development displayed more social generativity. The study aimed to control for confounding

variables by selecting only parents who were co-habiting. However, this methodological strategy is problematic in generalising to a population in custody as, with rare exceptions, parents will not be co-habiting.

A limited number of studies have investigated the relationship between fatherhood and reduced re-offending. Walker (2009) reviewed narrative interviews with fathers (N=16, male, England) who had been incarcerated. The author's aim was to understand fathering in the context of criminality and how fathering can influence offending behaviour. Walker found that the cost of crime included the removal or reduction of interpersonal relationships particularly with children. This caused the interviewees to reflect on these costs not only on themselves, but on their children. The overall motivation to desist from future crime was to provide a better life for their children. The limitations of this study are the qualitative design and small sample size. However, the promising results would suggest that a similar study with a more rigorous design would make an important contribution to knowledge in this area.

Both theoretical perspectives, attachment and generativity, suggest that parenting and offending may be related. The generativity literature suggests that enhancing opportunities for fathers in custody to parent their children may reduce the risk of offending behaviour in the father and the attachment literature suggests that enabling and enhancing the opportunity for a closely bonded relationship between mother and child can reduce the risk of offending behaviour in the mother.

Recent exploration of desistance from crime also offers some evidence that parenting may be a protective factor in desistance and significant work has been done on this topic

chiefly by criminologists (Ganem & Agnew, 2007, Hoeve et al., 2008, Walker, 2009, Schroeder et al., 2010, Giordano et al., 2011, Michalsen, 2011).

Parenting Program evaluations

Parenting programs are structured interventions designed to increase parents' knowledge of child developmental stages and communication techniques, as well as to increase parents' perceived self-efficacy and self-confidence (e.g. see Beatty & Doran, 2007; Brenner, 1998; Carlson, 2009; Gonzalez, Romero, & Cerbana, 2007; Kellehar, 2003; Loper & Tuerk, 2006; Loper & Tuerk, 2010; Perry et al., 2011; Makariev & Shaver, 2010; Poehlmann, 2005; Sandifer, 2008; Thompson & Harm 2000). Studies of parenting programs in custody are often ambiguous as to whether offending behaviour is being targeted as an expected outcome.

The current literature on parenting programs for offenders in custody indicates there is a lack of quality in the empirical research about parenting programs as interventions that may reduce re-offending.

Loper and Tuerk (2006) evaluated peer-reviewed articles on parenting skills (N=17, USA majority) that have qualitative or quantitative information about program effectiveness. The small sample size reflects the lack of both qualitative and quantitative research in this area. The authors found that there are no widely established best practices in parenting programs for incarcerated offenders. The available experimental and quasi-experimental designed studies have limited sample sizes and there are very few comparative evaluation studies supporting conclusions about program effectiveness. Most programs address parenting attitudes, parent self-esteem, and

institutional adjustment. While these variables are important in evaluating the parent's child-rearing behaviour, focus needs to be directly around reduction of the re-offending rate for an incarcerated population. The authors raise a number of questions that are unanswered in the current literature including limitations surrounding evidence-based practice.

Skarupski and associates (2003) conducted a matched control design outcome evaluation on the program 'Long Distance Dads' in a state prison in the USA (experimental group: N=42, male). The groups were matched on race/ethnicity, age, marital status, education, and sentence length. The aim of the evaluation was to measure baseline and post-program changes in knowledge, attitudes, skills, and behaviour. 'Long Distance Dads' is a character-based educational and support program that aims to assist incarcerated fathers to be more involved parents. The program is designed to increase fathers' knowledge, skills and abilities to access resources in order to maintain and/or increase the relationships with their children. The authors found that there was not a significant difference in the matched characteristics between the participants who completed the program and their matched controls. Of the 20 possible measured outcome differences, only 2 variables were significantly different between experimental and control groups. These 2 variables (number of letters sent to child, and total contact with child) were both self-report variables, and therefore actual behavioural changes cannot be confirmed.

Hoffmann, Byrd and Kightlinger (2010) conducted a national survey of prison wardens from both male and female correctional centres (N=387, USA correctional centres) to quantify the delivery of parenting related programs and services to incarcerated parents and their

children. The survey indicated the prevalence of correctional centres with parenting programs and services such as residential facilities, subsidised transport and lodging, child visitation faculties, and motivations by respondents for developing programs and/or services. The authors found a number of programs (most prevalent in female correctional centres) that involve parenting skills. Some of the programs are well known programs that have undergone evaluation such as 'Long Distance Dads', but many were individually developed in-house with generic names such as 'parenting' or 'parenting classes'. The majority of programs did not involve children directly, and it was unclear whether they had empirical support for their effectiveness.

Gonzalez, Romero, and Cerbana (2007) tested the program 'Partners in Parenting' to evaluate the participants' knowledge of developmental stages and communication techniques, and parental self-esteem. 'Partners in Parenting' is a skill-based educational program focusing on strengthening family relationships by promoting positive behaviours. The primary aim of the study was to reduce re-offending rates with a secondary aim to increase pro-social behaviours and attitudes. The study measured participants (N=191, female incarcerated offenders, USA) pre and post program with self-report surveys. Gonzalez and associates' found increased self-reports of parenting efficacy, skills and knowledge. However, the study did not report directly on reductions in re-offending rates. Nor did the results report directly on behavioural changes to indicate an increase in pro-social behaviour and attitude. The authors simply state; "[...] it is hoped that these mothers were able to strengthen the bonds with their children and therefore be motivated to stay out of prison" (2007:369).

The works of Thompson and Harm (2000), and Sandifer (2008), are among those studies that aim to reduce re-offending rates of parent offenders with parenting programs but do not actually measure re-offending rates. Thompson and Harm (2000) evaluated the 'Parenting from Prison' program. The 'Parenting from Prison' program aims to increase knowledge on child developmental stage as well as increase the ability to use available resources for the incarcerated population to effectively communicate with children, including the facilitation of physical visits. The authors found that the program improved communication, self-esteem and attitudes in participants' reports (N=104, female incarcerated offenders, USA). Thompson and Harm used the Hudson (1982) Index of Self Esteem and Bavolet's (1984) Adult-Adolescent Parenting Inventory plus semi structured questionnaires and self-perceived change in family interaction via visits, telephone and other contact. Sandifer evaluated the 'Rebonding and Rebuilding' program. The 'Rebonding and Rebuilding' program is designed to improve the strength of family relationships by recalling positive events, reaffirming love and loyalty, leaving conflicts in the past and recognising positive contributions. The author found that the program improved self-perceived child development knowledge, communication, and parenting attitude in participants' reports against matched controls (N=161, female incarcerated offenders, USA). While the aims to improve general interpersonal and social skills and reducing stress were assessed, the reduction of re-offending rates was not directly assessed.

Similarly, evaluations of parenting programs currently in operation in Australian correctional facilities do not measure re-offending rates directly. The 'Mothering at a Distance' (MAAD) program was developed for incarcerated mothers in correctional centres in New South

Wales to provide early parenting education and emotional support in the face of parent/child separation. The overarching aim of the program is to reduce the risk of cross-generational transfer of crime. This aim is met by enhancing a mother's ability to provide age-appropriate sensitive parenting by increasing knowledge and communication skills. Perry and colleagues (2011) evaluated the effect of the MAAD on strengthening parenting skills of incarcerated mothers. Perry and associates found that the majority of participants (Australian female incarcerated offenders, N=75: all participants in groups run between October 2006 and December 2008) reported feeling better equipped at parenting including communicating, and reported less emotional strain. Actual changes in behaviour, including offending behaviour, were not assessed.

Beatty and Doran (2007) evaluated the effects of the parenting program 'Hey Dad!' on communication skills from the 2006-2007 trial delivery of the program. The program uses workshop-style sessions to educate fathers on child developmental stages, communication techniques and the responsibilities of parenting. The evaluation aims were to assess the changes in parenting knowledge and communication skills across three correctional centres in New South Wales. Beatty and Doran found participants (N=56, Australian indigenous male incarcerated offenders) self-reported an increase in communication skills. The evaluations were self-reported surveys at the end of each session. This method does not allow for any long-term self-perceptions of change in parenting knowledge or communication skills, and Beatty and Doran's results do not include any evaluation of behavioural changes. The evaluation also did not consider the interpretation of other stakeholders involved (such as children, families or wider

communities) on incarcerated parents' parenting knowledge and communication skills. The program did not seem to address any overarching goals such as reduction of domestic violence, reduction of child abuse, or reduction of offending behaviour in general.

There is an additional body of work (the authors found over 40 studies) that attempted to evaluate parenting programs for the incarcerated population. These studies all included ambiguous aims and/or methodological flaws. The shortcomings included stating aims for the study that were not met, using programs that were designed for a community (non-incarcerated) parent population, small sample sizes, and a reliance on unconfirmed self-report surveys as the sole basis for conclusions. The limitations in these studies make them unworthy of note

Parenting services evaluations

A review of the current literature on parenting services for offenders in custody reveals a lack of empirical research in this area. All studies, with the exception of one study by Mears et al. (2011), discussed below, have the same methodological limitations as the studies on parenting programs already discussed. These include selection bias (Mears et al., 2011) and / or small sample sizes. However there are indications, that parenting services could be an integral, often overlooked, component of policies designed to reduce re-offending. Parenting services are defined as a range of operational options and facilities that are of interest and relevance to offenders as parents, especially those that allow for the maintenance of interpersonal contact with children, families and external communities. The current literature suggests that external social ties maintained by incarcerated offenders may contribute to reduced re-

offending behaviour (Berg & Huebner, 2010; Visher, Kachnowski, La Vigne & Travis, 2004).

Mears, Cochran, Siennick, Bales (2011) conclude that there is little credible empirical research on whether there is a beneficial relationship between visitation and re-offending. Their study addressed this lack of research by studying visitation effects using propensity score matching. The authors found that type of visitation and numbers of visits were negatively associated with re-offending among a group of released inmates. However, the effect was not consistent and appeared to taper off after the third visit, with additional visits having a marginal effect. The authors found visitation had a small to modest effect in reducing re-offending of all types, but was strongest for participants with a history of property offences. The effect was also stronger when the type of visitation was visit from a spouse or significant other. Other types of visitation tested included family visitation, friend visitation and no visitation. The methodological rigour of the study helped provide empirical support for a positive relationship between visitation and the reduction of offending behaviour.

Snyder, Carlo, Coats and Mullins (2001) evaluated the program 'Parenting from Prison' (N=588, female incarcerated offenders, USA) which aimed to improve parent-child relationships to reduce re-offending. This delivery of the program emphasised child visitation rights in a child friendly atmosphere as a means for improving the relationship between mother and child. The program provided monthly contact visits delivered outside of normal institutional visiting rooms. The authors found the participants reported different attitudes toward quality of relationship and communication frequency compared to controls. The mothers who

participated in the program reported more frequent communication with children including increased telephone contact, and increased mail sent and received compared to the control group. On average, the mothers who participated in the program also reported a good or very good relationship with their children compared to the control group reporting less than average relationships.

Flynn (2011) evaluated the experiences of visitors, including children, to correctional centres in Victoria. She identified a range of specific factors that discouraged more frequent visits to correctional centres. These factors included difficulties associated with transport to correctional centres, and inconsistent, inadequate or inaccessible visiting hours. When visits are enabled, there are long waiting times, poor conditions in the visiting area including little to no privacy or comfort, and inadequate facilities for children.

In summary, there is some indication that both parenting services and parenting programs may be useful in reducing re-offending of parents in custody even though the literature is small and the services and programs being evaluated are often not obviously based on evidence-based models. Actual measurements of re-offending rates of participants are not directly assessed, the studies use include self-report measures on perceived change and do not evaluate measurable behavioural changes. Parenting programs for incarcerated parents in Australia are often modified versions of parenting programs that have been developed for general populations, a phenomenon that can give rise to methodological problems as to program aims, design and fidelity. Aims of parenting programs for the general population do not include reductions in re-offending and differing program aims make a

comparative review of parenting program effectiveness difficult, if not impossible. Programs designed for the general population do not include elements that allow for adequate delivery in a custodial context such as centre access and security, participant access, interruptions by custodial staff and by public address systems, prison transfers and resources such as program delivery space.

Section two

What does the regulatory framework require and/or allow in New South Wales?

We have seen that the literature suggests that emotional, psychological and developmental wellbeing declines with the disruption of the parent-child relationship (Bowlby, 1973; Fishman, 1983; Johnston, 1995; Jose-Kampfner, 1995; Myers et al 1999; Parke and Clarke-Stewart, 2001; Sack et al., 1976; Sroufe, 1988). We will now see that current NSW Legislation, Public Policy, Departmental Aims, and Ethical Guidelines hold the protection and enablement of the emotional, psychological and developmental wellbeing of the child as paramount but do not go so far as to mandate the provision of programs and services that facilitate the parent-child relationship in cases of disruption by incarceration.

Legislation

NSW has enacted legislation that seeks to protect the parenting relationship. Both the Children and Young Persons (Care and Protection) Act 1998 and the Crimes (Administration of Sentences) Act 1999 make specific reference to assistance that must be afforded and steps that must be taken to protect the child-parent relationship.

The Children and Young Persons (Care and Protection) Act 1998

The Children and Young Persons (Care and Protection) Act has an overarching object to assist parents and/or carers in safe and nurturing parenting skills. Given that CSNSW has custody of around 4,500 offenders who are parents, the relevance of this Act to CSNSW is clear. The Act states as one of its objects that: "appropriate assistance is rendered to parents and other persons responsible for children and young persons in the performance of their child-rearing responsibilities in order to promote a safe and nurturing environment" (Chapter 2, Part 1, Section 8).

Chapter 2 of the Act requires action to be taken to protect a child or young person from harm: "the course to be followed must be the least intrusive intervention in the life of the child or young person and his or her family that is consistent with the paramount concern to protect the child or young person from harm and promote the child's or young person's development" (Chapter 2, Part 1, Section 9c).

Chapter 2 further requires that: "If a child or young person is temporarily or permanently deprived of his or her family environment, or cannot be allowed to remain in that environment in his or her own best interests, the child or young person is entitled to special protection and assistance from the State, and his or her name, identity, language, cultural and religious ties should, as far as possible, be preserved" (Chapter 2, Part 1, Section 9d).

The incarceration of an offender who is a parent interrupts the parent-child relationship. Although necessary, this interruption can be minimised by placing focus on parent-child contact by means of physical visits, virtual visits, telephone communication, and written communication. The minimisation of separation due to incarceration is supported by this

legislation as it produces a situation which is the least intrusive. Enabling parent-child contact further supports the recommendation of the legislation that special assistance should be provided in these cases.

Chapter 14 of the Act (Section 227) states that "A person who intentionally takes action that has resulted in or appears likely to result in: [...] (b) a child or young person suffering emotional or psychological harm of such a kind that the emotional or intellectual development of the child or young person is, or is likely to be, significantly damaged, is guilty of an offence."

As discussed above, attachment theory (Bowlby, 1973; Fishman, 1983; Johnston, 1995; Jose-Kampfner, 1995; Myers et al 1999; Parke and Clarke-Stewart, 2001; Sack et al., 1976; Sroufe, 1988) suggests that the severing of a parent-child relationship, particularly mother-child relationship, can significantly damage emotional or intellectual development of a child through emotional or psychological harm. In order to minimise harm to a child's emotional or intellectual development CSNSW had a duty of care to facilitate communication opportunities between incarcerated parents and their children.

Crimes (Administration of Sentences) Act 1999

One of the primary objectives of the Crimes (Administration of Sentences) Act is to "provide for the rehabilitation of offenders with a view to their reintegration into the general community (Part 1, Section 2A: Objects of Act: C)" There is now a very substantial literature about the nature, duration and delivery of programs likely to reduce re-offending. For a recent overview see for example Aos, Miller and Drake 2006.

Part 2, Division 3 of the Act (Subdivision 1 Section 26) allows female inmates who are the mother of a young child/ren to serve their sentence with the child in an appropriate environment. Legislation that allows for the attachment of the mother and child to be maintained is of great significance. Parent-child rearing opportunities for incarcerated parents can reduce the likelihood of psychological health problems (Beatty & Doran, 2007; Brenner, 1998; Carlson, 2009; Gonzalez, Romero, & Cerbana, 2007; Kelleher, 2003; Loper & Tuerk, 2006; Loper & Tuerk, 2010; Perry et al., 2011; Makariev & Shaver, 2010; Poehlmann, 2005; Sandifer, 2008; Thompson & Harm 2000)

NSW State Policy Initiatives

'Keep Them Safe: A Shared Approach to Child Wellbeing'

The 'Keep Them Safe: A Shared Approach to Child Wellbeing' initiative is the governmental response to the 2008 Special Commission of Inquiry into Child Protection Services in NSW (Justice James Wood, 2009). The five-year action plan spanning 2009-2013 aims to re-shape delivery of family and community services that promote the improvement of safety, welfare and wellbeing of children and young people. Prevention and early intervention services for at risk groups are emphasised as they are found to be more cost-effective socially and economically.

The NSW State Plan, 'NSW 2021'

The NSW state plan has established 'NSW 2021' as a 10 year plan to "rebuild the economy, return quality services, renovate infrastructure, strengthen local environment and communities and restore accountability to Government" (NSW 2012, 2012). The goal that is of particular interest to CSNSW is Goal

17 which aims to prevent and reduce the level of re-offending behaviour. This goal is linked to the NSW 2021 plan by providing the infrastructure and resources needed by the police and justice system to effectively tackle anti-social behaviour, alcohol-related crime and other criminal activity. Goal 17 emphasises early intervention and access for offenders to specialist programs that address the underlying causes of crime. Goal 17 has two targets, first, to reduce juvenile and adult re-offending by 5% by 2016 and second, increase completion rates for key treatment and intervention programs.

Parent programs and services can help achieve Goal 17 of NSW 2021. As discussed in section one of this paper, there is evidence in the literature to suggest that parenting programs and services can reduce the risk of re-offending behaviour in the incarcerated parent population.

CSNSW Frameworks

CSNSW Families of Offenders 2010 'Strategic Framework'

The CSNSW Families of Offenders Committee ensures that families of offenders are considered in policy and procedures, and, services and programs (CSNSW, 2010). The families of Offenders Committee aim to increase staff awareness of, and support for, offenders families. The committee uses research based information to guide development of family-related policy and procedures. The committee ensures that detailed information and understanding of the literature on the intergenerational transfer of crime is broadly available to all staff at CSNSW.

CSNSW 'Operations Procedures Manual'

The CSNSW 'Operations Procedures Manual' guides CSNSW staff in the delivery of services, including those

that can have an effect on incarcerated parents and their children. The 'Operations Procedures Manual' is the guidelines for physical visits, virtual visits, and communication other than visits including phone calls and letters.

CSNSW 'Guide to Conduct and Ethics', 2010 Edition

Section 2.4 of the CSNSW 'Guide to Conduct and Ethics' details the CSNSW Child Protection guidelines. The section ensures that employees of CSNSW must report any identified risk of significant harm that might be observed, including during a home visit, during visits by a child to a correctional facility, or while monitoring offenders' phone or mail contact. CSNSW staff is bound by law to collaborate with external agencies in order to promote the safety and wellbeing of children and/or young people.

Section two of this paper details that there are many opportunities within the current regulatory framework for CSNSW staff to ensure the wellbeing of incarcerated parents and their children. While the current regulatory framework does not require CSNSW staff to ensure that steps are taken to address the additional strains that incarcerated parents may face, programs and services are allowed for.

Thus, the regulatory and policy framework in New South Wales provides a firm mandate for the provision of interventions to assist rehabilitation and reintegration. In addition, it specifically requires that attention be given to efforts to protect the child and the parental bonds that are important to its wellbeing.

Section Three

What is currently happening in CSNSW?

Parents in the care of CSNSW

Surveys of NSW offenders have consistently found that around half of

surveyed inmates have their own children between the ages of zero and eighteen. The 2010 Corporate Research, Evaluation and Statistics (CRES), by CSNSW, survey sample found that over half (51%) of the offenders surveyed had their own child/children under eighteen years. Similarly, the 2009 Inmate Health Survey (Indig et al., 2010), by Justice Health NSW, sample found that close to half (45%) of the offenders surveyed were parents of at least one child under the age of 16 years (including both foster and step-children). In 2010, CRES CSNSW conducted a survey over a six-month period obtaining data from close to 7000 inmates received into NSW correctional centres (01 September 2010 till 28 February 2011). Offender's "own children" were defined as children under the age of 18 where the inmate identifies as the parent. "Other children" are children under the age of 18 where the inmate was not the parent (e.g. grandparent, sibling etc.). In a sample of 6,958 offenders in custody, a total of 51% had their own child/children under the age of eighteen.

Own children (under 18 years old) of incarcerated offenders	Women		Men		Total	
	n	%	n	%	n	%
No children	344	41.0	3071	50.2	3415	49.08
1 + children	496	59.0	3047	49.8	3543	50.92
Total	840	100	6118	100	6958	100

Table 1 'Own children (under 18 years old) of incarcerated offenders'.

A total of 37.3% of these offenders lived with their own child/children prior to custody and 60% of these children were under the age of 5.

Age of Children living with offenders prior to custody	Women %	Men %	Total %
0 - 5 years	42	63	60
6 - 10 years	42	33	34
11 - 15 years	43	23	27
16 - 18 years	25	12	14

Table 2 'Age of Children living with offenders prior to custody'.

Female offenders

The CRES survey (CRES, 2011) found 840 (12.1%) women were received into NSW correctional centres during 1st September 2010 and 28th February 2011. Of these women, 59% had their own child/children and 47.0% of this group lived with their own child/children prior to custody. The

Justice Health Survey (Indig et al., 2010) found 98 women (49.2%) had one or more children aged 0-16. In 2010/2011 the percentage of female inmates returning to a correctional facility within 2 years were 41.6% (CRES, December 2011).

Male offenders

The same survey (CRES, 2011) found 6,118 (87.9%) males were received into NSW correctional centres during July 1, 2009 through

June 30, 2010. Of these males, 49.8% had their own child/children and 35.8% of this group lived with their own child/children prior to custody. The Justice Health Survey (Indig et al., 2010) found 443 men (43.4%) had one or more children less than 16 years.

Parenting Programs and Services*Parenting programs*

CSNSW has delivered parenting programs within its correctional centres for many years. Historically, parenting programs were developed and facilitated by interested community and charity groups with the child as the primary focus. Programs that are currently running in NSW are shown in Table 3. The evaluations for 'Mothering at a distance' and 'Hey Dad!' are discussed in Section one of this paper.

Program	Evaluation
Mothering at a distance	Perry, Fowler, Heggie and Barbara, 2011
Hey, Dad!	Beatty and Doran, 2007
Inside Parents	No publicly available evaluation
Triple P: Positive parenting program	No publicly available evaluation for the incarcerated population
Belonging to family: A program for Koori dads inside	No publicly available evaluation
Parents under pressure	No publicly available evaluation for the incarcerated population
1-2-3 magic and emotion coaching. Being me, being us	No publicly available evaluation for the incarcerated population

Table 3 Current parenting programs in CSNSW³.

³ See Appendix A for extension of this

In addition to these group programs, a range of parenting services options are available to offenders which may be important in preserving and nurturing the parent-child relationship.

Parenting-relevant services

Physical Visits

The regulations about physical visits to incarcerated offenders in NSW vary depending on the correctional centre that an offender is housed in, the classification of the offender, and the current behavioural status of the offender.

Historically, CSNSW has taken a security-focused role in the facilitation of physical visits. Visitors often report feelings of being treated like an offender themselves because of hostile visit experiences including random drug testing and screening by drug squad sniffer dogs. Preliminary evaluations of a survey on the experiences of visitors to NSW correctional centres indicate three primary areas of concern (full evaluation due to be completed during 2012). First, visitors are often denied visit access for reasons including lack of identification and inappropriate clothing. Second, there are often lengthy delays before commencing a visit due to long processing times in registering visitors and/or inmate's availability. Third, the visit facilities are substandard and often facilities do not have adequate toilet and/or food facilities in waiting areas.

In order to address negative feedback surrounding visits by both adults and children, CSNSW is implementing new visit related services. All visitors including children are signed into correctional facilities as a registered guest each time a visit is conducted. While some centres currently have areas for younger children, services for older children attending physical visits are scarce. A new service to provide

computers with age appropriate games in the visit areas is currently being rolled out.

Each correctional centre will soon have a volunteer civilian visitor liaison officer. The role of the visitor liaison officer is to assist visitors in registering as a guest, and providing general customer focused support. The visit liaison officer aims to minimise negative visit experiences, while maintaining Correctional Officers security focused role (Principal Advisor, Family and Community, Personal communication).

Extended Visits

Extended visits are available between incarcerated offender parents and their children at correctional centres during child-parent activity days. The activity days are conducted and supervised jointly by CSNSW and recognised organisations, such as Shine for Kids. The activity days are available to inmates at all security levels provided they meet the eligibility criteria and the interests of the child are paramount. The Case Management Team will assess all inmate applications, although, some automatic exclusions do exist such as, a history of child sex offences.

Residential Live in Programs

The Mother's and Children's program is a CSNSW initiative established in 1996. The program enables mothers to have long term or short term access to their children through full time or part time mother and child co-residency in a correctional facility that is designed to facilitate this program. The program is available to low risk Category 1 (Emu Plains and Parramatta Correctional Centres) or Category 2 (Emu Plains Correctional Centre only) sentenced female offenders who are biological mothers, primary/kinship carers or legal guardians to a child aged 12 years or younger with consent from the parent or primary caregiver in the

community. Children up to school age can live with their mothers full time. Children up to the age of 12 can stay for weekends and school holidays. Loy (2000) describes the benefits of the program including support for children with paediatric specialists, early childhood nurses, play groups and educational play programs, and external activities including trips to local swimming pools, shopping centres, museums etc.

Release

Incarcerated offenders who are mothers may be allowed temporary or permanent release (under Section 26(2) (I) of Crimes (Administration of Sentences) Act 1999) to serve her sentence with her child/ren in an appropriate and approved environment away from a correctional centre. Release is not a sentencing option, but an operation of CSNSW under approval of the Mothers and Children Committee, Assistant Commissioner of Offender Management and The Commissioner. The committee ensures the best interest of the child/ren involved is taken as a priority by conducting risk assessments and maintaining prerequisite criteria. The criteria include knowledge of detrimental effects to the child's well-being and development if full time custodial sentence of mother is continued.

Virtual Visits

A procedure is currently being devised to enable CSNSW facilitated video link visits, and in the future in home web cam visits to incarcerated offenders in NSW. The initial indications suggest that both inmates and their visitors will be able to apply for a video visit/ webcam visit. Initially, visitors must attend an official visitor conference location in their area to facilitate the visit, however, future plans will enable visitors to make visits from any webcam including from personal

laptops and computers. All video visitors must be registered and have a Visitor Identification Number prior to making the application for a video visit. One application will result in one visit only. Additional applications can be made after a one month time frame has elapsed. (CSNSW Manager of Video Conferencing, personal communication).

The aim of the virtual visit service is to facilitate the maintenance of interpersonal relationships between incarcerated offenders and their families who do not want and/or can not attend physical visits. Virtual visits allow for the maintenance of parent-child relationships with the removal of aforementioned issues that arise in physical visits including environments that are not-child friendly and logistical issues of transport etc.

Telephone Services

Telephone services are currently standardised across all CSNSW centres. Inmates are allowed 6 minutes per call for local and national calls, and 10 minutes per call for international calls. Telephone services may be used as often as desired during free time; however, consecutive calls cannot be made as a 10 minute block out period follows each call.

The services is facilitated at a cost to the inmate (33cents per call for local calls and 38cents and above per minute for long distance calls and calls to mobile phones), however, one local call per week is funded by CSNSW. Special circumstance calls or calls for humanitarian purposes (illness, death, or birth) are generally provided as a priority and at a cost to CSNSW. (CSNSW Operations Procedures Manual: Section 3.2 use of telephones by inmates).

Postal Services

Postal services are available at a cost to the inmate. Inmates may send

both letters and parcels and receive letters and parcels through the General Manager of the correctional centre or a nominated officer. There is no restriction to the amount of letters and parcels an inmate may send or receive, however, musical greeting cards or any card with a sealed compartment are not permitted. Inmates with no funds are permitted to post a maximum of two letters per week at a cost to CSNSW. All letters and parcels (with the exception of letters and parcels covered under the heading of 'privileged communication') sent and received by inmates will be opened and inspected and, where considered necessary, read. (CSNSW Operations Procedures Manual: Section 3.1 inmate mail).

Financial Assistance for Inmates' Families – Travel and Accommodation

Financial assistance for travel and accommodation to visit an incarcerated offender is available to inmate's immediate families (spouse, defacto partner, father, mother, brothers, sisters and children) that are in receipt of a commonwealth benefit.

Inmate's immediate families may lodge one application for financial assistance for consideration every twelve weeks if their travel is more than 200kms one way. The incarcerated offender must be serving a sentence within a correctional or transitional centre of at least six months. (Application for Travel and Accommodation Assistance (Families of Inmates)' form (Annexure 7.16).

Child Protection Coordination and Support Unit

The Child Protection Coordination and Support Unit (CPCSU) ensures Corrective Services NSW meets its legislative responsibilities under the Children and Young Persons (Care

and Protection) Act 1998 as well as those contained in the NSW Government's Interagency Guidelines for Child Protection Intervention.

The CPCSU develops policies and give advice on a case-by-case basis relating to the safety and well-being of children who visit correctional centres and children who have other forms of contact with inmates. The Child Contact Assessment Program (CCAP) requires inmates with a history of child related offences or bail-refused allegations to formally apply to receive visit and/or other forms of contact with a child. CCAP will ensure the safety of the child is paramount.

Community based non CSNSW run services

Shine for Kids

Shine for kids works with children who are affected by family member involvement in the criminal justice system. They currently have twelve locations including eight (Silverwater, Parklea, Windsor, Bathurst, Cessnock, Wellington, Junee, and Kempsey) CSNSW adult facilities, and one (Kariong) juvenile justice facility in NSW.

Shine for kids offers a range of programs and services for the children and their carers affected by family member involvement in the Criminal Justice System. Some programs and services are delivered to incarcerated parents within the correctional facilities.

Section three of this paper indicates that there is a large subpopulation of incarcerated offenders who are parents in NSW. These offenders currently have access to a variety of programs and services within the Department of CSNSW, however there is further opportunity for these programs and services to be expanded. Many of the programs do not have adequate empirical support

for their effectiveness on causing a change in behaviour of participants, including offending behaviour. CSNSW would benefit from further research into the effectiveness of parent-relevant programs and services. Further research would define which programs and services are most beneficial to the incarcerated parent population, and as a result of the findings, funding could be channelled into the direction of highest benefit.

Conclusion and recommendations

There is strong support in the literature for a link between parenting and prosocial behaviour, whether understood in terms of generativity or attachment. There is also some evidence that parenting may be a protective factor in desistance from crime and significant work has been done on this topic (Ganem & Agnew, 2007, Hoeve et al., 2008, Walker, 2009, Schroeder et al., 2010, Giordano et al., 2011, Michalsen, 2011).

The practice evaluation literature, however, is less helpful in that it is characterised by small sample sizes, self-report measures (as opposed to behavioural measures) and a lack of attention to outcomes that are about re-offending behaviour. It is also complicated by the fact that programs being reviewed in custody have often been transplanted from community origins, where the interventions have been designed for cohabiting parents and children and the objectives are about improving such things as communication, appropriate discipline and structure.

The framework of law and government policy in New South Wales acknowledges the need to ensure the wellbeing of incarcerated parents and their children. Both in law and in policy initiatives, the state has signalled its recognition of the parent-child bond as important and

its intent to preserve and nurture this bond to the benefit of child and parent. Both law and policy provide a firm mandate and direction for the provision of interventions to assist rehabilitation and reintegration as well as providing for efforts to protect the child and the parental bonds that are important to its well being. The opportunities available under the law and policy have produced a variety of programs and services such as parenting classes, visits facilities and a residential mother and baby program.

What appears to be lacking is a clear relationship between the literature and program and service design. There is a lack of clarity in the aims of some program interventions and in how they relate to research evidence. A clear framework needs to be articulated to accommodate and underpin the provision of these services and programs. This would include describing the empirical support for their effectiveness in causing a change in behaviour of participants, including offending behaviour.

This paper has dealt with the question of what facilities, services, and allowances are made in the standard operating procedures of CSNSW to accommodate the parenting needs of offenders and their children. The offence-focussed approach includes the issue of improving parenting skills so as to diminish the risk of intergenerational transmission of crime, and using a "parent" identity as a positive motivation for pro-social behaviour change. We conclude that although significant efforts have been made to provide for the needs of offenders who are parents, a clear framework needs to be articulated to accommodate and underpin the provision of these services and programs.

The field in general, and CSNSW in particular, would benefit from further

research into the effectiveness of parent-related programs and services. Research questions could include an exploration of the actual re-offending rates of parents versus nonparents, the characteristics of parenting programs that would address re-offending in parents and the role of parenthood as a motivating factor in desistance from crime.

Longitudinal studies could address the issue of the often-mentioned but relatively poorly researched issue of “intergenerational transmission of crime” and could also measure changes over time such as the impact of a new birth, the separation from school-age children, adolescence and the impact of adult children as providers of feedback and/or care.

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