

Figli di persone detenute: un'analisi italiana ed europea

Enfants de parents détenus : une analyse italienne et européenne

Children of imprisoned parents: an Italian and European analysis

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Riassunto

L'articolo esamina la situazione dei bambini figli di persone in conflitto con la legge da una prospettiva vittimologica e socio-criminologica, considerando questi minori come vittime secondarie del reato commesso dal genitore. È stata condotta un'analisi comparativa sulla condizione di questi bambini in Italia e in Europa, analizzando alcuni aspetti quali il quadro legale, la gestione della maternità, la possibile presenza di minori in carcere e fornendo alcuni esempi di organizzazioni e associazioni che lavorano per tutelare il benessere di questi minori. È stata dedicata particolare attenzione al ruolo della scuola come fattore protettivo nei confronti di bambini con esperienza di carcerazione genitoriale. Inoltre, è stato realizzato un questionario che ha analizzato il livello di consapevolezza degli insegnanti del sistema scolastico italiano per capire se questi professionisti fossero consapevoli della presenza di studenti con almeno un genitore in carcere nelle loro classi.

Résumé

À partir d'une perspective victimologique et socio-criminologique, l'article traite de la situation des enfants de parents emprisonnés en les considérant comme des victimes secondaires de leurs infractions. Une analyse a été menée sur les conditions de ces mineurs en Italie et en Europe, en examinant le cadre légal, la gestion de la maternité et la présence éventuelle d'enfants en prison, tout en fournissant quelques exemples d'organisations et d'associations travaillant pour sauvegarder le bien-être de ces enfants. Une attention particulière a été accordée au rôle de l'école en tant que facteur de protection des enfants dont les parents sont emprisonnés. De plus, un questionnaire a été élaboré pour examiner le niveau de sensibilisation des professeurs italiens afin de comprendre si ces professionnels étaient conscients de la présence d'élèves mineurs ayant au moins un parent détenu dans leurs classes.

Abstract

The article examines the situation of children of parents in conflict with the law from a victimological and socio-criminological perspective, considering them as secondary victims of their parents' offences. A comparative analysis was conducted on the conditions of these minors in Italy and Europe, investigating the legal framework, the maternity management, the possible presence of children residing in prison, and providing some examples of organisations and associations working to safeguard the well-being of these children. Particular attention was dedicated to the role of the school as protective factor for children experiencing parental imprisonment. Moreover, a questionnaire was developed which examined the awareness level of teachers in the Italian school system to understand whether these professionals were aware of the presence of underage students with at least one imprisoned parent in their classrooms.

Key words: children of imprisoned parents, victims, comparative analysis Italy-Europe, crime prevention, role of the school

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1. Introduction

Known as «hidden victims of imprisonment» (Philbrick *et al.*, 2014, p. 17) or secondary victims of parents' crime (Salveti, 2019), children with parents in conflict with the law can be affected by the short and long-term negative consequences of parental separation and imprisonment. They have to bear the burden of their parents' criminal offence, and this is not easy for a child, especially if they do not receive support from society. Indeed, these children are often not properly considered and heard during the different stages of parental sentencing or taken into account by policy makers, stakeholders and professionals in different fields. Moreover, this group is vulnerable and needs particular attention because children experiencing parental imprisonment can be more at risk of having antisocial and criminal behaviours in the future (Murray, Farrington, 2005; Filograsso, Nardone, 2016; Mazza, 2002; Musi, 2012; Bambinisenzasbarre, 2009; Paris, 2017). Taking into account the fact that there is a lack of data regarding these children on a local, national, and European level (Council of Europe, 2018a) and also considering the probable consequences that these minors could face, it is fundamental to pay attention to this victimised and vulnerable group of children.

This article is the extract of a master thesis that aims to address the issue of children with imprisoned parents from the victimological and socio-criminological point of view, trying to explain why these children can themselves be considered victims. The aim is to make readers aware of the existence of this victimised group of children, their rights and needs that are often not noticed or considered. To be more specific, the main subjects are children aged 0 to 17 (without gender relevance) with one or more parents in conflict with the law. The thesis focuses

on the situation of these children in Italy and in Europe, trying to describe their condition through the analysis of the legal framework as well as of the support network in prison and outside. Indeed, the research offers insight into the organisations working to safeguard and support these children. Moreover, the role of schools is taken into consideration because teaching and learning institutions seem to be an effective environment to identify and support this vulnerable group.

In order to provide reliable data, the author mentioned some research, such as studies of Murray and Farrington, Philbrick *et al.*'s paper, some milestone sociological theories (e.g.: Bronfenbrenner's Ecological Systems Theory and the Labelling Theory), and other qualitative and quantitative analyses. Statistics and figures were obtained primarily from Children of Prisoners Europe's website or from EuroPris, which was a useful source especially for the comparisons amongst different European countries. The author gained information also through interviews with professionals, from resources provided by different associations, and analysing the results of the questionnaire.

The article is divided into sections. After a brief introduction regarding the methodology and literature, we are going to analyse the situation of these victims, the possible psycho-social difficulties as well as practical and economic consequences that they can face. Then we consider the possible risk of antisocial and criminal behaviours that these minors could face, also offering examples to prevent crime and instances of protective factors to support the child's well-being. Afterwards the situation of children in Italy is considered, analysing the legal framework and reporting the case study of Bambinisenzasbarre. The same topics are

investigated on a European level, offering a picture of the conditions of children with parents in conflict with the law in different countries. Moreover, the NGO Children of Prisoners Europe and its projects and initiatives are briefly described. Consequently, the role of schools in the support of children with imprisoned parents is taken into consideration. Some examples of associations and projects working with schools to raise awareness and to support children are described, such as Families Outside, For Fangers Pårørende and the School Zone project. In the end, there is an analysis of a questionnaire filled out by teachers of the Italian school system in order to understand their level of awareness of students with parents in prison and to gain data about this invisible and under studied social issue.

2. Methodology and literature

Different methodological approaches were used for this research. Part of the thesis focuses on the analysis of secondary literature retrieved from academic and scientific resources. Indeed, it has been noticed that literature about this social issue is growing and that means that the awareness level among academics and researchers of children with parents in conflict with the law is rising.

Moreover, qualitative and quantitative data obtained through interviews with professionals in the field and through a questionnaire for teachers within the Italian school system have been included.

There were four semi-structured interviews, following a similar and prepared investigative path, but also giving space for direct discussion with the professionals. The professionals interviewed included the Director of Operations of Children of Prisoners Europe (Paris, France), the Chief Executive of Families Outside (Edinburgh, Scotland), the Senior Advisor of For Fangers

Pårørende (FFP) (Oslo, Norway) and the Schools and Prison Family Coordinator at HMP Parc (Bridgend, Wales). They were selected thanks to their expertise in the field of children with imprisoned parents and to the innovative activities they are involved with in their respective associations.

The questionnaire, written in Italian, consists of 15 both open and closed questions with the aim of examining the awareness level of teachers in the Italian school system in order to understand whether these professionals are aware of the presence of minor students with at least one imprisoned parent in their classrooms. The statistical sample is made up of teachers in different educational levels of the Italian school system (nursery school, kindergarten, primary school, middle school and high school). The data refer to experiences with minor students. The sample was reached through the distribution of the link for the online questionnaire via various social networks, instant messaging applications and by sending e-mails (220) to educational institutions of different levels. The school institutions contacted were selected in the regional capital and the number was decided on the basis of the response rate. The questionnaire link was accessible from 23rd August 2022 to 2nd November 2022, so it was possible to give their answers during this time.

To determine the questions for the questionnaire, the starting point was a brainstorming session to understand what information was useful. Once the topics and aspects of interest were identified, the questionnaire was created online. Some of the questions were needed to identify the social and demographic characteristics of the respondents and to obtain details about their professional career, while the others aim to gain knowledge about the topic.

It was hypothesised that a low number of teachers were aware of the issue and/or the presence of students with one or more parents in prison, with few local awareness-raising activities for professionals.

A total of 303 responses were collected. It is interesting to point out the discrepancy between the emails sent (which in any case is only a tool used to share the questionnaire) and the number of replies. Out of 220 emails sent, 303 were the total replies. These figures indicate that there was little participation on the part of educational institutions. Moreover, the author hoped to create a map depicting the distribution of awareness across Italian regions, to understand whether there was a link between awareness and the actual local presence of many children with imprisoned parents. Due to the lack of answers in some regions and consequently a heterogeneous response rate, it was impossible to create the desired map.

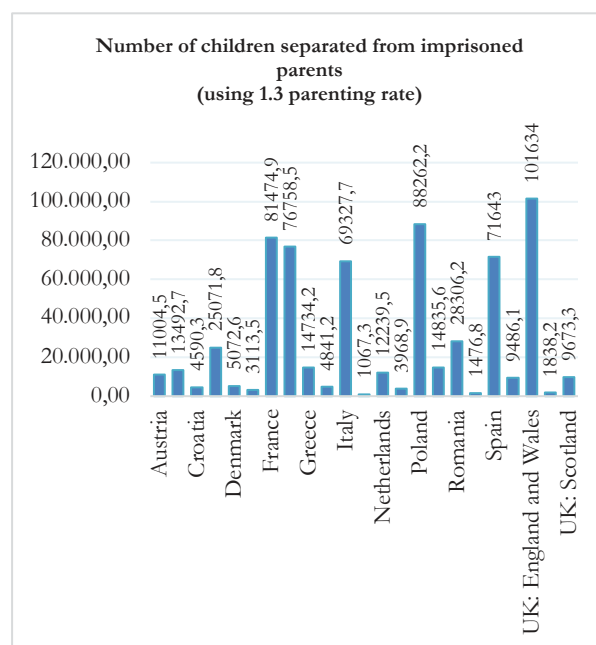
To summarise, the thesis and therefore this article consist of a mixed methodological approach including secondary literature, interviews, questionnaire, and fieldwork experiences.

3. Children with imprisoned parents: some numbers

On any given day, an estimated 2 million children are separated from a parent in prison in Europe (calculations made by Children of Prisoners Europe, from an extrapolation of a 1999 INSEE study), while about 800,000 children experience the same situation in EU 27 + UK (Children Of Prisoners Europe, n.d.-a). In Italy in 2019 there were around 100,000 children with at least one imprisoned parent (Salveti, 2019). The number of these children is high in many countries, and it is rising following the increase of prison population across Europe (Philbrick *et al.*, 2014).

Despite the data reported above, it is important to remember that there is a dark figure of children with imprisoned parent(s) which means that it is difficult to understand how many children are in this situation because not all prison administrations of different countries have the duty to register or collect data about family situation and especially about the number and conditions of prisoners' offspring (EuroPris, n.d.-a; Glover, 2009) as well as the fact that the sense of shame and fear of being stigmatised stop family members from telling the truth about the imprisonment (Sack, Seidler, 1978; Mazza, 2002). Therefore, we are not adequately aware of how many children in each country are experiencing this situation. However, knowing the number of these children could help the implementation of policies and the offering of tailored activities and projects to safeguard them.

Figure 1 Number of children separated from imprisoned parents. Data retrieved from COPE website (Children Of Prisoners Europe, n.d.-b)



3.1 Children with imprisoned parents as victims: consequences of parental imprisonment

Having a parent in prison is considered as to be part of Adverse Childhood Experiences (ACEs), which are potentially traumatic events that occur in childhood, between 0 and 17 years of age (Centers for Disease Control and Prevention, 2022). The feeling of uncertainty and insecurity caused by the loss of a parent due to imprisonment can lead to post-traumatic stress and various difficulties and problems which may be internalised or externalised (Philbrick *et al.*, 2014). Acting-out behaviours (e.g.: hostile behaviour, use of drugs or alcohol, school truancy, aggressive acts, involvement in delinquent activities, etc.) are usually related to the father's absence, while acting-in behaviour (e.g.: daydreaming, unwillingness to engage in play, acting babyish, fear of school, school drop, etc.) to the mother's absence (Fritsch, Burkhead, 1981).

Continuing to analyse the consequences of parental detention on the child, Murray and Farrington (2005) stated that these children can face a range of psychosocial difficulties such as: depression; regression; hyperactivity; aggressive and/or changing behaviour; withdrawal; eating disorders; sleep problems; running away; poor school grades and delinquency. According to Murray and Farrington (2008), children with at least one parent in prison are twice as likely as their peers (Glover, 2009) to suffer from mental health problems, depression, and attention disorders.

With regard to the practical and financial consequences, in some cases children may have to leave their homes after parental imprisonment and move to live with relatives, friends or even in foster homes (Mazza, 2002). Prisoners' families are at risk of financial instability, poverty, debt, and potential housing disruption (Glover, 2009; Murray,

Farrington, 2005). According to Western and Petit's study (2010), during the period of a parent's imprisonment, the family's earnings decrease by about 22% compared to the period before the imprisonment.

These children are also frequently overlooked in national policies as comprising a vulnerable group in their own right with particular needs (Philbrick *et al.*, 2014). One could argue that children are affected by secondary victimisation which is the condition of further suffering of the victim caused by an attitude of insufficient attention or negligence from agencies of social control (Sicurella, 2020). It is interesting to report Lauwereys's study (2020) in which seventeen Belgian criminal law judges were asked to reply to some open questions and to impose a sentence in a fictitious scenario. The results of the interviews highlight that little attention is given to children during the parental sentencing. Indeed, 5 out of 17 judges deemed the best interests of the child insignificant in the sentencing decision and many of them were not aware of the impact of parental incarceration on children. Following the concept of «judicialization of politics» (Hirschl, 2008), it is important to understand that judges have become policy makers themselves which means that a lack of attention on a judicial level could also cause a lack of awareness on a legislative level and therefore little safeguarding of children's rights and needs.

3.2 Higher risk to commit crime?

Some studies (Murray, Farrington, 2005; Filograsso, Nardone, 2016; Mazza, 2002; Musi, 2012; Bambinisenzasbarre, 2009; Paris, 2017) stated that children with imprisoned parent(s) have a higher probability to commit crimes than their peers without this background. Robins *et al.*'s research (1976) highlighted that parental arrest is correlated

with consecutive children's delinquency, while Sack (1977) discovered that 12 out of 24 children of imprisoned fathers included in his study manifested some form of problematic behaviour. According to Glover, children with imprisoned parents are about three times more at risk than their peers of committing antisocial or delinquent conducts (Glover, 2009). It is difficult to find a unique reason to understand why some children with imprisoned parents could be at higher risk of offending. The thesis mentioned some theories, such as the labelling theory and the intergenerational crime transmission theory. According to Rosenthal and Jacobson's Pygmalion Effect theory (Offredi, 2016), expectations of a person's behaviour can become self-fulfilling prophecies. Therefore, if children with imprisoned parents are labelled as delinquents and are expected to commit crimes in the future, there is a high probability that these children will engage in illegal conducts (Fine, 1977; Murray, Farrington, 2005). Moreover, theories of intergenerational transmission predict that children of convicted parents may have a greater risk of offending (Weijer *et al.*, 2014). Indeed, there is the risk that the child internalises and models the criminal behaviour of the parent (Filograsso, Nardone, 2016). Farrington (2002) suggested six mechanisms that might link parent to offspring criminality: intergenerational exposure to risk; assortative mating (male and female offenders tend to cohabit or marry); imitation and teaching of crime; mediation through environmental risks; genetic mechanisms, and official (police and/or court) bias. However, it is important to mention that many of these studies are based on a small sample and are mostly qualitative as well as outdated. Therefore, they are limited and not entirely reliable. Thus, it is important to analyse these data considering the fact that studies in this field are not

totally valid and keeping in mind that focusing the attention on the children's (hypothesised) higher risk to commit antisocial behaviours can contribute to further stigmatisation. Having a parent in conflict with the law is not a deterministic factor.

The analysis of the interviews highlighted that the social condition after the parent's detention can particularly affect children's well-being and future. As the Senior Advisor of For Fangers Pårørende stated,

it's poverty, it's stigma, it's like maybe growing up with challenges that you wouldn't have if your parent wasn't in prison, it makes you more vulnerable (Senior Advisor at For Fangers Pårørende, 16th March 2022).

The Chief Executive of Families Outside also reported the problem of social isolation and said that,

you have a situation break, they are disconnected from social support and that means the person who's gone to prison, but also the family might be isolated, the neighbourhood may target them, they might be ostracised, people losing friendships, that might have to move house (Chief Executive at Families Outside, online interview, 11th March 2022).

The Director of Operations of Children of Prisoners Europe answered in a similar way, drawing attention to poverty, social exclusion, financial strain, bullying, and school drop-out, and highlighting that,

if the parent is in prison, the child is exposed to that, but I don't think there's a direct link (Director of Operations at Children Of Prisoners Europe, 7th June 2022).

if a child is provided with support when their parent is in prison, they can go on to have a healthy and successful future (Director of Operations at Children Of Prisoners Europe, 7th June 2022).

Indeed, studies have found out that some children with an incarcerated parent even fall in a low-risk group regarding behavioural difficulties and social competence if well supported (Johnson *et al.*, 2018; Kjellstrand *et al.*, 2018; Kremer *et al.*, 2020). It would be interesting to do more research in this field, highlighting the fact that some children can live a healthy, safe, happy, and far from the crime life despite parental imprisonment. Therefore, these children do not need pity or stigmatisation, but psychological, physical, economic, legal and political support.

3.3 Protective factors

One of the most important protective factors that can safeguard children and their well-being is maintaining the relationship with the imprisoned parent(s), using all the modalities of contact that the prison institution offers to prisoners and their family (La Vigne *et al.*, 2008; Philbrick *et al.*, 2014). According to Sack and Seidler (1978), children who maintain relationships with their imprisoned parents develop less destructive and anxious behaviour than those who cut off all communication with their parent.

Policy-making is also another factor that can protect these children. As stated by Bronfenbrenner (1979, p. 7) child development «can be enhanced by the adoption of public policies and practices that create additional settings and societal roles conducive to family life». For this reason, it is important to consider children during policy-making and the sentencing of their parent(s), trying to avoid «child-blind justice» (Children of Prisoners Europe, 2019a, p. 11). Another crucial aspect that could help the child's mental health is telling the truth about their parent's imprisonment. Secrets, by their nature,

could create anxiety, shame, tension, guilt, and fear (Mazza, 2002).

Furthermore, another way to reduce negative effects of detention on children is to prefer non-custodial or community sentences (Children of Prisoners Europe, 2016). To provide a practical example, research conducted by Vanhaelemeesch, Vander Beken and Vandeveld (2014) showed that children are overall happier to have their parent(s) at home using the EM (Electronic Monitoring) rather than in prison. EM tends to reduce stigma and protect children; it helps maintaining the relationship with the convicted parent who can be therefore more present in child's life. However, it is important to take child's best interests into account and hear children's needs when deciding if provide the parent with the EM or not. Children, with their rights and needs, should always be the centre of judges' and professionals' attention.

What is the connection between protective factors and crime prevention? Why is it important to underline the safeguarding of children with imprisoned parents? As it was already observed, children with parents in conflict with the law can have a higher risk to become lawbreakers themselves than their peers who have not experienced a similar condition (Murray, Farrington, 2005; Filograsso, Nardone, 2016; Mazza, 2002; Musi, 2012; Bambinisenzasbarre, 2009; Paris, 2017). One can face this problem and support these children by offering them protective factors that keep them healthy, safe and far from criminality. However, it is important to stress the fact that before supporting these children for this reason, we should safeguard and offer them positive and coping opportunities as their fundamental right, always aiming at the child's best interest.

4. Children and parenthood in prison in Italy

When considering children with imprisoned parents, it is important to mention some Italian rules that consider children's best interests and try to safeguard them, and that means the «Circolare 10 dicembre 2009 - PEA 16/2007: Trattamento penitenziario e genitorialità - percorso e permanenza in carcere facilitati per il bambino che deve incontrare il genitore detenuto» and the Charter of Children with Imprisoned Parents by Bambinisenzasbarre.

Moreover, it is fundamental to take into account the consideration of motherhood and the possibility that some children can spend part of their life residing in prison with their parents. Indeed, the Italian legislation protects the relationship between mothers in conflict with the law and their children also trying to safeguard the principle of the best interests of the child. The Italian state is aware that prisons are not a suitable environment for the psychological, physical and social health of children (Monetini, 2012). However, as stated by law n° 62/2011 which modified law n° 354/1975, in Italy children can reside with their imprisoned mother in different institutions: inside the prison itself in some targeted nurseries (up to 6 years old); in the so-called ICAM or «Istituti a Custodia Attenuata per detenute Madri» which are penitentiary institutions ruled by the Prison Administration designed as a child-friendly environment in which mothers in conflict with the law can serve their sentence or wait for it with their children up to 6 or 10 years old; or in protected houses or «case famiglia protette» which are residential facilities located in the urban network, in places accessible to social and health services, and housing a maximum of six families (Del Grosso, n.d.).

4.1 Case study (Italy): Bambinisenzasbarre

For 20 years, Bambinisenzasbarre has been working to offer psycho-pedagogical support to imprisoned parents and their children, as well as to raise awareness about the topic among public opinion and professionals. The association is focused on support for the imprisoned parents, their children and their relationship by engaging in operational activities helping people inside and outside prisons (Bambinisenzasbarre, n.d.-a).

It is difficult to summarise the many activities in which Bambinisenzasbarre is involved. This association had created the Charter of the Rights of Children of Imprisoned Parents that formally recognises the right of children to maintain direct contact with their imprisoned parent and support imprisoned parents in their parental role (Bambinisenzasbarre, n.d.-b). Bambinisenzasbarre also organises nationwide training sessions for prison officers and social workers with the aim of providing child-friendly guidelines in prison (Children of Prisoners Europe, n.d.-c). Thanks to a partnership with the Ministry of Justice, Bambinisenzasbarre has achieved and promotes a welcoming model for children entering prison. Part of this project is the creation of the so-called Yellow Space which is an integrated socio-educational space to take care and give attention to children in prison waiting to visit their parent (Bambinisenzasbarre, n.d.-c). Another noteworthy project is «The match with dad», a football match played by children and their imprisoned parents, held annually in different prisons across Italy since 2015 (Children of Prisoners Europe, n.d.-d). The aim is to raise awareness of children with imprisoned parents' rights and needs, to work on the concept of social inclusion and to eliminate stereotypes (Zyba, 2022). Another incredible pilot project is the «Yellow Telephone»

which is a helpline service provided to families in order to offer information and psychological counselling to support families during and after parental detention. It is also a consultancy service for professionals regarding the protection and maintenance of the child-parent relationship when the parent is in prison relationship (Bambinisenzasbarre, n.d.-d).

5. Dealing with parenthood during criminal justice proceedings in Europe

To depict the condition of these children on a European level, some aspects regarding the sentencing (e.g.: how judges manage the pre-trial and the trial of parents), the allocation and the visiting around different countries were investigated.

With regard to sentencing, in **Croatia**, for example, prosecutors or prison administrators may reject a family's application to visit a defendant at the pre-trial stage (Children of Prisoners Europe, 2021). Moreover, parents in pre-trial detention cannot access parenting skills enhancement programmes, therefore children are not equally treated and are considered on the basis of their parents' legal status (Ombudsman for Children, 2020). On the contrary, in **Slovenia**, if both parents are sentenced, they have the opportunity to alternate the serving of their sentences (Philbrick *et al.*, 2014).

Article 145(5) of **France's** Code of Criminal Procedure states that whenever any defendant has exclusive parental authority over a child under the age of sixteen, the court must evaluate child's situation before pre-trial detention (Children of Prisoners Europe, 2019a).

According to the **Danish** legal practice, the sentence can be suspended in special cases. However, it is doubtful that this is a normal practice and that

children's rights play a prominent role in such cases (Scharff Smith, Gampell, 2011).

In **Norway**, prison sentences are not served instantly, therefore people are allowed to prepare their personal affairs prior to detention, and that also includes the arrangement of appropriate childcare (Children of Prisoners Europe, 2018). Similar to Norway, **Sweden** offers the opportunity to mothers of young children to postpone the service of a sentence to arrange for childcare (Children of Prisoners Europe, 2019a).

Regarding the category of allocation, in **Belgium**, due to security imperatives or problems of overpopulation, convicted people are not always allocated in a facility close to their family (EuroPris, n.d.-a). In **the Netherlands**, prisoners are usually allocated to a facility in the region of their residence, but capacity issues can limit this (EuroPris, n.d.-a). Similarly, the **Swedish** Prison and Probation Service does not apply proximity to children as a principle (EuroPris, n.d.-a).

In **Catalonia**, the law states that inmates must serve their sentence in the facility closest to their family and social network (EuroPris, n.d.-a). The **Danish** Prison and Probation Service tries to place people in conflict with the law in prisons close to their family. This is also the case in **Norway** (Lynn, 2013; EuroPris, n.d.-a; Children of Prisoners Europe, 2019b).

In **France** and in **Ireland**, remand prisoners are allocated in the facility closest to the court in charge of their case, therefore regardless of the prisoner's place of residence (Crétenot, Liaras, 2013; EuroPris, n.d.-a).

Changing the subject from the allocation to the visiting, in **Catalonia**, pre-trial and sentenced prisoners have both the same rights and possibilities to receive family visits, therefore children are not

affected by their parent's legal status (EuroPris, n.d.-a).

In **Denmark**, the treatment of children during visits often depends on the prison staff culture and the individual prison officer on duty (Scharff, Gampell, 2011). According to a survey carried out by the Danish Prison Service in 2011, 41% of remand prisoners never received visits from family members (Children of Prisoners Europe, 2021). Similarly, in **Poland** the quantity and the quality of the family contact depend on individual prisons and the provision of facilities (Scharff, Gampell, 2011). In **Sweden**, visiting rights are granted contingently to the conditions of detention, the gravity of the crime and the rules of the penitentiary facility (Children of Prisoners Europe, 2021), therefore little attention is paid to children.

5.1 Children and parenthood in prison in Europe

In many countries, it is possible for imprisoned parents (usually mothers, but sometimes also fathers) to stay in prison or similar facilities with their children until the child reaches a certain age, even if there is no uniform approach across Europe concerning the age by which children can remain in prison with their parents (Scharff, Gampell, 2011). Differences may depend on prison culture, value regarding motherhood, family life and child-rearing (Philbrick *et al.*, 2014). However, it is internationally and generally recognised, also thanks to the European Prison Rules and the UN Bangkok Rules, that living conditions in prison should be safe, adequate for children's physical, psychological and emotional development, including access to health and education facilities, to open-door areas and specific services for children with disabilities (Halton, Townhead, 2020; Council of Europe, 2018a).

5.2 Case study (Europe): Children of Prisoners Europe

It is fundamental to mention a European organisation working on different levels for children experiencing parental imprisonment: Children of Prisoners Europe (henceforth COPE). COPE is a pan-European network, founded in 2000, working with and for children and young people with a parent in conflict with the law and/or in prison. It operates to develop and protect the rights and welfare of children, to support positive change, and to stimulate action to improve the living conditions of minors (Children of Prisoners Europe, n.d.-a). The Children of Prisoners Europe network is a group of organisations, NGOs and individuals, with 118 members and affiliates in 35 international countries. Each individual member brings and shares expertise and practical information from their professional and cultural context with the network, resulting in a body of knowledge related to the various situations of children with imprisoned parents across Europe (Children of Prisoners Europe, n.d.-e). COPE works with members to exchange best practices, learn, and explore new ways to improve support and policies which have an impact on imprisoned parent(s) and their children. As COPE Director of Operations stated during an interview:

we try to make sure that there is open communication between our head office and members, and that we promote communication between members, so they can learn from each other and share their good practices and experiences working to support children with imprisoned parents (Director of Operations of Children of Prisoners Europe, 7th June 2022).

COPE's mission is «to safeguard the social, political and judicial inclusion of children with an imprisoned parent, while fostering the pursuit and exchange of

knowledge which enhances good practices, and contributes to a better understanding of the psychological, emotional and social development of these children» (Children of Prisoners Europe, n.d.-a).

6. Children with imprisoned parents and the role of the schools

Children with imprisoned parents are not always recognised as a group that may need support on a policy level (Morgan *et al.*, 2013), but there is an environment in which these children should be heard and supported: school. Indeed, the most obvious place where children are noticed is school (SCIE, 2008), as this is where they spend many hours of their lives. However, children with imprisoned parents often represent a forgotten population even in the education system (Morgan *et al.*, 2013). Schools can be a game changer for children experiencing parental detention. School staff are often the child's first point of contact outside the family. This gives them the opportunity, if equipped with enough tools and awareness, to recognise the child's distress and to meet the child's needs (Children of Prisoners Europe, 2017). Moreover, schools can also help children boost their resilience (Lynn, 2017). It is not uncommon for a teacher, who could be aware or not, to work with a student with one or more incarcerated parents.

Unfortunately, teachers and school staff are not always aware of the issue of students with parents in prison. In order to reach a good level of consciousness, teaching staff could be provided with information, resources and lesson plans to approach and understand children with imprisoned parents, as well as to raise awareness among other students (Lynn, 2017).

The question becomes: how to raise awareness among school staff and especially teachers? As suggested by Morgan, Leeson and Carter Dillon (2013), it could be effective to use leaflets or posters to raise awareness among school staff and to make children and families realise that the school is paying attention to the issue (Sack, Seidler, 1978; Mazza, 2002). Another useful tool to inform teachers is offering training on the effects of parental imprisonment on children, how to recognise children's distress, and how to support this vulnerable group (Morgan *et al.*, 2013).

6.1 Case study (role of the school): Families Outside

Families Outside is the only national charity in **Scotland** working exclusively on behalf of families affected by imprisonment. It is in contact with thousands of families every year, providing them with information and support on a range of topics (Families Outside, n.d.). Indeed, Families Outside works to safeguard and help families experiencing imprisonment by providing direct support to affected people, by training and raising awareness among professionals in the field, and by developing policy and practices. Moreover, this association is a positive example of good practice in raising awareness and supporting children in schools. Families Outside has pioneered training sessions for teachers. As the Chief Executive of Families Outside stated

the main way that we as an organisation work in schools is to provide training for the teachers to let them know what the impact of imprisonment is and how they can support children in that situation (Chief Executive of Families Outside, 11th March 2022).

These sessions are incredibly innovative because some of them take place inside the prison to

experience what it is like going into prison to visit a parent. Many teachers admitted that, before having this experience, they were not aware of this issue and that the training has had an impact on them and on the way they consider this group of children. To the question «Why is speaking in school so important? », the Chief Executive replied

I think that school is so important because it's the one place where every child is supposed to be, as you know that the children are going to be there. So, it's a really good way of reaching children who experienced this and not everybody as a family member will be visiting the prison, so you can provide support and information at the prison (...) One of the best ways of preventing offending is keeping people in school as long as possible (Chief Executive of Families Outside, 11th March 2022).

6.2 Case study (role of the school): For Fangers Pårørende

Another striking example of an association working for children with imprisoned parents is For Fangers Pårørende (henceforth FFP). FFP works to help prisoners in **Norway's** prisons and their social network to cope with detention. To summarise the incredible amount of work carried out by this NGO, FFP is able to provide advice on economic, social and community issues, applications, complaints, as well as on the situation of children and the family. Moreover, the NGO organises social and cultural events for children, young people, and adults who have a family member in prison. It also offers a counselling service. Focusing on the school field, FFP was and is active also in this sector. Indeed, this NGO has a project called «Subject aid» through which teachers have the opportunity to obtain information materials on parental imprisonment and to talk about the topic in class. FFP leaves its

information materials, such as leaflets, in schools, to raise and spread awareness among school staff. Through this project, FFP provides teachers with a package with films, a questionnaire, and information data that can be used in the classroom to teach lessons. The Senior Advisor of For Fangers Pårørende stated that

sometimes teachers and social workers at schools call us because they experience having a child in school that has parents or another family member in prison and they call us to get advice and sometimes they can come and have a talk with us mainly on their own and maybe sometimes also with the child and the parents (Senior Advisor of For Fangers Pårørende, 16th March 2022).

Moreover, during the interview, the Senior Advisor said that FFP organised a workshop in schools where they presented a roleplay and then asked the class what they would do if they were in that child's shoes. That is a way of also raising awareness among students and trying to destroy the taboo around imprisonment. When asked about the role of schools and teachers in the child's future, the Senior Advisor responded that it is important to give children a positive and safe environment, to make them comfortable to open up and to provide support.

6.3 Case study (role of the school): the School Zone

The School Zone is a service at the HMP Parc (**Wales, UK**) accessible to all fathers present in the jail, according to the child's best interest and only if there are no measures or restrictions in place. It offers support to fathers, their children and families through the active and multilateral partnership with children's schools. This holistic project is an element of HMP Parc's Invisible Walls model and promotes engagement with imprisoned fathers by demonstrating the importance of keeping fathers connected with their children's education. The

School Zone project is the first service of its kind to be run within a British and European prison facility. It consists of three main interventions: school reports and updates, children's showcase events and the You and Me Club.

Regarding the School reports and updates, reports are sent by the school to the School Zone coordinator who scans them and shares them with the father. The imprisoned parent responds to the school by thanking them and writing a short letter to their child, which is delivered through the school. In this way, schools share quarterly school reports with fathers, providing them with their child's progress, and fathers can respond to the school and their child. Children's Showcase Events have been delivered at HMP Parc since 2014. This intervention mirrors a parent-teacher event that takes place in schools every school term, but it is organised inside the prison with imprisoned fathers. Teachers are invited to the prison visiting room to meet the father and show him the schoolwork, while the child and mother or carer are also present. Since 2014, 351 children and over 240 schools across South Wales have participated in these Children's Showcase (Children of Prisoners Europe, 2022).

The You and Me Club takes place in the visiting room once a month. The main aim of this initiative is to maintain close relationships between imprisoned fathers and their children through structured «learning together» interventions including storytelling, art, drawing, writing and board games. This is an incredible way for children to interact with their fathers through a one-to-one activity which is usually extremely appreciated by children.

6.4 Questionnaire to examine the awareness level of teachers of students with imprisoned parents.

As part of the thesis project, the student realised a questionnaire with the aim of examining the awareness level of teachers in the Italian school system to understand whether these professionals are aware of the presence of underage students with at least one imprisoned parent in their classrooms. The questionnaire is a useful tool, both on an academic level, to get a picture of information or misinformation on the issue, and on a personal level, for teachers, to discover this social emergency.

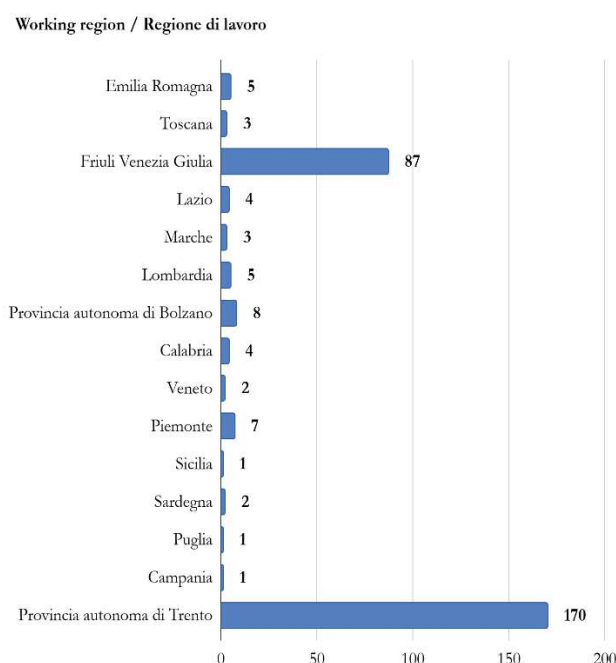
It was hypothesised that a low number of teachers were aware of the issue and/or the presence of students with one or more parents in prison, with few local awareness-raising activities for professionals.

Analysing the data collected (303 responses), most of the respondents are currently teaching in High schools (40.09%) and have been working for 0-10 years (27.7%) or 10-20 years (27.1%). However, 42.9% of the respondents stated that they have also worked in different educational institutions (e.g.: kindergarten and primary school). The majority of them work in the Provincia Autonoma di Trento (56.1%) and in Friuli Venezia Giulia (28.7%) which means that here the questionnaire was more widely distributed.

The question «Considering your entire teaching career, do/did you know under-age students with at least one parent in prison?» is the core of the questionnaire. 180 respondents answered that they had not met a student with at least one parent in prison, versus 123 who answered «yes». The thesis writer expected a larger gap between teachers who had not met and the ones who had met a child experiencing parental imprisonment. Most of the 123 teachers have only met one child experiencing parental incarceration in their professional career (41 respondents), while 31 teachers answered that they had encountered two children in the same situation.

According to the data, the main way in which teachers learned about the detention of a student's parent is through their colleagues (27), directly from the student (24), from social services (19), and during class councils (18). Some teachers (17) stated that the other parent told them about the partner's detention. It is interesting that 4 teachers (two in Friuli Venezia Giulia and two in Trento) mentioned the mass media as the way they discovered the imprisonment of a student's parent.

Figure 2 Working regions of the respondents



98.3% of the respondents stated that they had not been involved in any kind of awareness-raising training or course, while only 5 out of 303 respondents had participated in some educational activities. This information is important and contributes to the conclusion that the level of awareness depends mostly on personal experience, and it is not provided by organised courses. However, 80.5% of the teachers stated that they were ready and willing to participate in any activities regarding children with imprisoned parents in order

to better understand this situation and the child's needs and rights. This information underlines that teachers' motivation is high, professionals seem interested in the topic, motivation is present "from below", but there are still no initiatives "from above".

Figure 3 Teachers' participation to awareness-raising courses

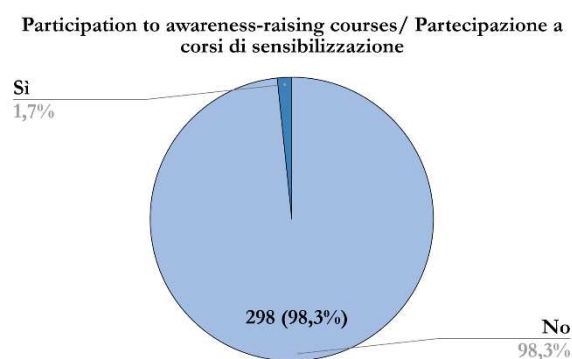


Figure 4 Interest of the respondents in participating in an awareness-raising course



244 out of 303 (80.5%) answered that the survey was useful, while 59 considered it irrelevant, mostly because they wanted to receive information from the survey.

Analysing the limits of this research, it is important to highlight the lack of scientificity and criteria in the implementation, dissemination, and analysis of the questionnaire, and consequently, the unreliability and

non-scientific nature of the results, which are more a source of qualitative than quantitative information. Moreover, some critical issues have been identified regarding the way the questionnaire was developed and structured, such as the lack of a dedicated and proper section for entering the social and demographic characteristics of the respondents; the lack of an adequate pre-test before sharing the questionnaire; and critiques about some questions. Dealing with sharing issues, the questionnaire was sent to School Regional Offices which apparently cannot send emails to all regional schools. The questionnaire was also shared via social media and social networks, but this could create distortions. Moreover, it must be considered that the tool is a self-reported questionnaire, and this could imply that the person does not know how to fill in the document causing an incorrect answer. Furthermore, there is no analysis of verbal and non-verbal communication, important data for understanding the frame of the actual answers.

Furthermore, we do not have data for all 20 Italian regions and some areas have an incredibly high response rate (e.g.: teachers working in the Provincia Autonoma di Trento are 170 out of 303 replies) which implies that there was not a homogeneous rate of participation in the questionnaire, making the results not reliable, but only an indication.

Figure 5 Map representing working regions of respondents of the questionnaire



7. Conclusion

This article has examined the situation of children with imprisoned parents in Italy and Europe, with the aim of understanding why these minors can be defined as victims. Indeed, children experiencing parental imprisonment can suffer from psycho-social, economic and practical consequences as well as a higher risk of antisocial or criminal behaviour than their peers without this experience (Fritsch, Burkhead, 1981; Murray, Farrington, 2005; Glover, 2009; Philbrick *et al.*, 2014; Filograsso, Nardone, 2016; Mazza, 2002; Musi, 2012; Bambinisenzasbarre, 2009; Paris, 2017). Moreover, this vulnerable group is often unseen by part of society, as it can be observed from the lack of laws and rules safeguarding these minors. For these analysed reasons, it is possible to describe children with imprisoned parents as «forgotten children», «collateral victims», «hidden victims of imprisonment» or «orphans of justice» (Philbrick *et al.*, 2014, p. 17), also considering Gordon's statement: «It is clear that the family, both adults and

children, are sentenced too when a parent goes to prison» (2018, p. 1). However, it is important to highlight that the awareness of children with imprisoned parents is slowly increasing, especially thanks to many research activities and different associations and organisations working to support these children.

With regard to the condition of children with imprisoned parents in Italy, they are often considered on the legislative level as tools to reduce their parents' recidivism or help their social reintegration, with only a few exceptions that take into account their best interests. Children can stay with their parents in conflict with the law under specific conditions in prison nurseries, in the so-called ICAM and in protected houses. However, it is commonly recognised that the penitentiary environment is not safe for a child, therefore alternative sentences to detention should be provided to people with children.

The situation in other European countries is not that different from the Italian one. In many countries children can stay with their parents in penitentiary institutions, but there is no common and shared age limit. Despite that, it is internationally acknowledged the importance of providing a safe, suitable and well-equipped environment for the minors residing in prison.

The most innovative part of this article is the one dedicated to the analysis of the role of schools in supporting students with at least one imprisoned parent. Indeed, schools can offer support and protection for children as well as provide them a safe space where they can open up and be understood. However, school staff not always is aware of the presence of students experiencing parental detention (Morgan *et al.*, 2013; Children of Prisoners Europe, 2017). Leaflets, posters, and awareness-raising

trainings could be a great way to make teachers aware of this situation.

A questionnaire was realised and shared among teachers of the Italian school system to understand their awareness level of children with parents in conflict with the law. Through the analysis of the results, it can be understood that most teachers do not have a high level of awareness of this social issue, and more than half of respondents report that they have never had a student experiencing parental imprisonment in their class (however, this information is not reliable, as analysed in the article). Data highlight the fact that few awareness-raising courses are offered on the Italian territory, therefore professionals recognise and acknowledge this social issue only if they had personal experiences with students having one or more parents in prison. Despite that, rates of motivation and curiosity regarding the topic of children with imprisoned parents and how to support them are relatively high, and that is a positive factor. With this in mind, schools should provide more courses and workshops about this issue to provide professionals with information and therefore to meet children's needs and rights. This research is innovative because there are no data about students experiencing parental imprisonment and about the level of awareness among teachers, therefore this could be a starting point for a deeper and more structured national study.

To conclude, it is hoped that this comparative research has been useful to obtain a clear picture of the situation of children with imprisoned parents and organisations working for and with them in Italy and in Europe. However, the aim is that there will be more studies regarding this social issue because children experiencing parental imprisonment are still often unseen.

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