

## **The Forgotten Victims of Crime**

Despite the high profile debate on law and order in NSW, or perhaps because of it, the devastating consequences children face when a parent is incarcerated have not been adequately addressed. As NSW adopts an increasingly punitive attitude towards crime, more and more children are losing a parent to imprisonment. This is particularly troubling when, as is most often the case when women are gaoled, children lose their sole carer.

In addressing this grave social problem many questions need to be asked:

- How many children experience parental incarceration?
- Who are the children experiencing parental incarceration?
- What are the consequences of separating a child from his or her parent?
- What alternatives to parental incarceration are available?

The following material provides some information we can use to reflect upon these vital questions and, ultimately, to bring about change.

## **Parental Incarceration: The Statistics**

Upon examining the health of the families and children of prisoners in Australia, Simon Quilty (School of Public Health, University of Sydney) discovered that in NSW in 2001:

- 14,500 children (defined as 15 years old or younger) experienced parental incarceration at some stage throughout the year,
- 60,000 children had experienced parental incarceration at some stage in their lives,
- whilst 4.3% of all children had experienced parental incarceration at some stage in their lives, 20.1% of indigenous children had experienced parental incarceration at some stage in their lives,
- 60% of children who had experienced parental incarceration at some stage in their lives did so before the age of 5,
- 16% of the children who had experienced parental incarceration at some stage in their lives experienced maternal incarceration,
- whilst the children of incarcerated fathers were predominantly cared for by their mothers, the children of incarcerated mothers were most often placed in kinship care, and that
- 10% of mothers would not say where their children were.

## **The Consequences**

The Children of Prisoners Support Group has identified several ways in which a child may be affected by parental incarceration, including:

- anxiety, grief, anger or depression,
- economic hardship,
- relocation,
- isolation from peers and family,
- aggressive behaviour,
- lack of trust, and
- lack of self worth.

Furthermore, a recent study conducted by the Australian Institute of Family Studies found that adolescents who had persistently engaged in antisocial behaviour reported a lower attachment to their parents and a poorer quality of parenting than those who had not engaged in antisocial behaviour. In particular, the persistently antisocial adolescents reported experiencing less warmth, less supervision and less communication in their relationship with their parents. It is not difficult to envisage the extent to which incarcerating a child's parent would damage their relationship in this way.

## One Mother's Experience

In 1996, the Standing Committee on Social Issues in the NSW Parliament conducted an inquiry into the children of imprisoned parents. One woman, whose child had been abandoned by his relatives four weeks after his mother had been incarcerated, told the Committee:

*My son changed from a 12 year old little boy who loved fishing, surfing and watching movies on Friday night to a complete street boy who managed to look after himself on the streets. His personality has completely changed. He may be 14 now but he's changed from an innocent little boy to a 20 year old minded criminal... His personality has changed from a soft-natured little boy to a child that just continually breaks the law.*

## The Way Forward

Section 26(2)(1) of the *Crimes (Administration of Sentences) Act 1999* stipulates that a female prisoner, who is the mother of a young child, may be granted a permit so that she can leave prison and serve her sentence with her child in an appropriate environment.

At present, however, this piece of legislation is rarely utilised. In 2000, only five women were granted a S26(2)(1) permit.

So that the burdens faced by the children of imprisoned parents may be alleviated, the Government of NSW, in line with the *Crimes (Administration of Sentences) Act*, ought to:

- provide funding for communal housing facilities where women and their children could be adequately supervised whilst receiving the treatment they needed, and
- establish a mentoring system where a prisoner could be released with her child into the supervision of a mentor.

Under both of these programmes women would have greater access to their children and thus many of the aforementioned problems associated with parental incarceration would be avoided.

# The Children of Prisoners

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