

# **A Holistic Approach to Prisoners' Families**

## **- From Arrest to Release<sup>1</sup>**

**Rachel Condry and Peter Scharff Smith<sup>2</sup>**

### **The Criminal Justice Process - From a Family Perspective**

Some studies have underlined the importance of looking at how families become involved during the various phases of the criminal justice process in order to understand the trajectory of their experiences before, during, and after imprisonment and the impact upon them at each stage (Condry 2007; McDermott and King 1992; Smith 2014; Smith and Gampell 2011). This includes looking at the very different ways in which these stages sometimes function and affect families (depending on the jurisdiction and the family situation): from arrest to investigation, court, and sentencing, through a prison sentence, and on release. As described by Condry: “New responsibilities might emerge at each stage of the criminal justice process. It is important to look at the whole criminal justice process, rather than just focus on the effects of imprisonment on the family; relatives are often very involved with each stage of the investigation and some cases can take years to process from discovery to sentencing” (Condry 2007, 4).

For example, the prison regime to which the prisoner is subjected will greatly influence the possibilities for contact between family members. Here, we are in other words dealing with a number of mediators which can be very important and sometimes crucial for families. We will not be able to address all these questions properly within the scope of this chapter but will briefly go through some of the important issues with regard to the arrest, pre-trial detention, the prison regime and possibilities for contact when serving a sentence, and release (for further discussion of the circumstances around receiving the sentence as well as the release phase, see Condry 2007; McDermott and King 1992; Smith 2014).

---

<sup>1</sup> Published in M. Hutton and D. Moran (eds.), *The Palgrave Handbook of Prison and the Family*, Palgrave 2019.

<sup>2</sup> R. Condry, Centre for Criminology, University of Oxford, Oxford, UK; P. S. Smith, The Department of Criminology and Sociology of Law, Oslo University, Oslo, Norway.

## **Arrest**

It can be a violent experience for a child to see a parent being arrested, and it can leave deep marks, especially if the arrest does not take place in an appropriate manner. The child's experience is dependent on the way in which the apprehended, the relatives, and the police handle the situation (Smith 2014, 115). When the arrest does not proceed successfully - from a child's point of view - the period surrounding the arrest and remand imprisonment can "be a time of extreme shock, stress, fear, confusion and instability for children, especially if the arrest is witnessed at home" (Codd 2008, 65. See also Boswell and Wedge 2007, 62). A study from 1995 in which 30 families from Cambridgeshire in England who were affected by imprisonment were interviewed indicated that especially the early stages of the separation process can be experienced as a severe loss for the children, not least, in those situations where the arrest in itself had been a traumatic experience (Boswell and Wedge 2007, 61). Another British study based on interviews with "some forty families" found that the arrest was "a traumatic experience" (McDermott and King 1992, 51, 53). In line with other qualitative research (Christensen 1999), the study revealed that previous experience with the police was a factor determining how well families handled the situation (McDermott and King 1992, 53). A study of women prisoners and their children in the US describes how the arrest could trigger "a panicked effort to get someone to care for the children and let the children know what was happening". As described by one mother, she practically had to beg the police: "Please let me (...) make a phone call to my mother. My son is around the corner waiting on me to pick him up from school" (Siegel 2011, 111). Arrest of parents has been compared to situations where children witness assault of their parents, or when a child is witness to violence in the family (Mazza 2000, 522; Boswell and Wedge 2007, 62).

Numerous personal descriptions confirm that the arrest situation can be painful for children. A Danish girl explains:

"At the time they arrived, my sister and I were alone at home. Suddenly we heard noise downstairs and the door was kicked in. There were officers everywhere. Eight in all and dogs that barked. Our little sister was sleeping and she woke up. So my father was there and they put the handcuffs on him and we started crying. There was an officer who said that we should say goodbye. Dad took us aside and gave us 150 Kroner and said that he had done something

stupid. He said that he would be back soon. We sobbed like crazy. That was the worst day of my life. Afterwards, all the furniture was overturned. The drawers pulled out and clothes were all over the place". (Smith 2014, 62)

In McDermott and King's qualitative study, seven out of ten home arrests involved "two or more of the following features: the arrest was accomplished by several policemen who were either armed or accompanied by Alsatian dogs; the house was ransacked; partners were taken into custody; and threatened with having their children taken into care" (McDermott and King 1992, 54). Descriptions also confirm that it can be a shocking experience for a child, who has not directly experienced the arrest, to suddenly hear about the arrest of their father at a later stage, for example, in school or in the press (Boswell and Wedge 2007, 62). The adults' (i.e. the parents, police, prison personnel, and others) handling of the situation surrounding the child of course plays an important role in the child's experience. Children of imprisoned parents are, of course, also affected by the parent or the caregivers who remain with the child or children. Bartlett et al. (2018) examine the experiences of incarcerated primary carer fathers at the point of arrest. In this Australian study, 34 imprisoned primary carer fathers were interviewed. The study found that almost half of all arrests took place in the family home, with children present in ten cases. Half of the arrests were characterized by force, a large number of police officers, or the use of weapons. The authors highlight the potential for arrest to be traumatizing for children and the importance of guidelines for police requiring consideration of the caring responsibilities of primary carers at the point of arrest which prioritize the needs of children (Bartlett et al. 2018).

Adult relatives such as the partners, spouses, and parents of prisoners are in turn also affected by arrest and what for some might be a shock at finding out about the offence. Adult relatives who are not resident with the offender might not witness the arrest, nor indeed may co-resident relatives where an offender is arrested away from the home. In Condry's study of the relatives of serious offenders, some participants learnt about the offence from a telephone call or visit from the police to ask if they knew the whereabouts of offender, from social workers, media reports, or even from the victims - one wife of a man convicted of historic sex offences against children was sent a letter by her husband's victims which she handed over to social services (Condry 2007). Families can be placed in a compromised position, as possible

sources of information about the suspect or offender (see also Goffman 2014 for an account of how family members can be put under pressure by the police) which conflicts with their desire to protect their loved one.

In Condry's study, the relatives "commonly described experiencing feelings of shock, disbelief, unreality, and feeling sick" when initially learning about the crime (Condry 2007, 26). Although the family situations, relationships, and knowledge about the offender's life and crime(s) were different, "discovery was an important turning point in the trajectories of relatives' lives; a catastrophic interruption which ... left devastation in its wake" (Condry 2007, 40). Relatives described feelings of shock at the offence itself and at its anticipated consequences: "You're in a situation where you've all had this terrific shock, you're having to deal with ultimately the sentences that they get, you're having to deal with actually what they've done, which is significant. (George, son convicted of homicide, in Condry 2007, 26).

This shock manifested itself in physical symptoms for some relatives: "I can actually remember physically what I felt like that day, half dead. It's like when you've got the worst dose of the flu but double-fold, it's like you just, your limbs have got no weight but they feel dead heavy, you know, I can feel how I felt but you couldn't describe how you felt. You weren't floating, they were heavy but there was nothing in them, you were just nothing, you were just hollow. (Gill, husband convicted of sex offence, in Condry 2007, 26).

Emotionally, the relatives in Condry's study made comparisons with their feelings of loss and bereavement. As one mother said: "It's grief, a form of grieving, but you haven't got the respectability of them being dead" (in Condry 2007, 27). Similarly, a qualitative study of male partners of incarcerated women demonstrated "the shock and devastation that comes with the discovery that one's wife had committed a crime, and then with the following arrest and the initial stages of incarceration" (Einat et al. 2013, 668). The authors found that the "psychosocial effects of finding out about the crime linger well beyond the time of initial shock. Thus, although four (50%) of the participants were interviewed two years or more after they had first learned of their wives' criminal actions, they still referred to the great difficulty of discovery and its long-lasting negative impact" (Einat et al. 2013, 668).

There is very little research on how law enforcement officials themselves look at and understand the situation where a family member, such as a parent, is arrested, for example in

front of his or her children. Limited qualitative research however suggests that such situations can be very difficult and leave a mark on police officers as well (Smith 2014, 115). Generally, research on the arrest of family members has been qualitative and has typically explored the experiences of partners and children who had a meaningful relationship with the arrested/imprisoned family member. This research has demonstrated that the arrest and the surrounding circumstances – not least police methods - can greatly affect family members and not least the children.

## **Pre-trial**

Research suggests that pre-trial detention (remand custody) can be a particularly difficult period for families facing incarceration (Smith 2014; Boswell and Wedge 2007; Christensen 1999) and again, stress afflicting the parent remaining at home can also affect the children (Murray and Farrington 2006, 726). Qualitative Danish research shows that for partners who find themselves in this situation for the first time, the rules and their lack of immediately useful experience can be overwhelming (Christensen 1999, 50). A small British qualitative study found that “the initial process of arrest and remand” was associated with disruption of the family income, disorientation, loss, and uncertainty (Codd 2008, 52). The mothers of a group of children with fathers in prison who participated in another English study in 1995 responded that it was especially during the remand imprisonment period and immediately after sentencing that they experienced a worsening of their children’s behaviour and demeanour (Boswell and Wedge 2007, 62). A particular issue during pre-trial is the uncertainty and lack of knowledge of what will happen - for how long will remand imprisonment last and will the family member receive a prison sentence?

There is often a scarcity of information for close kin about detention and remand in custody of their family member. In some cases, they do not even know the reason for the remand in custody and might also have difficulty locating the imprisoned person (McDermott and King 1992, 54; Smith 2014). Furthermore, many families seem to know little about their rights regarding visitation of those in remand custody or attaining financial support from the social services. Needless to say, the situation becomes particularly absurd if close kin have not even been notified about the detention, something which the European Committee for the Prevention of Torture (CPT) in 2002 critiqued Danish Police for sometimes omitting to do (Smith 2014, 94).

Most empirical research on children of imprisoned parents and other family members of prisoners does not differentiate between the remand phase and imprisonment following a sentence. This is clearly the case with the available quantitative studies, which normally only record one category, namely “imprisonment”. This naturally makes it difficult to single out the characteristics of the pre-trial phase and its potential impact. Under all circumstances of imprisonment, the way in which children can spend time with their parent changes fundamentally, and depending on the jurisdiction, the police can sometimes also influence decisions on a number of issues surrounding visits and the regime employed during the pre-trial phase. Here, there seems to be a split between criminal justice systems where pre-trial detainees generally have more rights and privileges compared to sentenced prisoners (such as in England) and systems where remand prisoners tend to have fewer rights than sentenced prisoners (such as in the Scandinavian countries, see Smith 2017; Smith and Jakobsen 2017).

A particularly Scandinavian kind of problem during the remand period is the use of pre-trial solitary confinement, which has been an integral part of the system in Norway, Sweden, and Denmark for many years (Smith 2011). It is well known within research that solitary confinement and the resulting minimal access to psychological, meaningful social contact will expose prisoners to a number of negative effects including anxiety, depression, and possibly mental illness (Haney 2003; Smith 2006; Shalev 2009). It is obvious that such harmful effects can play a significant role in the prisoner’s ability to function as a parent. For the children, this means that the contact with the parents can be extremely difficult and that the possibility of getting care from the parents is strongly limited (Christensen 1999, 45). Interestingly, Swedish research has shown that parents in pre-trial solitary confinement have very high levels of psychological health problems, which remain constant over time, while psychological health is gradually improved among parents under ordinary pre-trial (remand) conditions - something which the authors attribute to the lack of contact with their children and the inability to be a parent and take care of your children, which is especially evident when subjected to solitary confinement (Holmgren et al. 2007, 17, 21, 23).

Furthermore, the police in Denmark can request supervised visits during the remand period, which means that a police officer will be present during the visit in order to ensure that the case is not spoken about, which creates a very special and problematic situation for the

children. Unfortunately, the practice of supervised visits is widespread in Denmark and between 45 and 50% of all remand prisoners are subjected restrictions on visits and other forms of contact and thereby to this practice (Smith and Jakobsen 2017).

In fact, although the practice of pre-trial solitary confinement has been reduced to a minimum in Denmark in recent years, the remand regime is nevertheless still remarkably austere in the way it prevents contact with the outside world. Pre-trial detainees are normally not allowed to use a phone and can be on remand for more than a year without ever being able to telephone family, receive unsupervised visits, and while being subjected to security control of all written correspondence as well. The latter means that it can take up three weeks for a letter to get processed and arrive, which effectively renders this form of communication useless in a situation of family crisis (Smith and Jakobsen 2017). Unsurprisingly, prisoners and their families in Denmark describe the pre-trial phase as especially stressful and much worse than the conditions and regimes for sentenced prisoners (Smith and Jakobsen 2017).

In Sweden, an astounding two-thirds of all remand prisoners are typically kept in solitary confinement (Smith and Jakobsen 2017). In the USA, such a practice is normally associated with sentenced prisoners and the supermax phenomenon (Reiter 2016). In Scandinavia, on the other hand, regimes for sentenced prisoner will often be relatively open with good opportunities for visits and contact. In other words, the specific characteristics, laws, and regulations governing the pre-trial phase and remand imprisonment in a particular jurisdiction can be of significant importance.

### **Prison Regimes, Visits, and Contact**

As previously mentioned, the character of prison regimes and the laws and practices surrounding visits and other forms of contact can be of paramount importance for families. For families trying to maintain contact, the prison can become a “domestic satellite” (Comfort 2008, 99) where everything from family meals to sex can take place—depending on the jurisdiction and the local regime. The rules, regulations, and cultures produced by these regimes and their legal context can also—together with other factors, such as the distance from home to prison—make it more or less impossible to uphold meaningful contact. In such cases, family contact may simply cease and perhaps never commence again depending on the circumstances. One way of distinguishing between these diverse rules and regulations and

their effects upon families is to categorise them as “exclusionary regimes” or “inclusionary regimes” where the former can include, for example, punitive policies such as three-strikes law and abolition of discretionary parole, while the latter can include state family prison policies and welfare support (Foster and Hagan 2015, 137).

One recent article argues that while study after study has documented the negative effects of incarceration for family life, we lack “empirical acknowledgement of the variance in the character of criminal justice contact and family life and, as a result, the dramatic variation in incarceration’s impacts for family life” (Wakefield et al. 2016, 13). Similarly, Sara Wakefield argues elsewhere that it is important to “link the conditions of confinement more broadly to family functioning after release” and that studies “focused on the conditions of confinement during the prison boom have tended to focus on the most extreme conditions” such as long-term solitary confinement (Wakefield 2016, 543). Though this may be the case with regard to American research, there are a small number of studies elsewhere that make a point of looking at various forms of prison regimes and conditions and how they affect families in different ways through, for example, different visiting practices (Murray and Farrington 2008, 177; Smith 2014). There has also been some discussion of the work of not only prisons and prison staff, but also police officers, courts, and social workers (Smith 2014). In their discussion of “macro-level state regimes”, Foster and Hagan talk about the importance of, for example, “punitive contexts”, “criminal law enforcement”, and “prisoner reentry processes” in different countries and jurisdictions (Foster and Hagan 2015b, 148).

For example, when looking at the question of prison visits, recent research discusses the importance of having such visits and the importance of the possibilities and conditions in that regard (Aiello and McCorkel 2017; Mitchell et al. 2016; Mowen and Visser 2016). One study looked at 676 individuals imprisoned in Texas who were sampled 30 days before release and two to five months after (Mowen and Visser 2016, 509). The study found that the formerly incarcerated “reported significant increases in both familial emotional support and familial interactions when they experienced greater contact with family members during their term of incarceration” (ibid., 519). Importantly, individuals who reported “barriers to family contact” also reported a “decrease in family relationships after release” (ibid., 519). The possible “barriers” included, for example, having family members placed in prisons too far away, encountering difficult visitation rules, and experiencing that the prisons/jails in question were unpleasant to visit (ibid., 513).

A study of a mother-child visitation programme in an American jail found that children of incarcerated parents experienced significant secondary prisonization. For example, the children experienced “changes in their schedules and routines” and especially visits provoked “anxiety, confusion, concern, and attention” over “the jail’s effort to discipline their bodies and regulate their emotions” (Aiello and McCorkel 2017, 16). A UK study of the impact of maternal imprisonment identified that many children do not have the opportunity to visit their mothers in prison (Minson 2017). In the UK, the average distance women are held from their home is 60 miles (Women in Prison 2013) which can make visiting prohibitively expensive and difficult to organize. In Minson’s study, one eleven-year-old whose mother had been in prison for ten years explained:

“Q So how often do you get to see your Mum?

A Not much. I think we’ve been like once or twice in the last couple of years. We used to go see her quite a bit but she moved further away and then she moved even further away.

Q So where is she now?

A I don’t exactly know. I only know we can’t go and see her ‘cos we can’t afford it”. (Daughter of prisoner, in Condry et al. 2016, 629).

In their study of children visiting prisoners in Ireland, Donson and Parkes (2018) highlight the lack of a child-centred approach which would see the children as children first—viewing the visiting process from the child’s perspective and foregrounding their needs would result in all children being given access to enhanced visits. Yet in their study they found that the dominant perspective remained rooted in the prisoner: “... *their* responsibility for their children, *their* rehabilitation. In this context, it is unsurprising that children get ‘lost in the process’; they are not recognized as rights holders requiring an institutional approach which responds to their dignity and needs” (Donson and Parkes 2018, 206). Prison regimes, prison policies, and visiting facilities can therefore in themselves severely complicate or discontinue contact. Put differently, we are talking about very important mediators of the effects of imprisonment on families which are often ignored or unaccounted for in quantitative research.

Indeed, prisoners often describe how it can be difficult to have visits and to relate to the world outside and the family they feel that they have let down. Some imprisoned parents choose to

opt out of visits for that reason, or sometimes because the visiting conditions are bad. A formerly imprisoned father explains:

“We had a lot of money – that’s often the attraction with criminality. But when I was in prison, they [the family] were on income support. They probably felt it as a letdown. That dad is gone, the money’s gone and all possibilities are gone. That made me withdraw from them because I couldn’t cope with being guilty of that as well. It’s not nice to think back on that” (Smith 2014, 63).

As described in qualitative research, family members are also influenced, sometimes extensively, by the rules and regulations of the prisons they interact with in order to maintain contact. According to Comfort, this means that the intimate relationships between prisoners and their partners are “played out in the grip of the ‘carceral home’” whereby family members as well as inmates experience “prisonization” (Comfort 2008, 125). This, of course, has detrimental effects upon the children of imprisoned parents. As a Danish mother explained in 2007, if her son wanted to bring a reading book from school into the prison, she “had to go to the most senior staff and practically beg for permission. He’s now in third grade – and he still hasn’t been allowed to read one line for his dad” (Smith 2014, 64). This can be worse and is prolonged for families of prisoners serving long sentences. In a UK study of the female partners of long-term male prisoners, one partner of a life sentence prisoner described her difficulties interacting with prison staff. Simple inconveniences compounded this difficulty: “But when you’re dealing one-to-one with a system that says - go and wait outside in the rain for an hour, no you can’t stand in this little bit that’s dry. We want you [to] stand there in the rain. And that’s what they do to us” (Partner of prisoner, in Kotova 2016 and Condry et al. 2016, 634).

Hutton (2018) describes the way that families are perceived and treated when visiting a prison as a “legally sanctioned stigma”: “the labelling and treatment of prisoners’ families as a separate group combined with their negative stereotyping as inherently untrustworthy (and potentially criminal) bodies manifests in institutional practices that discriminate against them ... This discrimination is brought sharply into focus when comparisons are drawn between the treatment of social visitors (prisoners’ families) and official visitors, particularly when we consider differences in how both groups are processed and searched as they enter the prison and the location and condition of visits they are entitled to” (Hutton 2018, 236).

Another interesting way of approaching the issue of how prison regimes affect families is offered by Jardine (2017). Jardine looks at different ways of theorizing what a family is and not least what families *do* and why it can be important for a family to display such activities:

“This emphasis on the active processes through which people establish and reinforce their family relationships by doing ‘family things’ (spending time together, sharing food, engaging in family traditions and telling family stories) sheds light on why seemingly everyday objects and activities, such as photographs and phone calls, are accorded such significance by men and women serving a prison sentence” (Jardine 2017, 4).

Indeed, this is why “families affected by imprisonment utilize a range of resources such as visits, mementos and traditions to actively ‘display’ family, often in highly individual ways, and to maintain their relationships despite imprisonment” (ibid.).

The history of prison visits has not yet been written, but through different glimpses we can piece together how long the shadows of the isolation practices of the modern penitentiary have stretched and how far into the twentieth century the separation of prisoners and their families was almost absolute in many places. In Denmark, for example, as late as in 1919 a personal description from a prisoner who experienced what was essentially still a commonly applied Pennsylvania model regime reveals how visits and correspondence with the family were severely restricted. Each prisoner was allowed a 15-minute visit every third month, which was awaited with great excitement not only days but also weeks ahead. Correspondence was limited to receiving and sending one letter a month (Smith 2014, 25).

We do not know exactly when these rules began to change and developed into the different practices we see today but although the starting point in the shape of the nineteenth-century modern penitentiary was strikingly uniform, there are today important differences in visiting systems from country to country - from conjugal visits in Scandinavia, for example, to the peculiar model found in the UK and elsewhere where visits take place in big common rooms, and prisoners are ordered to sit on a specific chair without being allowed extended physical contact with visitors, even their children. Also, we know from an English study that as late as in the 1960s a wife could not visit her imprisoned husband more than once per month (Morris 1965, 291). By contrast, today prisoners in an English category B or C prison can expect the

possibility of somewhere between one weekly onehour visits and sometimes up to three weekly visits lasting from one to two and a half hours per visit (Moran et al. 2017, 111). During remand, pretrial detainees can in some places in the UK receive visits almost daily and typically at least three times a week, whereas a Danish remand prisoner will normally only be allowed a weekly visit of half an hour or one hour, and very often under the immediate supervision of a police officer (Smith and Jakobsen 2017). But as previously mentioned the rights and conditions are typically much better for sentenced prisoners in Scandinavia, and in some, open prisons visits can take place both inside and outside with ample opportunity for fresh air, playing with children, and so on. In an open prison in Denmark, you are also allowed to have a mobile phone (without Internet connection) in your cell from which you can call your family (Smith 2014).

In prisons in some jurisdictions it is today also possible to stay overnight in special facilities such as visiting apartments. In Norway, parents can in some prisons stay with their children in such apartments overnight, and in Denmark, it is possible for entire families to do this in a number of institutions (Smith 2014). Even in the USA there are prisons which allow family members to spend the night together (Comfort 2008, 101). Conjugal visits also feature in other systems and a study in an Israeli women's prison, for example, found that conjugal visits decrease emotional frustrations (Einat and Rabinovitz 2013). In the Scandinavian case, evidence points in the direction of the 1970s as a time of change but only in the sense that prisoners right to privacy and sexual relations came to the fore (hence the conjugal visits) while the question of their children and the need for contact in that regard were apparently not an issue. During the last decade, however, visiting conditions and policies have undergone very extensive child-friendly reforms in Scandinavia partly based on a human rights and children's rights agenda and "children's officers" responsible for introducing childfriendly procedures and visiting conditions have been introduced across the Scandinavian prison estates (Smith 2014, 2015).

As already touched upon, some regimes can make visits more or less impossible, and some personal circumstances and family situations can also complicate visits. Indeed, while most research underlines how extremely important visiting is for many families and children, this is nevertheless not always the case. As previously discussed, the imprisonment of a family member can be a positive experience for some which allows changes and choices to be made - for example for victims of abuse in the family. But, and this arguably goes especially for

children, to a great extent the visiting conditions can in themselves also complicate visits and what they produce. One study based on interviews with “45 caregiver-child dyads”, for example, found that the extent to which children found visiting the imprisoned parents “problematic and distressing” could “equate with elevated levels of child trauma symptoms” (Arditti and Savla 2013, 553, 557).

## **Release and Re-entry**

Numerous studies have found the support of family to be important to the successful resettlement of prisoners on release (e.g. Cobean and Power 1978; Ditchfield 1994; Hairston 1998; Home Office 2005; Naser and La Vigne 2006; Nelson et al. 1999; Maldonado 2006; Niven and Stewart 2005; Rocque et al. 2013; Social Exclusion Unit 2002; Visher and Travis 2003). The support provided by families can be practical, in the form of housing, clothing, food, or money; access and guidance in relation to jobs or education; emotional support, feeling cared for and connected; and in some cases direct care for those managing a physical or mental illness on release.

One government review in the UK found that prisoners receiving at least one visit during their sentence were more likely to secure accommodation and employment and therefore less likely to reoffend (Niven and Stewart 2005). More recently, in their analysis of data from a longitudinal survey of male prisoners in England and Wales, Brunton-Smith and McCarthy (2017) found a particular effect from parental visits to prisoners - visits from parents were influential in improving prisoners’ relations with their family and subsequently those prisoners that experienced improved family relations were significantly less likely to reoffend. However, their findings show that strong family relationships on entry to prison do not automatically translate into positive resettlement outcomes upon release:

“Rather it is the *strengthening* of these attachments throughout the prison sentence (and beyond), which has a sustained impact on reducing reoffending risks, albeit an effect that is diminished when considered two years after release. This positive effect of improving family relations is also evident when considering abstaining from class A drug use and successfully finding employment on release from prison” (Brunton-Smith and McCarthy 2017, 14).

In their study of 39 family pairs of British male prisoners and their (ex-) partners before and after release, Markson et al. (2015) found that family relationships predicted positive outcomes with finding accommodation, alcohol and drug use, the extent to which ex-prisoners felt they were coping with resettlement challenges, and the quality of post-release family relations.

However, in their study difficulties with employment and finance were not related to previous family relations nor to the other resettlement outcomes. Their findings therefore suggest that family relationships do not provide a general protective influence during resettlement, but rather that there is a strong effect of family relationships on social and emotional aspects. A decade ago, Codd (2007) wrote about the “rediscovery” of the importance of family ties within the field of desistance and government policy. Numerous studies had found that strong family ties helped to prevent reoffending and facilitate reintegration. As Codd notes, this had led to a range of measures designed to make prisons more family-friendly, such as extended visits. Codd critiques the notion of these measures being utilized to support the successful reintegration of prisoners and argues that families should be supported for their own sake, rather than as instruments of penal policy. She argues for caution in making families responsible for a prisoner’s successful resettlement and also highlights the gendered nature of care provided to prisoners by family members who are often female and adding to pre-existing caring responsibilities. Jardine echoes the burden placed upon families if they are required to offer support and yet are unsupported themselves (Jardine 2015).

The numbers here are substantial—for example, Wagner and Rabuy estimate that there are 840,000 people on parole in the USA and 3.7 million on probation (Wagner and Rabuy 2017), resulting in millions of family members affected by restrictions placed on a prisoner after release. However, it is also important that we do not treat prisoners’ families as a single, homogenous group - as Rodriguez (2016) has argued, it is important to recognize the nuances and complexities of family life when considering the families of prisoners. This includes a consideration of the effects of antisocial behavior and criminality on family life. As well as being directly affected by a family member’s criminality, families may have had to contend with mental illness, substance misuse, and histories of physical or sexual abuse, all of which could make a significant difference to how they experience incarceration and how they experience release and re-entry. As Rodriguez argues, there is a need to recognize the toll this can take on families which includes the personal, cultural, and structural challenges they

might face, which can hinder family members' ability to seek assistance and also crucially to provide support to the prisoner on release.

Although family support may have a range of benefits, it also should be noted that the point of release can be a time when family relationships are particularly fragile (Wildeman and Western 2010). Reintegration into family relationships can present a range of challenges, not least the renegotiation of family relationships that have been previously mediated through the Prison. As Martinez and Christian (2009) show in their study of family relationships on release, both the former prisoner and the family must begin to negotiate the challenge of giving and receiving support. Comfort (2018) explores the challenges faced by families when men return to the home from prison and in particular the shifts in gendered relationship dynamics that must be managed. Prison requires prisoners and their partners to enact particular forms of masculinity and femininity which then change when the man returns home:

“men's and women's understandings of what it means to “be a man” shift to encompass behaviours and achievements that are difficult for men with conviction histories to attain, and the profound dissatisfaction both parties feel about the failure to enact this manhood translates into conflict in the relationship ... the rising use of confinement may contribute to strife within the family, and thus how the state's power to punish reverberates daily in the social roles and interactions of some of society's most vulnerable members” (Comfort 2018, 74).

Experiences of release can also vary greatly according to the type and length of sentence. Comfort (2016) explores the problem of the hardships posed for families of repeated brief jail stays and community supervision of their loved ones, which she argues are “uniquely destabilizing” and distinct from the hardships that arise during imprisonment. Families will also experience particular problems when long-term prisoners are released. There are likely to be additional and ongoing difficulties for those related to lifers, other prisoners released on licence, or to sex offenders who might be subject to further restrictions on release from prison. In Condry's (2007) study of the relatives of serious offenders in the UK, several interviewees were preoccupied with the restrictions that would follow the offender being placed on the sex offenders' register and how these would affect their lives. The relatives in this study also reported further difficulties in re-grouping as a family, re-negotiating family responsibilities,

and a significant lack of accessible support. Problems such as ongoing stigmatization and exclusion, accommodation, and employment are all likely to worsen when the offence is a serious one. In the long term, relatives in Condry's study even worried what they would tell children as they grew up, and some interviewees even mentioned concern over what to tell future grandchildren (Condry 2007).

Taken together, the above research clearly demonstrates how all stages of the criminal justice process from arrest procedures and pre-trial practices to prison regimes, visiting conditions, release and re-entry can have immense importance for the families involved. Qualitative research suggests that individual occurrences, such as the arrest situation, and individual factors, such as the regime for prison visits, in themselves can have severe consequences and, in case of the latter, perhaps make the difference between whether or not contact is maintained at all. It therefore seems absolutely necessary to take a holistic approach which considers the experiences of families of prisoners and their circumstances across the criminal justice process when addressing the effects of imprisonment upon them.

## References

- Aiello, Brittanie, and Jill McCorkel. 2017. "‘It Will Crush You Like a Bug’: Maternal Incarceration, Secondary Prisonization, and Children’s Visitation." *Punishment & Society* 20(3): 351–374.
- Arditti, J.A., and J. Savla. 2013. "Parental Incarceration and Child Trauma Symptoms in Single Caregiver Homes." *Journal of Child & Family Studies* 24(3): 551–561.
- Bartlett, Tess S., Catherine A. Flynn, and Christopher J. Trotter. 2018. "‘They Didn’t Even Let Me Say Goodbye’: A Study of Imprisoned Primary Carer Fathers at the Point of Arrest in Victoria, Australia." *Child Care in Practice* 24(2): 115–130.
- Boswell, Gwyneth, and Peter Wedge. 2007. *Imprisoned Fathers and Their Children*. London: Jessica Kingsley Publishers.
- Brunton-Smith, I., and D.J. McCarthy. 2017. "The Effects of Prisoner Attachment to Family on Re-entry Outcomes: A Longitudinal Assessment." *The British Journal of Criminology* 57(2): 463–482.
- Christensen, Else. 1999. *Forældre i Fængsel*. Copenhagen: SFI.
- Cobean, Susan C., and Paul W. Power. 1978. The Role of the Family in the Rehabilitation of the Offender. *International Journal of Offender Therapy and Comparative Criminology* 22: 29–39.

- Codd, Helen. 2007. "Prisoners' Families and Resettlement: A Critical Analysis." *The Howard Journal* 46(3): 255–263.
- Codd, Helen. 2008. *In the Shadow of Prison: Families, Imprisonment and Criminal Justice*. Cullompton, UK: Willan Publishing.
- Comfort, Megan. 2008. *Doing Time Together: Love and Family in the Shadow of the Prison*. University of Chicago Press.
- Comfort, Megan. 2016. "'A Twenty-Hour-a-Day Job': The Impact of Frequent Low-Level Criminal Justice Involvement on Family Life." *The Annals of the American Academy of Political and Social Science* 665(1): 63–79.
- Comfort, Megan. 2018. "'I'm the Man and He's the Woman!': Gender Dynamics Among Couples During and After Prison." In *Prisons, Punishment and the Family: Towards a New Sociology of Punishment?* edited by R. Condry and P. Smith. Oxford: Oxford University Press.
- Condry, Rachel. 2007. *Families Shamed: The Consequences of Crime for Relatives of Serious Offenders*. Cullompton: Willan.
- Condry, Rachel, Anna Kotova, and Shona Minson. 2016. "Social Injustice and Collateral Damage: The Families and Children of Prisoners." In *The Handbook on Prisons*, edited by Yvonne Jewkes, Jamie Bennett, and Ben Crewe, 2nd ed. Abingdon: Routledge.
- Ditchfield, John. 1994. "Family Ties and Recidivism." (Home Office Research Bulletin No. 36). London: Home Office.
- Donson, Fiona, and Aisling Parkes. 2018. "Rights and Securing in the Shadow of the Irish Prison." In *Prisons, Punishment and the Family: Towards a New Sociology of Punishment?* edited by R. Condry and P. Smith. Oxford: Oxford University Press.
- Einat, Tomer, and Sharon Rabinovitz. 2013. "A Warm Touch in a Cold Cell: Inmates' Views on Conjugal Visits in a Maximum-Security Women's Prison in Israel." *International Journal of Offender Therapy and Comparative Criminology* 57(12): 1522–1545.
- Einat, Tomer, Inbal Harle-Aviram, and Sharon Rabinovitz. 2013. "Barred from Each Other: Why Normative Husbands Remain Married to Incarcerated Wives - An Exploratory Study." *International Journal of Offender Therapy and Comparative Criminology* 59(6): 654–679.
- Foster, Holly, and John Hagan. 2015. "Punishment Regimes and the Multilevel Effects of Parental Incarceration: Intergenerational, Intersectional, and Interinstitutional Models of Social Inequality and Systemic Exclusion." *Annual Review of Sociology* 41: 135–158.
- Goffman, Alice. 2014. *On the Run: Fugitive Life in an American City*. Chicago: University of Chicago Press.

- Hairston, Creasie Finney. 1998. "Family Ties During Imprisonment: Do They Influence Future Criminal Activity?" *Federal Probation* 52(1): 48–52.
- Haney, Craig. 2003. "Mental Health Issues in Long-Term Solitary and 'Supermax' Confinement." *Crime and Delinquency* 49(1): 124–156.
- Holmgren, Bengt, Thomas Frisell, and Bo Runeson. 2007. "Psykisk hälsa hos häktade med restriktioner." *Kriminalvården*, Projektnummer: 2007: 1.
- Home Office. 2005. "Resettlement Outcomes on Release from Prison in 2003." (Home Office Research Findings No. 248). London: HMSO.
- Hutton, Marie. 2018. "The Legally Sanctioned Stigma of Prisoners' Families." In *Prisons, Punishment and the Family: Towards a New Sociology of Punishment?* edited by R. Condry and P. Smith. Oxford: Oxford University Press.
- Jardine, Cara. 2015. *Constructing Family in the Context of Imprisonment: A Study of Prisoners and Their Families in Scotland*. Unpublished PhD Thesis, University of Edinburgh.
- Jardine, Cara. 2017. "Constructing and Maintaining Family in The Context of Imprisonment." *The British Journal of Criminology*.
- Kotova, Anna. 2016. *'He's Got a Life Sentence, but I Have a Life Sentence to Cope with as Well': The Experiences of Long-Term Prisoners' Partners*. Unpublished DPhil Thesis, University of Oxford.
- Maldonado, Solangel. 2006. "Recidivism and Paternal Engagement." *Family Law Quarterly* 40: 191–212.
- Markson, Lucy, Frederik Lösel, Karen Souza, and Caroline Lanksey. 2015. "Male Prisoners' Family Relationships and Resilience in Resettlement." *Criminology and Criminal Justice* 15(4): 423–441.
- Martinez, Damien J., and Johnna Christian. 2009. "The Familial Relationships of Former Prisoners Examining the Link Between Residence and Informal Support Mechanisms." *Journal of Contemporary Ethnography* 38(2): 201–224.
- Mazza, Carl. 2000. "And Then the World Fell Apart: The Children of Incarcerated Fathers." *Families in Society: The Journal of Contemporary Services* 83(5): 521–529.
- McDermott, Kathleen, and Roy D. King. 1992. "Prison Rule 102: 'Stand by Your Man'." In *Prisoners' Children: What Are the Issues?* edited by R. Shaw. London: Routledge.
- Minson, Shona. 2017. *Who Cares? Analysing the Place of Children in Maternal Sentencing Decisions in England and Wales*. Unpublished DPhil Thesis, University of Oxford.
- Mitchell, Meghan M., Kallee Spooner, Di Jia, and Yan Zhang. 2016. "The Effect of Prison Visitation on Reentry Success: A Meta-Analysis." *Journal of Criminal Justice* 47: 74–83.

- Moran, Dominique, Marie A. Hutton, Louise Dixon, and Tom Disney. 2017. “‘Daddy Is a Difficult Word for Me to Hear’: Carceral Geographies of Parenting and the Prison Visiting Room as a Contested Space of Situated Fathering.” *Children’s Geographies* 15(1): 107–121.
- Morris, Pauline. 1965. *Prisoners and their Families*. New York: Hart publishing company.
- Mowen, Thomas J., and Christy A. Visher. 2016. “Changing the Ties That Bind: How Incarceration Impacts Family Relationships.” *Criminology & Public Policy* 15(2): 503–528.
- Murray, Joseph, and David Farrington. 2006. “Evidence-Based Programs for Children of Prisoners.” *Criminology & Public Policy* 5(4): 721–736.
- Murray, Joseph, and David Farrington. 2008. “The Effects of Parental Imprisonment on Children.” *Crime and Justice* 37(1): 133–206.
- Naser, Rebecca L., and Nancy G. La Vigne. 2006. “Family Support in the Prisoner Reentry Process: Expectations and Realities.” *Journal of Offender Rehabilitation* 43: 93–106.
- Nelson, Marta, Perry Deess, and Charlotte Allen. 1999. *The First Month Out: Postincarceration Experiences in New York City*. New York: Vera Institute of Justice.
- Niven, Stephen, and Duncan Stewart. 2005. “Resettlement Outcomes on Release from Prison in 2003.” (Home Office Findings No. 248). London: Home Office.
- Reiter, Keramet. 2016. *23/7: Pelican Bay Prison and the Rise of Long-Term Solitary Confinement*. New Haven: Yale University Press.
- Rocque, Michael, David M. Bierie, Chad Posick, and Doris L MacKenzie. 2013. “Unraveling Change: Social Bonds and Recidivism Among Released Offenders.” *Victims and Offenders* 8: 209–230.
- Rodriguez, Nancy. 2016. “Bridging the Gap Between Research and Practice: The Role of Science in Addressing the Effects of Incarceration on Family Life.” *The Annals of the American Academy of Political and Social Science* 665(1): 231–240.
- Shalev, Sharon. 2009. *Supermax: Controlling Risk Through Solitary Confinement*. Cullompton: Willan.
- Siegel, J.A. 2011. *Disrupted Childhoods: Children of Women in Prison*. New Brunswick, NJ: Rutgers University Press.
- Smith, Peter Scharff. 2006. “The Effects of Solitary Confinement on Prison Inmates: A Brief History and Review of the Literature.” *Crime and Justice* 34(1): 441–528.
- Smith, Peter Scharff. 2011. “A Critical look at Scandinavian Exceptionalism. Welfare State theories, Penal Populism, and Prison Conditions in Denmark and Scandinavia.” In *Nordic Prison Practice and*

*Policy—Exceptional or Not? Exploring Penal Exceptionalism in the Nordic context* edited by Thomas Ugelvik and Jane Dullum. London and New York: Routledge.

Smith, Peter Scharff. 2014. *When the Innocent Are Punished: The Children of Imprisoned Parents*. Basingstoke: Palgrave.

Smith, Peter Scharff. 2015. “Children of Imprisoned Parents in Scandinavia: Their Problems, Treatment and the Role of Scandinavian Penal Culture.” *Law in Context* 32: 147–168.

Smith, Peter Scharff. 2017. “Punishment Without Conviction? Scandinavian Pre-trial Practices and the Power of the ‘Benevolent’ State.” In *Embraced by the Welfare State? Scandinavian Penal History, Culture and Prison Practice* edited by Smith and Ugelvik, 129–155. Palgrave Macmillan.

Smith, Peter Scharff, and Lucy Gampell, eds. 2011. *The Children of Imprisoned Parents*. Copenhagen: The Danish Institute for Human Rights.

Smith, Peter Scharff, and Janne Jakobsen. 2017. *Varetægtsfængsling. Danmarks hårdeste straf?* Copenhagen: DJØF Publishing.

Social Exclusion Unit. 2002. *Reducing Re-offending by Ex-prisoners*. London: Social Exclusion Unit.

Visher, Christy A., and Jeremy Travis. 2003. “Transitions from Prison to Community: Understanding Individual Pathways.” *Annual Review of Sociology* 29: 89–113.

Wagner, Peter, and Bernadette Rabuy. 2017. “Mass Incarceration: The Whole Pie.” Prison Policy Initiative. <https://www.prisonpolicy.org/reports/pie2017.html>. Accessed 15 December 2017.

Wakefield, S. 2016. “Changing the Ties that Bind.” *Criminology & Public Policy* 15: 543–549.

Wakefield, S., H. Lee, and C. Wildeman. 2016. “Tough on Crime, Tough on Families? Criminal Justice and Family Life in America.” *The ANNALS of the American Academy of Political and Social Science* 665(1): 8–21.

Wildeman, Christopher, and Bruce Western. 2010. “Incarceration in Fragile Families.” *The Future of Children* 20: 157–177.

Women in Prison. 2013. *State of the Estate—Women in Prison’s Report on the Women’s Custodial Estate 2011–2012*. London: Women in Prison.