



Support for children with a mother who  
is in contact with the justice system

## CHILD IMPACT ASSESSMENT

Accompanying Notes

# Background



***"It's hard when it's your mum in prison... she's supposed to be the one looking after you."***

***(Malik, age 13)***

The purpose of a Child Impact Assessment is to understand the impact on a child when a family member is involved in any way in the justice system. Although the imprisonment of a household member is a recognised Adverse Childhood Experience, there is little support available for those affected. A Child Impact Assessment can help identify the needs of any children affected and enable relevant support to be put in place in a timely manner. Crucially, the focus is the *child*; there are other processes for identifying the needs of the parent in the criminal justice system.

This Child Impact Assessment is specifically for use with children of a *primary carer*, usually a mother, in the justice system. There is compelling research suggesting that maternal imprisonment is particularly hard for children, affecting every aspect of life and generating a wide range of emotions, including profound grief, trauma, and shame. Despite this, children are rarely considered within criminal justice processes. Alternative care arrangements are often ad hoc, and many children receive no support at all.

The form has been designed to help children identify support needs they may have at different stages of their mother's journey through the justice system (arrest, court, imprisonment / non-custodial sentences, release). The assessment of needs is best undertaken by someone from a statutory or voluntary organisation who has an existing relationship with the child or their carer, as trust is key to ensuring that all relevant information is shared. In some cases, the child themselves may wish to nominate the person they feel is best placed to do this. Younger children, particularly those with limited language skills, will need the support of a trusted adult. It is important that the focus remains on the child and their feelings. Alternatives to language, such as drawing or creative play, may be of help.

Having a primary carer in the justice system can have a significant impact on a child's relationships with other family members (eg their carer, siblings) and friends, and this may affect how they receive, or perceive, support from those around them. If there is more than one child in a family group, a separate Child Impact Assessment should be undertaken for each individual child, as they may have different needs or concerns. It is important that every child feels listened to and knows they can speak to someone about how they feel if they need to.

Children's feelings may also change over time; for example, some children feel very angry at first and do not want to visit their mother in prison, but over time, this may change, and they need to be given opportunities to revisit decisions. This assessment is a framework for an ongoing conversation with children and can be undertaken as often as is helpful to account for changing feelings and developments that may influence children's questions and needs. Staff completing the Child Impact Assessment should adhere to their own organisation's safeguarding / child protection policy at all times, bearing in mind that having a parent who commits an offence, or goes to prison, is not a child protection concern in and of itself.

Child Impact Assessments are not intended to *influence* sentencing, but they can ensure that sentencers have a fuller picture of circumstances when making crucial decisions; expand awareness of the impact of imprisonment on children; and increase the consideration, and use, of community-based measures.



# Notes about the Child Impact Assessment



*“It was a horrible time. I was sad a lot of the time and didn’t want to explain to my friends what had happened.”*

*(Aliyah, age 13)*

It is important when completing the Child Impact Assessment to be aware of the impact of trauma on children with a primary carer in the criminal justice system. A child may experience trauma at any stage of their mother's criminal justice journey, and some questions may trigger emotional memories. A gentle, trauma-informed approach is important to minimise re-traumatisation. Furthermore, the impact of trauma may make it difficult for a child to put their feelings into words, understand their emotions, or order or recall their memories. A trauma-informed approach is key. The charity [Trauma Informed Schools UK](#) has further information and resources.

## 1. Introduction

In this section, examples of different emotions are given. For some children, naming the emotion (eg shame) may be helpful, but others may prefer to use their own words or examples, or use pictures instead (there is a separate page within the assessment for pictures if this is helpful). The list of feelings is in no way exhaustive, and it is important that children know that there is not a right or wrong way to feel; all feelings are valid. Some young people may feel suicidal. The charity [Young Minds](#) has some helpful resources and training for those working with children who feel this way. The key messages that children say are helpful are to know that what has happened is **not their fault**, that **they are not alone**, and that their **feelings might change over time**.

## 2. Child Impact Assessment

### Part 1

The key to the Child Impact Assessment is a relationship of trust with the child. Where possible, children should be given an opportunity to choose who is best placed to complete the assessment with them. The information requested in this part of the form is simply to understand more about the child’s circumstances. Organisations completing a Child Impact Assessment may have their own requirements for data collection.

If gathering additional information (e.g. details about the child's mother), it is important to communicate to the child, and to their carer at home, why information is being gathered and who else will know that information.



Data collection, monitoring, and information sharing about children should be open, sensitive, and transparent so that families understand *who* knows, *what* they know, and *how* information might be used.

## Part 2

This section is about understanding the relationship between the child and their mother. Parent / child relationships can vary enormously from family to family. Some children may not feel very close to their mother; for others, she may be like a best friend. Some children may idolise their mother; others may be scared of her. For some, the relationship is a complex combination of feelings. For some children, the person may not be their biological mother, but she might feel like a mother-figure. Some children may have been in a caring role for their mother before she went to prison, perhaps due to their mother's mental health or substance misuse. This can add a layer of complexity to children's feelings about their mother's imprisonment; they might feel relieved that she is somewhere safe and that they are not responsible for her, but this might be hard to talk about, or they might feel guilty about being relieved. In some cases, people around the child may not realise the significance of the child's mother being absent, particularly if the child was not living with her prior to her involvement in the justice system. People in the child's life may inadvertently minimise the impact on the child by explicitly saying (or implying), "You're better off without her anyway." This can make it hard for children to ask for support. It is very important to take time to understand the kind of relationship a child has with their mother before helping the child complete the Child Impact Assessment.

## Part 3

The questions in this section are open and neutral to enable children to say how they feel (rather than feeling there is something they ought to say). The questions are intended as a guide to start a conversation and in many cases will lead to additional questions, depending on how the conversation with the child develops. For example you could ask, "What was it like seeing mum being arrested?" or "What are you most looking forward to when mum gets out and what are you most worried about?"



A focus group of children with experience of a parent in prison said that they would like to be asked both how they are feeling and how they are doing; some children might be experiencing very complex emotions (e.g. grief, loss) but are managing those well with coping strategies in place. Others may not be able to say how they are feeling but are struggling to cope. Some children may prefer to use a scale of 1 to 10 to describe how they feel they are coping.



The additional information below is intended as a guide and may be of help in conversation with some children. The suggested actions are in no way exhaustive; it is crucial that each child receives the support he or she needs and that any agreed actions come with ongoing support for the child. It is important that children understand that there is no one way of feeling in any of these situations and that all feelings are valid. Different children will feel different things, and it is common for children's feelings to change over time.

#### **a) "My mum was arrested."**

Many children describe the arrest of their mother as deeply traumatic. Children who witness their mother's arrest may experience nightmares and flashbacks. If a mother is arrested while children are at school, coming home to an empty house can be confusing and traumatic. Many children say they have a mistrust of the police after witnessing an arrest. Rebuilding trust in the police takes time, but this can be really important for children as they process what has happened. Some women are held on remand following an arrest, and this may have implications for care arrangements for children.

Possible agreed actions may include (but are not limited to):

- Talking about the arrest as often as they feel they need to;
- Letting someone at school know (only with the child's agreement) so that appropriate support can be offered;
- Writing a letter to the police, or meeting a police officer in a supported environment, to process their experience of arrest and rebuild trust in the police (NB: Children must be well supported through this process);
- Accessing online resources that give further information about the arrest of a parent (see lists of organisations and resources on pages 10 and 11);
- Having an opportunity to discuss feelings about any changes to care arrangements;
- A referral to a specialist organisation that supports families affected by imprisonment; and
- A referral to specific therapy (eg play therapy, trauma therapy, Cognitive Behaviour Therapy, children and adolescent mental health services (CAMHS)).



## b) "My mum's going to court."

In a family court, decisions are made in the best interest of children. In stark contrast, the decisions made in a criminal court can result in children being separated from their mothers with no assessment of their wellbeing. Often relatives are expected to take on the care of children without the support that other carers (e.g. foster carers) would receive. Court can be a very confusing time for children, and they may have questions about the language used, as well the decision making processes. Many children say that they would like to tell the sentencer how they are feeling. This can be very helpful, both for children to feel they are being listened to, and for sentencers to have a fuller picture when making crucial decisions. It is very important that children understand if they make a statement to the sentencer, that this may not change what decisions are made, but that it can still be a very helpful process.



Possible agreed actions may include (but are not limited to):

- Having an opportunity to ask questions about the language used at court and how things work;
- Visiting a court room prior to mum's court appearance (if appropriate);
- Writing a letter to the person, or people, who will be making a decision about mum's sentence;
- Accessing online resources that give further information about a parent being in court (see lists of organisations and resources on pages 10 and 11);
- Letting someone at school know (only with the child's agreement) so that appropriate support can be offered;
- A referral to a specialist organisation that supports families affected by imprisonment; and
- A referral to specific therapy (eg play therapy, trauma therapy, Cognitive Behaviour Therapy, CAMHS).

## c) "My mum's doing a community sentence."

Some children might be living with their mother during a community sentence. This might be positive (mum is still around) or difficult (if the relationship with mum is strained or if children fear further disruption), and for many children it is a combination of both. If a mother is subject to electronic monitoring (often referred to as 'tagging'), this will have implications for her movements and is likely to involve a curfew. Children may have questions about this, especially if their mother is not allowed to go to certain places. Some children will not be living with their mum during this time, and any contact arrangements previously in place may need to change in light of electronic monitoring.

Possible agreed actions may include (but are not limited to):

- Talking through all the implications of electronic monitoring and / or curfews;



- Chatting about care arrangements and any questions or concerns a child may have;
- Writing a letter to mum (which may or may not be sent) to share feelings about what has happened;
- Accessing online resources that give further information about a parent doing a community sentence (see lists of organisations and resources on pages 10 and 11);
- Letting someone at school know (only with the child's agreement) so that appropriate support can be offered;
- A referral to a specialist organisation that supports families affected by imprisonment; and
- A referral to specific therapy (eg play therapy, trauma therapy, Cognitive Behaviour Therapy, CAMHS).

#### **d) "My mum is in prison."**

Many children have questions about their mother's life in prison, and they often imagine a far worse scenario than the reality. Children may be worried about how their mother will cope in prison or what her day is like. Some children might be worried about their mother's mental or physical health and what support she might need in prison. Others might be relieved that mother is in prison but may find it hard to talk about that. Some children may worry about visits and the practicalities of how to get to the prison and what to expect when there. Some children, particularly teenagers, say that they find frequent visits difficult to balance with activities and seeing friends. Many prisons now offer video calls (known as 'Purple Visits' in England and Wales) which can be a useful supplement to visits (but should never be a replacement for face-to-face visits if this is preferable for children). Child-friendly visits (where children and mothers can do activities together) can be really helpful, though these are not always possible, so it is important to help children understand what is available. Children visiting their mother in prison are likely to have long journeys, and this can be difficult for carers at home. It may be possible for other people to accompany a child to a prison visit. Some children may choose not to visit mother in prison initially (they might feel angry or let down by her) but may later change their mind. Others may not want any contact at all with their her. It is really important that children have an opportunity to re-visit decisions about visiting or having a relationship with their mother.

Possible agreed actions may include (but are not limited to):

- Talking through feelings about mum in prison;



- Finding out more about the prison where mum is (Prison Visitor Centres can be helpful with this);
- Talking through the different types of visits that are possible and the frequency of these;
- Finding out about mum's life in prison (eg if she has a job, her daily routine, etc);
- Agreeing a timescale to re-visit any decisions made about visiting;
- Writing a letter to mum (which may or may not be sent) to share feelings about what has happened;
- Accessing online resources that give further information about having a parent in prison (see lists of organisations and resources on pages 10 and 11);
- Letting someone at school know (only with the child's agreement) so that appropriate support can be offered;
- A referral to a specialist organisation that supports families affected by imprisonment; and
- A referral to specific therapy (eg play therapy, trauma therapy, Cognitive Behaviour Therapy, CAMHS).

#### e) **"My mum is being released from prison."**

For some children, the thought of their mother's release is really exciting; for others, it can feel uncertain, and they may also be fearful of what having her back in their lives might be like. Some children may have unrealistic expectations of their mother's release ("Everything will be ok when she gets out"); others will know from prior experience that it can be one of the most challenging times with a lot of pressure for life to get 'back to normal'. Some children may return to the care of their mother; others will remain in current care arrangements but will be able to see their mother, supervised or unsupervised.

It is important that children understand the specific care arrangements that are in place for their mother's release. The transition back into their mother's care might be challenging: their mother may have different boundaries and rules, or may not understand the developmental changes that have happened for her children in her absence. Families often say that release is a time when they need support more than ever.

Possible agreed actions may include (but are not limited to):

- Talking through any questions or fears about mum's release;
- Talking through any changes in care arrangements;
- Writing a letter to mum prior to her release (which may or may not be sent) to share feelings about her release;
- Accessing online resources that give further information about a parent being



released from prison (see lists of organisations and resources on pages 10 and 11);

- Letting someone at school know (only with the child's agreement) so that appropriate support can be offered;
- A referral to a specialist organisation that supports families affected by imprisonment; and
- A referral to specific therapy (e.g. play therapy, trauma therapy, Cognitive Behaviour Therapy, CAMHS).

### Agreed actions

This is a place to note any agreed actions alongside timescales. It is important that children, and their carer(s) at home, are included in this action plan, and that it is open and transparent. Many families report feeling that decisions are made *about* them and things are done *to* them, without any consultation. If those working with children and families in a professional capacity are able to recognise their own unconscious bias, this can allow children to have the freedom to engage more meaningfully in the process of decision making and action planning. For example, a member of staff who has already decided what course of action will be best for a child may not be able to listen to what the child is saying. It is also important that any decisions are regularly reviewed to give children an opportunity to comment on support they are receiving (eg Is it helpful? Do they need different support? Do they need more (or less) of the same support? etc), or change their mind about decisions they have made (eg Would they like to see mum, having previously said they would prefer not to?).



## Specialist Support



While all children need a sensitive, trauma-informed approach, some children's circumstances or characteristics (which may or may not be visible) mean they need particular understanding, care, and support. The range of circumstances and characteristics which children may experience is not, of course, limited to those below. The organisations listed are intended as a gateway to further support.

Children whose parents have committed sexual offences - Lucy Faithfull Foundation - <a href="http://www.lucyfaithfull.org.uk">www.lucyfaithfull.org.uk</a>	Children with parents imprisoned abroad - <a href="#">Prisoners Abroad</a>
Children from Black, Asian and Minority Ethnic (BAME) groups - <a href="#">BME Youth</a>	Care-experienced children - <a href="#">Become</a>
Children who identify as LGBTQ+ - <a href="#">Stonewall</a>	Children who are young carers - <a href="#">Carers Trust</a>
Children who have experienced domestic abuse - <a href="#">Refuge</a>	Children with mental health challenges - <a href="#">Young Minds</a>
Children who have been abused or neglected - <a href="#">NSPCC</a>	Children who are neurodivergent (eg ADHD, autistic, dyslexic, etc) - <a href="#">National Autistic Society</a>
Children from Gypsy, Roma and Traveller communities - <a href="#">Friends, Families and Travellers</a>	Children from migrant or asylum-seeking families - <a href="#">Together with Migrant Children</a>

## Useful information and resources

### Further information about the impact on children of having a mother in the criminal justice system:

- Prison Reform Trust Report: [What about me? The impact on children when mothers are involved in the criminal justice system.](#)
- Report by the Joint Committee on Human Rights: [Children of mothers in prison and the right to family life: The Police, Crime, Sentencing and Courts Bill.](#)
- Film series by Dr Shona Minson: [Safeguarding Children when Sentencing Mothers.](#)
- Book by Dr Shona Minson: [Maternal Sentencing and the Rights of the Child.](#)

### Useful resources for supporting children affected by imprisonment:

- [Safe Together](#): Time-Matters UK self-help booklet written by, and for, children with a parent in prison.
- [Reading Between the Lines](#): Children of Prisoners Europe (COPE) toolkit to help schools support children with a parent in prison.

## Useful information and resources (continued)



More information about the impact on children of having a parent in the criminal justice system, and signposting to further support, is available from:

- [The National Prisoners' Families Helpline website](#) (England and Wales)
- Families Outside's [Guide for Professionals Working with Children & Young People affected by imprisonment](#) (Scotland)
- Niacro's [Family Links](#) service (Northern Ireland)

**Organisations that provide specialist support to children and families affected by imprisonment:**

<b>AFFECT</b>	<a href="http://www.affect.org.uk">www.affect.org.uk</a>
<b>Barnardo's</b>	<a href="http://www.barnardos.org.uk">www.barnardos.org.uk</a>
<b>Children Heard and Seen</b>	<a href="http://www.childrenheardandseen.co.uk">www.childrenheardandseen.co.uk</a>
<b>Corona Kids</b>	<a href="http://www.coronakids.co.uk">www.coronakids.co.uk</a>
<b>Families Outside</b>	<a href="http://www.familiesoutside.org.uk">www.familiesoutside.org.uk</a>
<b>Himaya Haven</b>	<a href="http://www.himayahaven.co.uk">www.himayahaven.co.uk</a>
<b>Invisible Walls</b>	<a href="http://www.invisiblewalls.co.uk">www.invisiblewalls.co.uk</a>
<b>Jigsaw</b>	<a href="http://www.jigsawcharity.org">www.jigsawcharity.org</a>
<b>Lincolnshire Action Trust</b>	<a href="http://www.latcharity.org.uk">www.latcharity.org.uk</a>
<b>Nepacs</b>	<a href="http://www.nepacs.co.uk">www.nepacs.co.uk</a>
<b>NIACRO</b>	<a href="http://www.niacro.co.uk">www.niacro.co.uk</a>
<b>Ormiston Families</b>	<a href="http://www.ormiston.org">www.ormiston.org</a>
<b>Out There</b>	<a href="http://www.outtherecharity.org">www.outtherecharity.org</a>
<b>Pact</b>	<a href="http://www.prisonadvice.org.uk">www.prisonadvice.org.uk</a>
<b>POPS</b>	<a href="http://www.partnersofprisoners.co.uk">www.partnersofprisoners.co.uk</a>
<b>PSS</b>	<a href="http://www.psspeople.com">www.psspeople.com</a>
<b>Time-Matters UK</b>	<a href="http://www.timemattersuk.com">www.timemattersuk.com</a>
<b>Spurgeon's</b>	<a href="http://www.spurgeons.org">www.spurgeons.org</a>
<b>Sussex Prisoners' Families</b>	<a href="http://www.sussexprisonersfamilies.org.uk">www.sussexprisonersfamilies.org.uk</a>
<b>YSS Families First</b>	<a href="http://www.yss.org.uk/families-first/">www.yss.org.uk/families-first/</a>

**Other useful organisations:**

<b>Childline</b>	<a href="http://www.childline.org.uk">www.childline.org.uk</a>
<b>Children 1st</b>	<a href="http://www.children1st.org.uk">www.children1st.org.uk</a>
<b>Family Lives</b>	<a href="http://www.familylives.org.uk">www.familylives.org.uk</a>
<b>Kinship</b>	<a href="http://www.kinship.org.uk">www.kinship.org.uk</a>
<b>NSPCC</b>	<a href="http://www.nspcc.org.uk">www.nspcc.org.uk</a>

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