



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

CHILD IMPACT ASSESSMENT

Accompanying Notes

Background



"The house is so silent without [my brother] playing his music or gaming. I feel lonely without him."

(Olivia, aged 14)

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 family member in the justice system.

There is compelling research suggesting that parental imprisonment is incredibly 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, and most receive no support at all. This Child Impact Assessment is specifically for use with children with a brother in the justice system. There is very little research looking specifically at the impact on children and young people of having a sibling in the justice system, and there are very few resources for children in this situation; the support that is available for families of young men in the justice system (and this is limited) is mainly for their parents; children who may be experiencing significant loss may, therefore, feel particularly isolated and alone.

The form has been designed to help children identify support needs they may have at different stages of their brother's journey through the justice system (arrest, court, imprisonment / community 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, and those with limited language or additional challenges, 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 brother in the justice system can have a significant impact on a child's relationships with other family members (e.g. their mother or father, or other carer, other 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 may feel very angry at first and do not want to visit their brother 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 family member 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 as if she had lost a part of herself when [her brother] went to prison. She felt very lonely. She was looking forward to him coming out but was also scared that he may not be safe on the outside world. The family was definitely serving the whole sentence alongside him."
YSS (Your Support Services) Operations Manager

It is important when completing the Child Impact Assessment to be aware of the impact of trauma on children with a brother in the justice system. A child may experience trauma at any stage of their brother'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 (e.g. 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. The section 'Things you need to know about me', is an opportunity to find out if the child has any additional needs or challenges (e.g. ADHD, Autism, etc). 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 brother), 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 what the relationship between the child and their brother is like. Sibling relationships can vary enormously from family to family. Some children may not feel very close to their brother; for others, their brother may be like a father or a best friend. Some children hero-worship their brother; others may be scared of their brother. For others, the relationship is a complex combination of both. Some children may not be related to the person they call their brother, but the relationship is no less close. In some cases, people around the child may not realise the significance of the child's brother being absent and may inadvertently minimise the impact by explicitly saying (or implying), "It's only your brother." This can make it hard for children to ask for support. Children with complex home situations can feel resentment about being left to cope alone when their brother goes to prison, particularly if they are a young carer (or their brother is). It is very important to take time to understand the kind of relationship a child has with their brother 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 your brother being arrested?" or "What are you most looking forward to when your brother 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 brother was arrested."

Many children describe witnessing the arrest of their brother as deeply traumatic; children may experience nightmares and flashbacks. If their brother is arrested while children are at school, coming home to his absence 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 can be really important for children as they process what has happened.



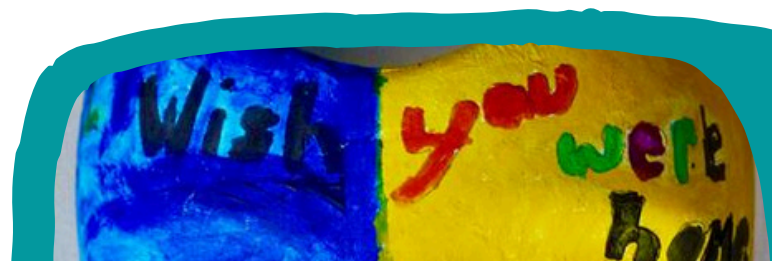
Some men are held on remand following an arrest, and this may cause confusion if no one in the family knows where he is being held or for how long. In some cases, a brother being held on remand may have implications for care arrangements for children. Some children may feel they need to support their parent with their emotions about what has happened; this can be challenging, especially if the sibling relationship is different to the parent / child relationship.

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 family member (see lists of organisations and resources on pages 9, 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 (e.g. play therapy, trauma therapy, Cognitive Behaviour Therapy, Child and Adolescent Mental Health Services (CAMHS)).

b) "My brother is going to court."

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, particularly if the child's brother has been their carer. 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 their brother's court appearance (if appropriate);
- Writing a letter to the person, or people, who will be making a decision about their brother's sentence;
- Accessing online resources that give further information about a family member being in court (see lists of organisations and resources on pages 9, 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).



c) "My brother is doing a community sentence."

Some children might be living with their brother during a community sentence. This might be positive (their brother is still around) or difficult (if the relationship with their brother, or that between their brother and parent(s), is strained or if children fear further disruption), and for many children it is a combination of both. If a brother is subject to electronic monitoring (often referred to as 'tagging'), this will have implications for his movements and is likely to involve a curfew. Children may have questions about this, especially if their brother is not allowed to go to certain places. Some children will not be living with their brother 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 contact arrangements and any questions or concerns a child may have;
- Writing a letter to their brother (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 9, 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).

d) “My brother is in prison.”



Many children have questions about their brother's life in prison, and they often imagine a far worse scenario than the reality. Children may be worried about how their brother will cope in prison or what his day is like. Some children might be worried about their brother's mental or physical health and what support he might need in prison. Others might be relieved that their brother 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 their family member in prison can do activities together) can be really helpful, though these are not always possible, particularly in Young Offender Institutions (YOIs), so it is important to help children understand what is available. Children visiting their brother in prison may have long journeys, as there are fewer YOIs, and this can be difficult, and expensive, for parents or carers. It may be possible for other people to accompany a child to a prison visit.

Some children may choose not to visit their brother in prison initially (they might feel angry or let down by their brother) but may later change their mind. Others may not want any contact at all with their brother. It is really important that children have an opportunity to re-visit decisions about visiting or having a relationship with their brother. Some children find the silence of the house very difficult when their brother is in prison; for others, this silence is a relief. Many children worry about their parents who are in turn worried about their son in prison; this can make it difficult for children to ask for support, particularly if they feel differently to their parent(s) about what has happened.

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

- Talking through feelings about their brother in prison;
- Finding out more about the prison / Young Offenders Institution where their brother 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 their brother's life in prison (e.g. if he has a job, whether he is doing any courses, his daily routine, etc);
- Agreeing a timescale to re-visit any decisions made about visiting;
- Writing a letter to their brother (which may or may not be sent) to share feelings about what has happened;
- Accessing online resources that give further information about having a family member in prison (see lists of organisations and resources on pages 9, 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).

e) "My brother is being released from prison."

For some children, the thought of their brother's release is really exciting; for others, it can feel uncertain, and they may also be fearful of what having their brother back in their lives might be like. Some children may have unrealistic expectations of their brother's release ("Everything will be ok when he 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's brothers may return to the family home; others will have separate accommodation but will have contact with their siblings, supervised or unsupervised.

In some cases, it may not be deemed safe for children to have contact with their brother. Whatever the arrangements are, it is important that children understand the specific measures that are in place for their brother's release. The transition of having their brother back in their lives might be challenging for children. Children may fear a return to previous challenging behaviours or visits from their brother's friends. Brothers returning from prison may not realise that other siblings have grown up in their absence, and that the family dynamic has changed. 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 their brother's release;
- Talking through any changes in contact arrangements;
- Writing a letter to their brother prior to his release (which may or may not be sent) to share feelings about his release;
- Accessing online resources that give further information about a family member being released from prison (see lists of organisations and resources on pages 9, 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).

Part 4 - 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 (e.g. 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 (e.g. Would they like to see their brother, having previously said they would prefer not to?).

Part 5 - Useful information and resources

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 - www.lucyfaithfull.org.uk	Children with parents imprisoned abroad - Prisoners Abroad
Children from Black, Asian and Minority Ethnic (BAME) groups - BME Youth	Care-experienced children - Become
Children who identify as LGBTQ+ - Stonewall	Children who are young carers - Carers Trust
Children who have experienced domestic abuse - Refuge	Children with mental health challenges - Young Minds
Children who have been abused or neglected - NSPCC	Children who are neurodivergent (e.g. ADHD, autistic, dyslexic, etc) - National Autistic Society
Children from Gypsy, Roma and Traveller communities - Friends, Families and Travellers	Children from migrant or asylum-seeking families - Together with Migrant Children



Information about the impact of having a brother in the justice system

There are very few resources specifically to support children with a brother in the justice system. Families Outside has produced a range of resources to support children with a sibling in secure care or prison. Although written for the Scottish context, the general information is helpful, and the organisations below will be able to advise on country-specific queries.

- [Knowing your rights to sibling contact](#): resource for children with a sibling in prison or care
- [Guide for social workers](#) supporting children with a sibling in prison or care

Researchers from Newcastle University, with illustrator Jack Brougham, made some comic sketches about having a family member in prison. [Megan's story](#) is about having a brother in prison.

More information about the impact on children of having a family member in the 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)

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.

***"Just having someone to talk to
about my brother really helped."***

(Taylor, aged 16)



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

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

Other useful organisations:

Childline	www.childline.org.uk
Children 1st	www.children1st.org.uk
Family Lives	www.familylives.org.uk
Kinship	www.kinship.org.uk
NSPCC	www.nspcc.org.uk

Acknowledgements

These accompanying notes have been adapted by [Prison Reform Trust](#) Associate and Churchill Fellow Sarah Beresford with support from Prof Lorna Brookes, Dr Kirsty Deacon, Lia Palios-Hayden, Aimee Hutchinson, and Millie Mann. The work was possible thanks to funding by the [Dulverton Trust](#). The pictures are with kind permission from [Time-Matters UK](#).