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The role of offenders' family links in offender rehabilitation

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An offender's family are the most effective resettlement strategy.

(HM Inspectorate of Prisons, HMP Inspectorate of Probation and Ofsted 2014)

Criminologists are becoming increasingly interested in the experiences of offenders' families, and more and more research is being conducted into how punishment reaches into all facets of these families' lives (e.g. Condry 2007; Condry, Kotova and Minson 2016). We have also become interested in the various roles these families can play when it comes to offender rehabilitation. This is not surprising, as people who offend are often parts of familial networks: they are mothers, fathers, sons, siblings, cousins, and so on. In England and Wales, over half of male prisoners have at least one minor child and about one quarter had lived with a partner prior to imprisonment (Ministry of Justice 2012). It has been estimated that about 200,000 children in England and Wales experience parental imprisonment each year (Ministry of Justice 2012). This is but an estimate, as no formal data on this population of children is collected, and it is entirely possible that this number is in fact higher.

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This chapter will explore the various roles the family can play in offender rehabilitation. It will discuss the evidence to support the claim that families can have a part to play in reducing reoffending, and discuss the reasons for the correlation between sustained family links and the reduction in reoffending. However, it will also argue that we need to approach this issue with some caution. Offenders' families are often financially and socially vulnerable themselves (see Condry, Kotova and Minson 2016), and the burden of supporting an offender may, for some, be unduly onerous. The challenges faced by offenders' families should not be ignored simply because the family can play an important part in supporting offenders and can help them lead law-abiding lives.

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Family ties and reoffending – the evidence

The strengthening of family ties has long become a feature of offender treatment in England and Wales. The National Reducing Re-offending Delivery Plan includes a Children and Families Pathway (NOMS 2014), and states that 'children and families can play a significant role in supporting an offender to make and sustain changes which reduce re-offending' (NOMS 2014: 40). In 2016, the HM Inspectorate of Prisons (2016) also reinforced the importance of family ties in the context of young offender institutions, stating that it is its expectation that 'prisoners can maintain contact with the outside world through regular and easy access to mail, telephones and other communications' (2016: 5).

Research has certainly shown that there is a correlation between sustained family links and a reduction in reoffending (see Famer 2017 for an overview). Even though many of these

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studies were conducted in the context of imprisonment specifically, many of the themes raised are also applicable to rehabilitation of those who were not given a prison sentence. It is important to note that all of the studies on family links showed a small or moderate link between strong family ties and better post-release outcomes for prisoners (e.g. Holt and Miller 1972; Visser and Travis 2003). Crucially, no study has shown a negative correlation between family ties and reoffending. Research looking at specific family-focused programs has also found this correlation to be true. In the US, a study on family visits found that 21% of those who participated in an overnight family visit were arrested or imprisoned again, compared to 36% of those who received no overnight or ordinary visits. In the UK, Markson *et al.* (2015: 433) concluded that ‘family relationships are important for developing resilience after release from prison and therefore may have an impact on the desistance process’.

This is not to say, of course, that all family ties are inherently positive. For example, Leverentz (2006) in the US found that in the cases of women who offended, the male partners were often central to the offending behaviour. ~~There are, certainly, so-called “criminal families” which may be collusive in offending behaviour.~~ Female offenders are especially vulnerable in this respect, with many suffering from abuse and violence (Corston 2007) perpetrated by those close to them. However, there is no evidence to show that the majority of familial relationships are ~~such as~~ abusive, or that family contact is more harmful for families and children of offenders than not. Although there is certainly a need to be wary of a blanket assumption that family contact is good for everyone involved (Comfort 2008), we should also not assume that it is harmful. Farmer (2017), in his overview of the evidence

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about prisoners' family ties, concluded that there is no evidence to support the view that prisoners' families are "bad", or that prisoners make bad fathers.

Offenders' family links are, therefore, important for our society more generally. If they help reduce offending, these links could help make our communities safer places for us all. We therefore all have a vested interest in ensuring that positive, stable relationships between offenders and their families are sustained.

Why are family links important for offenders?

There has been comparatively little research into *why* or *how* family links work in the context of resettlement and reintegration of offenders (Mills and Codd 2008). It is, however, critical that we try and understand these processes and the reasons why or how families could be important in maximising offenders' rehabilitative efforts. Understanding the role(s) families play could help policymakers and practitioners design and implement targeted, effective programs and support mechanisms for offenders and families alike.

One key concept in this context is social capital. This refers to the 'everyday fabric of social connections between individuals and the tacit co-operation that such connections entail' (Mills and Codd 2008: 11). For example, stable employment, which is both a source and a result of social capital (Halpern 2005), can assist the person who offended in his or her resettlement through mobilising their social capital and therefore helping the former offender re-establish his or her own. Families could play a key role in helping him or her

enter gainful employment, be it by employing them directly or by providing help and advice when it comes to job searching. Families may be able to draw on their extended social networks in order to help their relative find work, thus mitigating the hardship of finding work with a criminal record. In fact, the 2003 Home Office survey found that more than half of prisoners had plans for employment or a place on an education or training scheme arranged through families and friends (in Mills and Codd 2008). It should be noted, however, that such social capital may manifest itself in quasi-legal employment such as cash-in-hand employment rather than fully legitimate work (Mills and Codd 2008).

Moreover, families can provide emotional and moral support (Mills and Codd 2008). Studies suggest that the state of prisoners' mental health is correlated with the extent to which they sustain contact with relatives outside. Richards (1978) found that for long-term prisoners, especially, maintaining family ties played a key role on the management of mental health. Numerous studies (*e.g.* Richard 1978, Hulley *et al.* 2016, Sykes 1965) found that 'missing somebody' was a key pain of imprisonment felt by prisoners. Helping prisoners cope with this pain via sustained, positive family contact, therefore, may be important for ensuring their mental health does not deteriorate significantly. Poor mental health, after all, could hinder rehabilitation efforts after imprisonment. This function of family links could be especially pertinent in light of the fact that many offenders have numerous mental health needs: the Social Exclusion Unit (2002) found that over 70% of male and female prisoners suffered from one or more mental health disorders. Providing a supportive family environment for those with such vulnerabilities could help offenders in their rehabilitative efforts.

Nonetheless, a positive, enduring family relationship could also be a source of anguish for the offender. Being removed from their family could be stressful and upsetting, and they may worry about how their family is faring (Farmer 2017). We know that some men prefer their children not visit them in prison because they do not wish to expose their children to a harsh and stressful environment (Farmer 2017). Instead, they attempt to remove themselves from their families, a coping strategy known as “hard-timing”.

Importantly, families cannot simply be expected to provide this support. When a prisoner is released, especially after serving a long sentence, the system needs to ensure that the family, where appropriate, is involved in his or her resettlement planning, yet this is rarely done (Farmer 2017). Families may need information, help, and support in order to best provide the sort of assistance the offender may need upon release. We cannot simply assume that someone returning to a family home will automatically be given practical and emotional support, as families may feel ‘highly conflicted about a returning ex-prisoner’ (Farmer 2017: [para 186 page number?](#)).

Thirdly, families can motivate the person who offended to lead law-abiding lives. In their seminal study, Sampson and Laub (1993) showed that people with stronger social bonds, such as strong marriages, were less likely to offend than those who were less strongly attached. They argued that such bonds ‘create interdependent systems of obligations and restraint’ (Sampson and Laub 1993: 141). In other words, if the person who offended is

strongly bonded to his or her relatives, they may avoid reoffending because they may fear disappointing or upsetting their relatives. They may, moreover, wish to set a good example to their children. Families could also persuade the man or woman who offended to stay away from negative influences, former co-offenders, attend relevant addiction treatment programs, comply with parole requirements, and so on (Markson *et al.* 2016).

We need to recognise that people who offend make their own choices. However, family links could help them re-orientate their identities towards more “legitimate” ones. Families could help people who offend to see themselves as husbands, wives, mothers, fathers, and so on, bolstering this deep, identity-level change via strong family links (Visher and Travis 2003). Schemes in England and Wales such as *Storybook Dad* and *Storybook Mum* help to illustrate this. These schemes are aimed at helping men and women in prison to strengthen their identities as parents by engaging in storybook reading and other parental activities with their children. It is argued that ‘doing something positive and tangible for their child increases [prisoners’] self-esteem and belief in themselves as a valued parent’ (Storybook Dads, undated).

However, different family members may provide different kinds of support and motivation (Markson *et al.* 2016). Parents, for example, may be better placed to help the person who offended find employment because they may have a longer employment history and wider social networks. Partners may be better placed to provide day-to-day practical support and motivation, as well as accommodation. Children may be sources of motivation to lead law-abiding lives and re-formulate former offending identities towards those of parenthood and

being a good role-model. Again, however, this analysis needs to come with a word of caution. Not all families will be able to motivate the offenders to change, and some families may in fact do the opposite - for example, relatives who are themselves engaged in criminal behaviour.

We also need to bear in mind that for ethnic minorities, the meaning of family may be somewhat different. For instance, people from certain ethnic groups often place very strong cultural emphasis on the family (Chao and Tseng 2005, writing in the context of Asian ethnicities). This could in turn result in these families being more proactive in sustaining family ties to the people who offended. On the other hand, traditional conceptions of family could also result in a greater level of familial shame and result in such families shunning or cutting off the person who offended altogether.

Why are family links important for families of offenders?

When we talk about offenders' family links, we usually discuss their importance to the offender and the criminal justice system. An important question to ask is why, and to what extent, might they also be important to the family? In what ways might the family benefit from maintaining contact with the offender?

Where the relationship in question was generally positive and close, punishing the offender, especially through imprisonment, could put significant stress on the relationship. It has been found that imprisonment puts a significant amount of strain on marital relationships (see

Hairston, 1991 for an overview). Partners and other relatives may miss the prisoners and experience feelings of loss and grief (Hairston 1991, Comfort 2008, Condry 2007).

Maintaining close links with the prisoner may, therefore, help such families in that they will continue to sustain a relationship with their loved ones and therefore help mitigate some of these feelings of loss and grief.

Children are especially affected by a parent's offending in general and parental imprisonment specifically. Studies have indicated that parental imprisonment is correlated with poor school performance and negative behaviour (Lowenstein, 1986), as well as other behavioural, social and mental health problems. Murray and Farrington (2008: 133) found that parental imprisonment is correlated with 'child anti-social behaviour, offending, mental health problems, drug abuse, school failure, and unemployment'. It is very difficult to ascertain whether imprisonment or pre-existing disadvantage (including poverty, poor pre-existing familial relationships, *etc.*) are causally linked to these poor outcomes for children, yet qualitative evidence certainly shows that maintaining relationships with imprisoned parents is beneficial for many children (*e.g.* see Scharff Smith, 2014). Moreover, parental imprisonment may be all the more confusing for children, as they are sometimes not told the full truth about the imprisonment parent's circumstances (see Condry, Kotova and Minson, 2016). Sustaining positive relationships in this context could help reassure the child that their parent is faring well, that he or she still cares for them, and mitigate their fears and feelings of loss.

However, we cannot assume all families will benefit from sustaining family ties with offenders. For some families, such as those who had experienced the offender's violence, addiction problems, or domestic abuse, severing these ties may be a positive change indeed (see Comfort 2007). There is a need for careful consideration of the offenders' prior family history and of the families' and children's welfare. In fact, one study (Swan 1981) found that children were more affected by parental imprisonment when the pre-existing relationship with the imprisoned parent was a close one and when they had spent more time together prior to imprisonment.

Risks and opportunities: a word of caution

As discussed above, there is certainly good evidence to support the view that stable, positive family links are important for offender resettlement and rehabilitation, especially when the person who offended is being released from prison. Families can provide emotional, practical and financial support and can be a source of motivation for the person who offended to lead a law-abiding life.

However, we need to consider the costs of supporting a person who offended. It has long been shown that families of offenders experience a wide range of difficulties and deprivations (see Condry, Kotova and Minson 2016 for an overview). Sustaining family links with an offender sometimes comes with significant financial and temporal costs, especially when they need to visit him or her in prison (Morris 1965; Condry 2007), and many families experience stigma (Condry 2007). Moreover, the families have to negotiate complex,

sometimes contradictory emotions. Visiting a prisoner can be stressful, exciting and joyous, all at once (see Comfort 2008, Arditti 2012), for instance. Visiting prisons can also expose families to stigmatisation from prison staff and result in emotional trauma (Mills and Codd 2007). As I have argued elsewhere, therefore, families of prisoners experience a range of social injustices (Kotova 2014). Finally, it may be completely inappropriate to expect families to sustain such family links in cases when these families were themselves victims of the acts of the person in question.

The above is especially true in the context of prisoners' children. Maintaining contact with prisoners should not be seen simply as good by default. Children may find visiting stressful and upsetting, even if the relationship with the imprisoned parent is a positive one. Children may feel sad and upset after visits, as they have to leave their parent in the prison. They may feel intimidated by the searching process and the rigorous rules that prison visitors need to follow (see Arditti 2012).

We must, therefore, be very careful when we talk about offenders' families as being useful resettlement resources that the criminal justice system can draw upon. There is no central government body responsible for engaging with the complex needs of these families, and they often receive little support. Most have to rely on charities and NGOs, which are more often than not small, local and under-staffed, and lack secure long-term funding (Mills and Codd 2008). We need to strike a careful balance between harnessing family links within offender rehabilitation programs and ensuring we do not put an undue, unfair burden on families already experiences a range of social injustices. Moreover, we should not imply that

the family has a duty to ensure their relative does not offend again (and, by extension that they are “bad” families if he or she does offend). It is ultimately the duty of the state to ensure effective resettlement and rehabilitation for offenders, not the family. The challenge is to recognise and harness the role of the family when appropriate, but also to ensure we realize that this should not mean outsourcing the duties of professionals to vulnerable and socio-economically excluded families. This outsourcing may seem especially attractive at a time of challenging criminal justice budgets, but needs to be resisted (see Farmer 2017).

It should also be noted that if we only envisage families as important rehabilitation tools, many vulnerable families in need of support will be left out. For example, when someone is serving a very long sentence, the issue of rehabilitation does not arise for many years. In this time, we will have little imperative to engage with the family. Likewise, we will have little reason to engage with those families who decide to cease to have any contact with the person who offended. Nonetheless, these families may still need financial, practical and emotional support regardless of whether they can help the offender in his or her rehabilitative efforts or not.

Finally, it is critical that we recognise that that effective offender rehabilitation cannot be achieved without adequate funding, staffing and staff training (Farmer, 2017). The issue is one that goes far beyond ensuring offenders and families sustain meaningful, positive relationships. Our criminal justice system cannot be saved by positive family links alone. Lord Farmer, in his recent report on prisoners’ families ties, explicitly recognised that he found it impossible ‘not to be aware of the deep and pervasive problems endemic across

the prison estate, which have to be alleviated if rehabilitation is to be a realistic aim. These include understaffing and overcrowding...' (Farmer, 2017: 8). If rehabilitation is to be taken seriously, therefore, a wholesale program of rehabilitation-focused reform needs to be undertaken.

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