

European Prison Rules



Rule 5: Life in prison shall approximate as closely as possible the positive aspects of life in the community.

Rule 24: Contact with the outside world

Prisoners shall be allowed to communicate as often as possible by letter, telephone or other forms of communication with their families, other persons and representatives of outside organisations and to receive visits from these persons.

Communication and visits may be subject to restrictions and monitoring necessary for the requirements of continuing criminal investigations, maintenance of good order, safety and security, prevention of criminal offences and protection of victims of crime, but such restrictions, ... shall nevertheless allow an acceptable minimum level of contact.

The arrangements for visits shall be such as to allow prisoners to maintain and develop family relationships in as normal a manner as possible.

Prison authorities shall assist prisoners in maintaining adequate contact with the outside world and provide them with the appropriate welfare support to do so.

Rights of the Child - UNCRC



- the right to be **free from discrimination**, including where such discrimination might be consequences of the status and actions of their parents (Art.2);
- protection of the **best interest of the child** (Art. 3);
- the right to have **direct and frequent contact with parents** from whom the child is separated (Art. 9);
- the right of the child to **express his or her views** and to be heard in matters affecting their situation (Art. 12);
- the child's right to **protection of their family life and their privacy** (Art.16).
- the right of the child to **protection from any physical or psychological harm or violence** (Art. 19)



Reversible Thinking

<http://vimeo.com/71246866>

Courtesy of Families Outside, Edinburgh

<http://www.familiesoutside.org.uk/>

Coping Key Findings



Factors affecting children's welfare & resilience include:

- The quality of the parents' relationship with the child prior to imprisonment
- children's innate qualities, intelligence and personality.
- The importance of stability provided by care giving parents and their willingness to facilitate contact
- The importance of the child sustaining and maintaining her/his relationship with the imprisoned parent,

***“She mustn’t think we don’t love her...if
we don’t keep in touch she will think
we don’t love her and she will
harm herself”***

[sisters aged 13 & 15]





<https://vimeo.com/128154625> (imprisoned)
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Italian Memorandum of Understanding



- Signed by the Italian Minister of Justice, The National Ombudsman for Childhood & Bambinisenzasbarre
- Takes account of the best interest of the child and articles have to be implemented according to the scope of the responsible bodies:
- **Art.1:** decisions and practices concerning judicial orders, judgments and sentences: when a child is involved, Judges are invited to give alternative sentences to avoid prison.
- **Art.2:** minors' visits to prisons & the importance of welcoming children (such as the Spazio Giallo) in accordance with best practice
- **Art.3:** other types of contact with the imprisoned parent.
- **Art.4:** the training of Prison staff and Juvenile Justice operators:

- **Art.6:** the collection of data on imprisoned parents' children, in order to improve reception and visits to prisons,
- **Art.8:** establishment of a **permanent Working Group**, constituted by representatives of the three undersigning parties, which will periodically monitor the implementing of the points set out in the Charter, so as to follow the development of the national situation, promoting the cooperation of statutory and non-statutory agencies and encourages the exchange of good practice on the national and international level.

European Parliament Resolution November 2014



Art 13. to assess the impact of detention policies and criminal justice systems on children; points out that across the EU children's rights are directly affected in the case of children living in detention facilities with their parents; underlines the fact that an estimated 800,000 children in the EU are separated from an imprisoned parent each year, which impacts on the rights of children in multiple ways



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