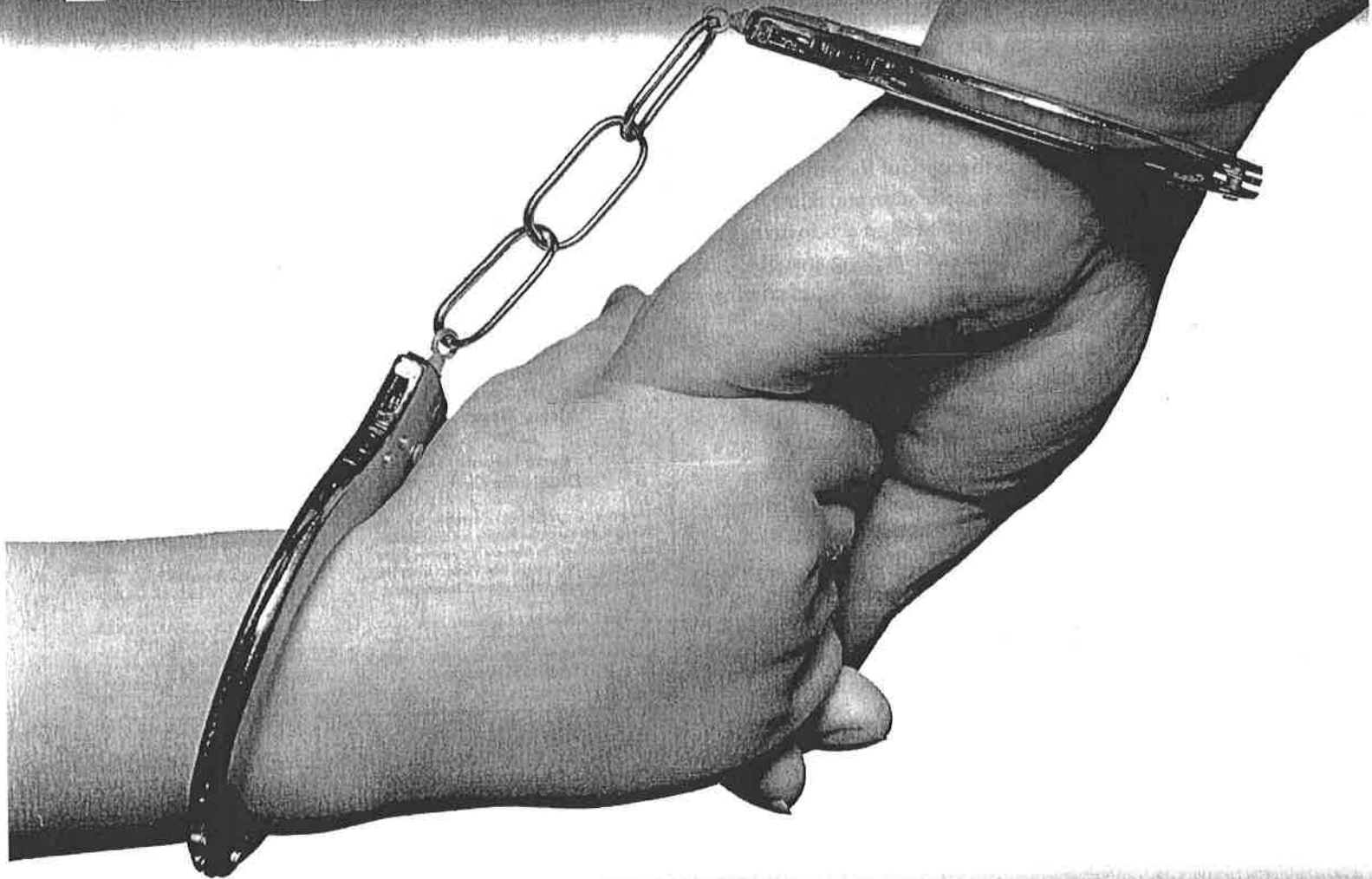


The  
**VANIER**  
INSTITUTE  
of the  
**FAMILY**

for Families About Families

Summer 2011 Vol. 41 No. 2

# Transition



## Families and Incarceration

# Editor's Note

*Systems theory*  
**W**hen a family network is fractured by incarceration, the impacts are far-reaching. It can be easy to forget that the men, women and youth sentenced to time in prison go as fathers or mothers, partners, siblings, sons or daughters. The roles and relationships that inmates carry with them into prison are often bound by ties of affection and responsibility that get stretched and challenged by the seclusion of incarceration.

When we overlook these more personal aspects of what it means to experience incarceration, we also run the risk of overlooking the unique needs and circumstances of the families and communities left behind when a member goes to jail.

To give us a better understanding of some of these needs, Alison Cunningham and Linda Baker of the Centre for Children and Families in the Justice System, introduce us to Brittany, a young girl preoccupied by fear and concern in the wake of her mother's incarceration. Through Brittany's story, we come to better appreciate the unique and profound destabilizing effects that maternal incarceration has on children and on extended family and community networks.

*FEMINIST*  
 Research shows that women who come into contact with the criminal justice system have different needs than men. Because the majority of female

inmates are mothers, they typically face steep challenges related to family separation, care provision and, eventually, community and family reintegration. In the second article, Julie Thompson, Director of Programs for Community Justice Initiatives in Waterloo, ON, speaks to the power and potential of volunteer, community-based programs to support women throughout the process of incarceration and reintegration.

The third article invites us into an emerging area of inquiry in the field of criminal justice: the greying of the prison population. Like the Canadian population in general, the average age of inmates is rising and posing a unique set of health, safety and institutional challenges. As noted by *Globe and Mail* (Nov. 1, 2011) columnist Gloria Galloway, penal institutions "were never meant to be nursing homes or long-term care facilities".

The final feature, Youth Voice, brings to life the words and experiences of a group of young Ontarians who came together for two days to share their questions, creativity and insights as they relate to questions of Youth Justice. Their collective wisdom is perhaps best captured in the words of one young participant who reminds us of the best way forward: "Treat people the way you want to be treated."

A truism we are all wise to heed.

Jenni Tipper, Editor

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The vision of the Vanier Institute of the Family is to make families as important to the life of Canadian society as they are to the lives of individual Canadians

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# Waiting for Mommy:

## Children of Incarcerated Women

Alison Cunningham and Linda Baker

**S**even-year-old Brittany is a typical grade two student, a bubbly girl who draws and plays with dolls. She's the middle one of three girls and lives with her mom and dad.

We met Brittany and her sisters about two years after their mother had served one month in prison for possession of stolen property. We were studying the impact on children and families when moms spend time in remand (waiting for bail or waiting to go to trial) or for short sentences in the provincial correctional system.

We asked Brittany what she remembered about the time her mom went "to jail." At first, Brittany assumed Mommy was staying with a cousin. This is what she had been told.

Then she learned the truth, in the overheard whispers of family members unaware she was listening. She wasn't supposed to know, that much was clear to Brittany. So she was alone with her secret, and with her worries. She worried that Mommy was in a cage, lonely, afraid and fed only bread and water. Learning this was not much of a surprise to us. With no direct experience of prison, children fill in the gaps of their understanding using television depictions of prisons. They also project their own feelings – loneliness, sadness, fear – onto the adult who is gone.

Here was the surprise: the intensity and frequency of Brittany's worries two years later. She was preoccupied on a daily basis by the possibility of losing her mother at any moment: unable to predict

it last time, it could happen again, out of the blue. "When she's not at home, I worry that she might be in jail," she told us. "Sometimes when she is out at night in town, I wonder if she's gone to jail." What is your biggest worry right now? "Mommy might go back to jail." At the age of five, she had lost that innocent, blissful assumption that Mommy will always be there to take care of her when she wakes up in the morning.

### **Maternal incarceration is destabilizing**

Women make up 6% of the provincial prison population, 6% of the remand population and 4% of the federal population (sentences greater than two years). So, most families changed by parental incarceration are missing a father. And yet, it is maternal

Prison is often the default option in the absence of more effective – and less costly – services such as addictions treatment, shelter or hospitalization. Certainly, the emotional and practical costs to the children are staggering.

Maslow's Hierarchy of Needs

incarceration that has a far more destabilizing effect on families than when fathers go to prison.

Why is this issue important? Because many studies document a statistical association between parental incarceration and an elevated likelihood of later incarceration among their children. For example, we found that 40% of the provincially sentenced women we surveyed in our study had themselves been separated from a parent by incarceration during childhood. Among the mothers of teenaged children, about half of those youngsters had already served a period of time in youth custody.

Why the link? None of several hypotheses has yet been empirically substantiated. For example, are the deleterious effects caused by the separation (and its suddenness and consequences) or by the factors contributing to the parent's incarceration, which in women are typically poverty and the residual effects of childhood trauma? Even genetics has been suggested, as have modeling of criminal values, "normalization" of incarceration and how maybe the police

harmful

prejudge the children of offenders as "bad kids" on their ways to criminal careers. Even without this research, we know enough to suggest that prison sentences and remand of women rarely make the public safer, often break down fragile family units and impair a woman's ability to support herself and retain custody of her children. The hidden costs to society extend far beyond the per diem fees associated with running a prison, when child protection systems are called to step in and as these already challenged families experience disruptions and changes, such as loss of housing. Prison is often the default option in the absence of more effective – and less costly – services such as addictions treatment, shelter or hospitalization. Certainly, the emotional and practical costs to the children are staggering.

**Female offenders are unique**

Say "female offender" and women like Karla Homolka often come to mind, because their exceptionality resulted in extensive media coverage. But Statistics Canada tells us that women (and girls)

offend at a far lower rate than is the case for men, commit less serious offences and are infrequently repeat offenders. Even among repeat offenders, their crimes tend not to escalate in severity. Crimes by women are usually driven by survival, exploitation by others, escape from abusive families or relationships, or the search for love, acceptance and belonging.

Brittany's mother, for example, stood accused of a minor property crime. Most women appearing in Canadian courts are charged with theft (usually shoplifting), fraud or an "offence against the administration of justice," such as breaching a probation condition. Like most women, her sentence was short: the average is 30 days. Like many women in her position, the force behind that crime was a man. Her brother left stolen property in her home for safekeeping. As a "first offender," and he with a lengthy criminal record, she "took the rap" to spare him another prison term. Everyone assumed she would "get probation."

Also making her typical, sadly, is the fact that Brittany's mom was a First Nations woman. More than one-third of

# About 20,000 Canadian children experience a separation each year, based on correctional admission statistics.

We met Adam four months after his mother's release on bail. He described how seeing his mom in detention made him sadder, so sad that he had to cover his eyes with his hands. A week before we saw him, he accidentally overheard how his mother now faced sentencing on the breach charge. The prosecutor was seeking a 10-month sentence. His family described a number of regressions in his developmental milestones, including wetting the bed. In fact, the sight of a McDonald's restaurant could cause him to pee his pants, the Golden Arches paired in his mind with such a painful memory.

## Children carry the shame and stigma of maternal incarceration

How do children buffer themselves from the emotional effects and stigma? They may use disengagement coping strategies, such as denial, self-blame or emotional numbing. They may see "the system" as unfair. Adam had fantasies of rescuing his mother from jail and attacking the police whom he viewed as responsible for her absence. Teenagers may act out their anger or use drugs or alcohol to reduce anxiety and

numb painful emotions. Or they may take on adult-like responsibilities, such as parenting younger children. Unlike separations for other reasons, such as military service or hospitalizations, children quickly realize that the situation is something to be embarrassed about, something to keep hidden from others such as teachers. This isolates them from sources of potential support. Surprising to some, infants could be the least affected, as long as they have a nurturing substitute caregiver with whom they are or can become securely attached.

Reactions to our study are interesting. We've done more media interviews on this topic than any other research we've done. They always ask how many children are impacted by maternal incarceration. There are no figures, but we estimate that about 20,000 Canadian children experience a separation each year, based on correctional admission statistics. Add in women still serving sentences from previous years and that number goes up.

Many caring and thoughtful people express embarrassment at not having considered incarceration through the eyes of children. These little ones sit in classrooms every day and are on the case loads of child protection and children's mental health agencies. They may be called foster children, behaviourally disordered, learning disabled, at-risk. But their status as inmate's child is too often invisible. Most people who read our study (available at [www.lfcc.on.ca](http://www.lfcc.on.ca)) ask us what type of programs we offer to these children. In fact, we get requests from people in other countries to visit our Centre to see our programs. But we have nothing to offer them, unable to find funding to develop and deliver such an intervention.

Are we suggesting that mothers should never go to prison? No. Some

crimes are so serious that a prison sentence is inevitable. Moreover, some women – and men – struggle with personal challenges, such as addictions, meaning they can't be the parents they want or need to be, at least today. It may be better for their children to live elsewhere until these issues are resolved. Take away these two types of cases and you are still left with thousands of situations where mothers who constitute no risk to society are detained, incarcerated and separated from children.

The sample of women we surveyed matched the expected profile: young mothers of young children, high levels of unemployment and early school leaving, low levels of father involvement with the children and an over-representation of Aboriginal and visible minority women. Theirs are oftentimes fragile family units, living in unsafe neighbourhoods, poor, socially marginalized, isolated from good family support. A stay in custody, even a brief one, is more likely to compromise their success in life than assist it. Can we as a society not find some more appropriate means of holding people accountable for minor violations of the law? Why has prison become the default response? The collateral damage of this lack of imagination – like Brittany and Adam – are hidden, but the costs to us all are high.

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*Alison Cunningham is a criminologist and Director of Research and Planning at the Centre for Children and Families in the Justice System (formerly the London Family Court Clinic).*

*Dr. Linda Baker is a clinical psychologist and Executive Director of the Centre. With funding from the National Crime Prevention Centre, they conducted a study in 2003 entitled Waiting for Mommy: Giving a Voice to the Hidden Victims of Imprisonment, available on the Centre's website: [www.lfcc.on.ca](http://www.lfcc.on.ca).*

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