

***“I am worried about the lasting impact this will have”*: The experiences of people with a family member in prison during COVID-19**

Background

From mid-March 2020, the Irish Penal Reform Trust has received calls from family members of people in prison who are highly concerned about their loved one during the pandemic. After receiving – and continuing to receive – dozens of calls since the COVID-19 restrictions were [first introduced](#), IPRT sought to formally gather some of these experiences through a survey. The survey was shared on social media and disseminated through a network of service providers.

Families of prisoners

The importance of maintaining familial relationships is recognised in several international human rights agreements. Every member of the family maintains the right to family life, as provided for by Article 8 of the European Convention on Human Rights (ECHR). As well as this, every child, under the UN Convention on the Rights of the Child has a right to regular contact with their parent. Maintaining positive family contact also has multiple benefits for the person in prison. Research shows that positive family contact is also a crucial factor in rehabilitation and reduces the likelihood of reoffending on release.

Many of the issues that children and families of prisoners have faced during COVID-19 have been universal. For example, [legal action](#) has been taken against the State in England, arguing that restrictions on prison visits are in breach of Article 8 of the ECHR.

However, this survey examined only the experiences of those aged over 18 with a family member in prison in Ireland during COVID-19 restrictions.

Limitations

The results below represent the key findings of small-scale survey with a small number of respondents (31), conducted over a three-week period (24 July 2020 to 13 August 2020). This is a snapshot and does not claim to be representative of the experiences of all family members of people in prison in Ireland. Nevertheless, it is essential that the experiences captured in the survey are heard, and are used to effect change. We hope the results of this survey will go some way towards raising awareness of the issues faced by children and families with a relative in prison among the public.

Key events to be aware of during the lifetime of the survey: on 20 July 2020, physical family visits were recommenced, permitting one adult visitor for a 15-minute visit per fortnight; from 17 August 2020, one adult visitor who may be accompanied by one person under 18 years of age was permitted for a 15-minute visit per fortnight. Find more information about visiting options during COVID-19 on the [Irish Prison Service website](#).

Profile of participants

Of those who completed the survey, their relationship to someone in prison was broken down as follows: 73% were a spouse/partner, 20% were a brother/sister, and 7% were a parent.

At least one response was logged by a participant with a family member in each of the following prisons: Wheatfield, Mountjoy, Limerick, Portlaoise, Dóchas Centre, Shelton Abbey and Loughan House.

Key finding 1: Issues for family members during COVID-19

When given a multiple-choice question about the issues faced as a family member during COVID-19, **87% of participants said their emotional well-being was an issue**, as they were concerned about the health and safety of their family member, including the possibility of them contracting COVID-19 in prison.

87% also noted that being unable to physically visit their family member was an issue for them, with many respondents detailing in open-ended answers that not being able to hug or kiss was particularly challenging. Some responses from participants are highlighted below:

“I have to stay strong for when my daughter is crying for her Dad and I can’t tell her when she can see him, she hasn’t seen him now in 5 months, he has always been in her life and she has a very close bond with him, this [worries] me so much.”

“No physical contact is more emotionally upsetting and traumatic.”

At the point in time the survey was conducted, **71% of participants had experienced issues with using alternative forms of contact** (e.g. video calls). Financial issues (in order to access digital technology) and technical difficulties were cited as reasons for not being able to keep in touch.

Policy Implications

The State has a duty to protect the right to life under Article 2 of the European Convention on Human Rights (ECHR). In this respect, the Irish Prison Service is to be commended for its success in protecting the prison population from COVID-19. However, the impact of COVID-19-related restrictions in prisons should be subject to further scrutiny. While IPRT notes the importance of adhering to public health guidance, this should not undermine human rights. The right to private and family life under Article 8 of the ECHR and the right of a child to ‘*maintain personal relations and direct contact*’ with their parent in prison under Article 9 (3) of the UN Convention on the Rights of the Child must be upheld.

As COVID-19 restrictions continue to impact on family contact, the State must ensure that the right to family life and the rights of children who have a parent in prison are upheld. **The Oireachtas Committee on Children, Disability, Equality and Integration should examine the impact of COVID-19 restrictions on the rights of children and their families affected by imprisonment.**

Key finding 2: Biggest concern for your family member

In response to an open-ended question about the biggest concern for their family member, the overwhelming majority of answers focused primarily on **concern for the mental health of their family member in prison**. This impact on mental health was particularly stark in the absence of physical family contact and the lack of emotional support available to prisoners. One respondent cited limited access to activities for their family member in prison as a particular concern. Another participant raised the enduring impact on mental health for his or her family member:

“At least we have each other when things are tough. I am worried about the lasting impact this will have.”

“My biggest concern was his mental health he suffered because of the loneliness and no physical visits. He really missed not having me there in person.”

Policy Implications

There is a positive obligation on the State to support the right of everyone to enjoy the highest attainable standard of physical and mental health (Art. 12 ICESCR). As recommended by Penal Reform International:

“Prison administrations should continue to facilitate mental healthcare provision and undertake specific efforts to mitigate negative mental health impacts of COVID-19 measures, including by working with community-based services. Mental health crisis plans, and longer-term mental health provision needs to be prioritised as restrictions ease. Plans should be developed by healthcare staff and developed together with people detained and staff.”

IPRT urges that all appropriate actions are taken to support the mental health of prisoners. A commitment in the *Programme for Government* to establish a high-level cross-departmental taskforce to consider the mental health needs of those in prison should be immediately commenced. This taskforce should include in its remit specific interventions to address the long-term impact of COVID-19 restrictions on the mental health of the prison population.

Key finding 3: Suspension of in-person visits

When asked how the suspension of in-person visits impacted on them and/or their children, **77% of participants said that the suspension of in-person visits had a negative impact.**

Many of those surveyed said the suspension of in-person visits was particularly challenging for children, who had little understanding of why they could not visit his/her parent. Responses also highlighted the strain COVID-19 restrictions put on their relationship with their family member in prison, including disruption to bonding between the child and their parent in prison:

“My daughter doesn’t have a bond with her daddy hard to explain why we can’t go in to kids when they have friends who are allowed to travel and visit family.”

“Impacted the children more than me because I can understand it more”

“Children missing their father after looking forward to their usual visit”

The indefinite duration of COVID-19 restrictions has been particularly hard for families to grapple with:

“We did not think it would be for so long and we didn’t even get to say goodbye. The kids think it will last forever and I had no timeline to give them.”

When asked about the first step toward the return of in-person visiting on 20 July 2020, participants highlighted the length of these visits (15 minutes) and distance for families to travel as issues, noting that it was most challenging for a child to endure a long journey for such a short duration of time. One participant reported that it took an eight-hour return journey for a 15-minute visit. Despite this **76% of respondents stated that they would be booking a visit when visiting resumed on 20 July.** However, nearly a quarter said they would not visit with mixed responses to the introduction of short prison visits:

“My partner has asked me not [to] as it’s too stressful to have a 6 hr round trip for a 15 minute restricted visit.”

“The short visit time and not being able to hear him.”

Many participants shared concerns with having a maximum of one child visit from 17 August 2020, with some parents saying they might bring no children, as it would be easier for them than having to pick one.

“I don’t think I will even bring one child, as it’s not fair on the other, you don’t know when the next time you can visit will be”

“Will have to pick between my children. That’s just not right.”

“I have to lie to the kids so they don't get upset that they can't come. It's too upsetting to tell them”

“Arrange Child minding as child won't be visiting”

“I can bring my child but if it is still a short visit it will be worse with two of us to share the time”

Policy Implications

The Irish Prison Service should consider extending prison visits to thirty minutes in line with the *Prison Rules, 2007*. The Irish Prison Service should also keep under review the maximum number of children who can visit their parent/relative in prison.

Key finding 4: Proposed measures for supporting children during COVID-19 restrictions

When participants were asked for their suggestions on what should be done to specifically support children who have a parent in prison during ongoing visiting restrictions, suggestions included maintain the child-parent relationship:

“Everything, a priority should be given to support the relationship between parents and their children - to disrupt the relational space and bonding is a break in trust and dependency that cannot be repaired.”

Other proposals included: **extra and longer phone calls with time allocated for children; extra and longer video calls; screened visit in a private room; parents in prison to be given a phone with the sole purpose of contacting their child; audio-video recordings “sending something recorded that they can see or hear whenever they need it”; longer visits; and “more calls at different times, maybe close to bed.”**

Key finding 5: Other forms of contact

When participants were asked how they would describe their ability to contact their family member in prison through other means (e.g. phone calls, video calls), **53% of participants rated it as ‘poor’, while 30% described it as ‘good’.**

When asked to select the single-most valuable method of communication in order to keep in contact with a family member in prison during the COVID-19 restrictions, **telephone calls were rated as the most valuable form of contact, at 57%.** Video calls were also rated as valuable at 30%, however, 35% of the sample reported issues related to *‘poor signal/quality issues’.*

Open-ended answers show the value of video calls when they worked:

“Initially there were technical issues, but the IPS technical staff helped resolve the issues and they work now, but 15 minutes is short, but still very glad of them”

“When video calls worked it was great. When they didn't work it was [a] disaster and upset everybody”

“We need to see our family member as it is our right and theirs too this system needs BIG changes for anyone in prison for life”

Despite these challenges, in an open-ended question that asked if there were measures introduced during the COVID-19 restrictions that would help support family contact in the future, 70% who answered this question stated they would like to see video calls retained as an additional measure to visits:

“The video calls were a good idea when they worked because he was able to see family life and new things done to the house and garden and new clothes that I bought for him it just made us and him feel part of the family and he wasn't missing out as much.”

77% of participants reported that they did not receive any extra phone calls. 80% reported no increased duration of phone calls with their family member. **When asked what action could improve family contact while certain restrictions remain in place, in-cell phone provision was weighted the highest.**

Policy Implications

Over many years, IPRT has called for increased availability of phone and video calls across the estate to support the maintenance of positive family relationships. **Reiterating these calls, IPRT is now calling for:**

- **The roll-out of in-cell phone provision across the prison estate**
- **Increase in the frequency and length of time on phone calls**
- **Video calls to be retained, with enhanced use**
- **Special provisions to be made, as appropriate, to support child-parent contact**

These measures should be additional forms of family contact in the long-term, and should not replace traditional in-person visits for those who want to avail of them.

Next steps

The impact on people with a family member in prison during COVID-19 restrictions has been immense. **We'd like to thank everyone who shared their experiences with us, during what has been a difficult time for them and their families.**

The results of this survey will help to inform our engagements with stakeholders and support both our current and future policy, campaigns, and advocacy work in this area. While there are several steps that could be taken immediately in response to the challenges faced by those with a family member in prison during COVID-19, it is important that positive changes are retained and that the longer-term issues that existed before the pandemic are appropriately addressed, to both minimise disruption in the event of future restrictions, and to meet the needs and fully uphold the rights of everyone with a family member in prison.

IPRT Recommendations

1. As COVID-19 restrictions continue to impact on family contact, the State must ensure that the right to family life and the rights of children who have a parent in prison are upheld. The Oireachtas *Committee on Children Disability, Equality and Integration* should consider and examine the impact of COVID-19 restrictions on the rights of children and their families affected by imprisonment.
2. IPRT urges that all appropriate actions are taken to support the mental health of prisoners. A commitment in the *Programme for Government* to establish a high-level cross-departmental taskforce to consider the mental health needs of those in prison should be immediately commenced. This taskforce should include in its remit specific interventions to address the long-term impact of COVID-19 restrictions on the mental health of the prison population.
3. The Irish Prison Service should consider extending prison visits to thirty minutes in line with the *Prison Rules, 2007*.
4. The Irish Prison Service should continually review the maximum number of children who can visit their parent/relative in prison.
5. Alternative means of supporting family contact should be maintained or introduced, including: the roll-out of in-cell phone provision across the prison estate; increased frequency and length of time on phone calls; video calls to be retained, with enhanced use; and special provisions to be made, as appropriate, to support child-parental contact.