

## **What can be done to improve information sharing between Corrective Services, NSW Department of Education and non-government organisations like SHINE for Kids, regarding students with parents in custody?**

We know from Kristin Turney research in the US that parental incarceration is independently associated with learning difficulties and developmental delays<sup>1</sup>. The Committee on the Rights of the Child has observed that education is ‘the single most important policy investment that States can make to ensure the immediate and long-term development of adolescents’.<sup>2</sup> As European Commission Coordinator for the Rights of the Child Margaret Tuite recently said, schools can be “game-changers” for children impacted by the imprisonment of a parent.<sup>3</sup>

### **International Best Practice**

The Children of Prisoners: Interventions and Mitigations to Strengthen Mental Health (COPING) study was a child-centred project, running from 2010 to 2012, which investigated the resilience and vulnerability to mental health problems of children of imprisoned parents<sup>4</sup>. Covering 4 countries (Sweden, Romania, Germany, and the UK), the COPING research found that children’s resilience is closely related to sharing information with them openly and honestly about what has happened and the reasons for their parent’s imprisonment, consistent with their age and maturity. Study findings also identified the importance of sharing information about the parent’s imprisonment with professionals, notably teachers. The research highlighted the potential for schools to contribute to the emotional well-being of children of prisoners, particularly by supporting the child and helping reduce bullying and stigma.

### **In Australia**

There is currently no information sharing between Education, Corrections and SHINE for Kids. This is largely because there is no nominated representative (centrally or regionally) from each of these departments responsible or accountable for outcomes for children with a parent in prison. There is no joint policy, strategy or KPI’s to ensure outcomes for children with a parent in prison. This results in there being no requirement to collaborate and a significant gap for children with a parent in prison.

### **RECOMMENDATION**

SHINE for Kids would welcome a coordinated and strategic partnership between Corrective Services, NSW Department of Education and SHINE for Kids. This would be one step in ensuring a multidisciplinary systems approach that places children with a parent in the prison at the centre.

### **RECOMMENDATION**

SHINE for Kids recommends a joint strategy document, Key Principles and Information Sharing Guidelines be co-designed to ensure a partnership that ensures the best interest of students with parents in custody is achieved. The Strategy should also explore involving imprisoned parents in their children’s schooling.

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<sup>1</sup> <https://www.jstor.org/stable/26641551>

<sup>2</sup> United Nations Committee on the Rights of the Child.(2016). General Comment on the implementation of the rights of the child during adolescence. April 2016. CRC/C/GC/20\* <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPrICAghKb7yhsqlkirKQZLK2M58RF%2F5F0vH%2Bg0BeHNYSXl2ulaeIW9Y1nEBWXdUgC9p%2Fn2WzRfn3fwsXNNC%2B2E7%2BbuK3ful8wJQP6tAIEzFZVO26Bnyk9OH>

<sup>3</sup> [https://childrenofprisoners.eu/wp-content/uploads/2019/02/EJPI\\_06\\_2017-ENGLISH\\_Web.pdf](https://childrenofprisoners.eu/wp-content/uploads/2019/02/EJPI_06_2017-ENGLISH_Web.pdf)

<sup>4</sup> Jones, A., Gallagher, B., Manby, M., Robertson, O., Schützwohl, M., Berman, A.H., Hirschfield, A., Ayre, L., Urban, M. and Sharratt, K. (2013) COPING: Children of Prisoners, Interventions & Mitigations to Strengthen Mental Health [online], available from: <http://www.hud.ac.uk/research/researchcentres/acc/projects/coping-children-of-prisoners/>

Without such a partnership and guidelines the current system relies on SHINE for Kids identifying children and contacting individual schools to provide support though our RISE Education program which is philanthropically funded.

SHINE provides this program in the following communities:

- Goulburn
- Wagga/Junee
- Kempsey
- Clarence Valley
- Western Sydney

### **Best Practice Australia: RISE Program**

The RISE Education Program gives primary aged students with a parent in prison access to a vital support system that encourages their learning and development. Each student is matched with an education mentor who supports them academically, socially and culturally. Tailored, one-on-one support in the classroom on a weekly basis ensures students are positively engaging with education and provided the holistic support and resilience they need not just to survive an exceptionally difficult time in their lives, but to thrive academically. Once a year students attend RISE Together – a group mentor and mentee outing that helps reduce stigma and isolation, and focuses on increasing self-esteem and increasing peer support. As part of the RISE Education program, SHINE offers its one-day, NESA-accredited teacher training seminar. The seminar helps teachers and schools better support children with an incarcerated parent. RISE also encourages and supports the incarcerated parent to engage in their child's education as well as holding parent/teacher interviews with the parent in custody.

Outside of SHINE for Kids there is also no training currently available for teachers on how best to support students with a parent in prison. I have attached an External Evaluation of Teacher Training that SHINE has developed. This training is NESA (National Education Standards Authority) accredited but receives no government funding.

Due to the stigma of having a parent in prison information sharing is only useful if training and support is provided to educators. To share information without this support does not serve to improve educational outcomes for children with a parent in prison but rather increases the likelihood of school being a risk factor for children with a parent in prison. In order for school to be a protective factor the department needs to invest in providing educators with training otherwise in isolation information sharing is a risk factor not a protective factor.

The consequences of stigma and discrimination, brought about by a lack of understanding and training regarding the consequences of disadvantage in childhood, is illustrated in the suspension and expulsion rates of children in Out-Of-Home-Care (OOHC) in NSW. As the Committee has heard in witness testimony and submissions, children of imprisoned parents are likely to be placed in OOHC, often as a result of parental imprisonment. Reference to the poor outcomes for children in OOHC are therefore relevant when considering the needs of children of imprisoned parents generally. Suspension and expulsions powers have been found to impact disproportionately upon Indigenous children<sup>5</sup> and those in OOHC.<sup>6</sup> According to data obtained by the Australian Human Rights Commission, almost 60% of children in OOHC were suspended in 2016, and these children lost, on average, 29 school days to suspensions.<sup>7</sup>

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<sup>5</sup> New South Wales Aboriginal Education Consultative Group Inc. (AECG) (2018) Submission to the Convention on the Rights of the Child [https://www.aecg.nsw.edu.au/wp-content/uploads/2018/10/NSW-AECG-Convention-on-the-Rights-of-the-Child-Submission-DRAFT-4-00000002\\_withcover.pdf](https://www.aecg.nsw.edu.au/wp-content/uploads/2018/10/NSW-AECG-Convention-on-the-Rights-of-the-Child-Submission-DRAFT-4-00000002_withcover.pdf)

<sup>6</sup> NSW Ombudsman (2017) Inquiry into behaviour management in schools. NSW Ombudsman. Sydney, NSW. Australia.

<sup>7</sup> Australian Human Rights Commission (AHRC)(2018) 'Children's Rights Report 2017', Australian Human Rights Commission, Canberra, ACT, Australia. p17. <https://www.humanrights.gov.au/our-work/childrens-rights/publications/childrens-rights-report-2017>

Children with parents in prison that SHINE supports are often well aware of negative assumptions directed towards them due to their parent's incarceration. This risk of stigmatisation can contribute to them preferring that their situation be kept secret. Schools must therefore approach the subject in a sensitive manner, recognising that many children may be reluctant to seek, or accept, support for this reason. This is why it is critical that a community based organisation like SHINE for Kids is able to support the student, the school and carer/parent. Often the key can lie in students and parents feeling they won't be judged, knowing that the school's focus will be on how the child can be best supported, and not on the offence committed. SHINE has developed a School Policy, Tips for Teachers and a list of resources to help guide this work. SHINE also provides tips on how to integrate issues around imprisonment into the school curriculum more generally. By introducing issues around familial imprisonment into the curriculum, the stigma felt by family members can be reduced.

## **RECOMMENDATION**

SHINE has recommended that resources be provided to extend the RISE program to Cessnock, Bathurst, Western Sydney, Clarence and Wellington. This enables SHINE to provide the necessary training and support at a local level to educators working with a child with a parent in prison. In our Supplementary Submission we outlined the cost of this program per location is \$150K.

*Schools are the one institution that almost all children regularly attend. They are an important source of support for children with imprisoned parents and have potential to contribute to their emotional wellbeing. However, schools are often unaware of the existence of the children of prisoners, or their needs. Where the fact of parental imprisonment becomes public knowledge, children can be bullied and stigmatised. Where teachers or other trusted school staff (such as assistants or school nurses) do know about the situation, they can support the child emotionally, academically and practically, although this does not always happen.*

## **RECOMMENDATION**

Schools can help to normalise parental incarceration by including it in the preliminary check-lists that all parents have to fill out at the beginning of the school year in the same way as parents might report special health concerns, food restrictions, or changes to family arrangements, for example. If the reporting of parental imprisonment is part of standard procedure for every single child, this can go a long way to reducing stigma.

A referral pathway that positions SHINE as the conduit or advocate for children with a parent in prison is critical. It could be something that NSW Corrective Services facilitates providing a SHINE-authored Information Pack to parents on entry to prison, on moves to a different jail, or at certain points throughout incarceration to allow for parents to consent to sharing. Unfortunately, the current stigma and ignorance about children of prisoners might mean it is too early and problematic for mandated referral pathways that do not include SHINE as the expert conduit, although this could become unnecessary in the future.

The referral pathway should also allow for children 14 years and over to give consent to information being exchanged between departments on this issue, irrespective of parental consent. The child's views ought to be paramount in this respect.

Young people can be both a prisoner and the family member of a prisoner at the same time. This group does not feature in familial imprisonment research, government policy, or practice but needs to. Specific consideration of information sharing as it pertains to this cohort needs to be considered in the Key Principles and Information Sharing Guidelines.