



**Policy name: Strengthening Prisoners' Family Ties Policy Framework**

**Reference:** N/A

**Re-issue Date:** 27 January 2020

**Implementation Date:** 31 January 2019

**Replaces the following documents (e.g. PSIs, PSOs, Custodial Service Specs) which are hereby cancelled:**

- NOMS Service Specification:
  - Social Visits - Conduct Visits Outcome 23.
  - Services to Visitors, Outcomes; 6, 7,11,13 and 14.

**Introduces amendments to the following documents (e.g. PSIs, PSOs, Custodial Service Specs):**

- PSI 16/2011

**Action required by:**

<input checked="" type="checkbox"/>	HMPPS HQ	<input checked="" type="checkbox"/>	Governors
<input checked="" type="checkbox"/>	Public Sector Prisons	<input checked="" type="checkbox"/>	Heads of Group
<input checked="" type="checkbox"/>	Contracted Prisons	<input type="checkbox"/>	Contract Managers in Probation Trusts
<input type="checkbox"/>	National Probation Service	<input type="checkbox"/>	Community Rehabilitation Companies (CRCs)
<input type="checkbox"/>	HMPPS Rehabilitation Contract Services Team	<input checked="" type="checkbox"/>	HMPPS-run Immigration Removal Centres (IRCs)
<input type="checkbox"/>	Other providers of Probation and Community Services		

**Mandatory Actions:** All groups referenced above must adhere to the Requirements section of this Policy Framework, which contains all mandatory actions.

Governors must also ensure that any new local policies that they develop as a result of this Policy Framework are compliant with relevant legislation, including the Public-Sector Equality Duty (Equality Act 2010).

**For Information:** By the implementation date Governors<sup>1</sup> of Public Sector Prisons and Directors of Contracted Prisons must ensure that their local procedures include services that support the maintenance and development of positive links between prisoners, their family and significant others.

Governors are required to develop local arrangements and strategies to deliver the outcomes and requirements set out in this policy. See Annex A

**How will this Policy Framework be audited or monitored:** The Family Strategies Working Group meet monthly to discuss progress on implementing the Lord Farmer recommendations. Family performance measures, audits and Her Majesty's Inspectors of Prisons have aligned their expectations and standards to include strengthening family ties.

---

<sup>1</sup> In this document the term Governor also applies to Directors of Contracted Prisons.

**Resource Impact:** Since October 2017, Governors in Public Sector Prisons hold the budgets and responsibility for providing family services, giving them the authority and leverage to utilise resources to support positive relationships between prisoners, their family and significant others. Governors were engaged in a commercial exercise to select new family services providers which are now contracted to deliver services over 3 years + 1 year - providing flexibility where an extension at the end of the contract period may be required.

**Contact:** Central.Family.Support@justice.gov.uk or Angela.christopher@justice.gov.uk or Tim.Lloyd@noms.gsi.gov.uk

**Deputy/Group Director sign-off:** Anthony Green, Director of Offender Reform.

**Approved by OPS for publication:** Phil Copple, Joint Chair, Operational Policy Sub-board

## Revisions

Date	Changes
4 September 2019	Paras 4.6 and 5.6 added in relation to Cafcass.
27 January 2020	Paras 4.11 - 4.14 Change in name from APVU to Family Services. Para 4.30 Family Days excluded from local Incentives Policy.

## CONTENTS

Section	Title	Page
1	Purpose	5
2	Evidence	5
3	Outcomes	5 – 6
4	Requirements <ul style="list-style-type: none"> <li>• Legal Requirements</li> <li>• Visits</li> <li>• Family Services (formerly Assisted Prison Visits Scheme)</li> <li>• Establishing a Family Strategy</li> <li>• Family Contact</li> <li>• Play Facilities</li> <li>• Prisoners without Family Contact Details</li> <li>• Foreign National Prisoners</li> <li>• Security</li> <li>• Contact with children - Family days and other activities</li> <li>• Women's Estate</li> </ul>	6 – 13
5	Guidance <ul style="list-style-type: none"> <li>• Lammy Review</li> <li>• Care Leavers</li> </ul>	13-14
Annex A	Other Policies Relevant to this Policy Framework	15
Annex B	Related Documents and Further Reading	16

## 1. **Purpose**

- 1.1. This policy supports the maintenance and development of prisoners' relationships with family, significant others and friends, by using a range of methods and interventions. Supporting prisoners' relationships outside of prison is considered to help prevent reoffending and reduce intergenerational crime. (See evidence in Section 2 below)
- 1.2. Prisoners, their family and significant others, all internal and external staff and service providers are encouraged to work in partnership and share good practice, to enhance opportunities for prisoners to develop or enhance positive relationships. This service can include physical, digital and other forms of communications such as phone calls and letters.

## 2. **Evidence**

- 2.1. There is growing evidence that family support and maintaining family ties is not only important for the well-being of prisoners, but may also aid reintegration into the community following release from prison, and reduce reoffending. In a Ministry of Justice Surveying Prisoner Crime Reduction (SPCR) survey of almost 1500 newly sentenced prisoners in England and Wales, 40% said that support from their family, and 36% said that seeing their children, would help prevent them from reoffending.<sup>2</sup>
- 2.2. Other research using survey data found that prisoners who received visits during imprisonment or who had a close partner were more likely to report that they had arranged employment and accommodation on release, and had a lower reconviction rate in the year after release from prison, than those who did not.<sup>3</sup>
- 2.3. A recent study found that higher levels of emotional support were associated with significantly lower rates of recidivism among a reasonably large sample of prisoners in the U.S. This effect was stronger for incarcerated women than men.<sup>4</sup>
- 2.4. In another UK based study positive family relationships significantly predicted less difficulty with accommodation, alcohol and drugs, better family relationships and coping ability after release.<sup>5</sup>

## 3. **Outcomes**

- Each prison must have a Family and Significant Other Strategy and development plan that is available to prisoners, staff and all visitors. The strategy is outward facing, published and freely available to families, prisoners and staff. It will be easy to read; avoiding any complex language or acronyms.

---

<sup>2</sup> Williams, K., Papadopoulou, V., & Booth, N. (2012). Prisoners' Childhood and Family Backgrounds: results from the Surveying Prisoner Crime Reduction (SPCR) Longitudinal Cohort Study of Prisoners. Ministry of Justice Research Series. London: Ministry of Justice

<sup>3</sup> May, C., Sharma, N. and Stewart, D. (2008) Factors linked to reoffending: a one-year follow-up of prisoners who took part in the Resettlement Surveys 2001, 2003 and 2004, Ministry of Justice Research Summary 5. London: Ministry of Justice. Published online at: <<http://www.justice.gov.uk/publications/factors-linked-to-reoffending.htm>> accessed February 2012.

<sup>4</sup> Taylor, C. (2015). Gendered pathways to recidivism: Differential effects of family support by gender. *Women and Criminal Justice*, 25, 169-183. DOI: 10.1080/08974454.2014.989305

<sup>5</sup> Markson, L. Losel, F., Souza, K., & Lanskey, C. (2015). Male prisoners' family relationships and resilience in resettlement. *Criminology and Criminal Justice*, 15, 423-441.

- Governors will identify the development aims of the Family and Significant Other Strategy and seek to report back on progress of objectives at least annually.
- A Senior Manager leads on Families and ensures that family work is an operational priority.
- Family work is prioritised and staff understand its importance in reducing reoffending keeping prisoners safe and preventing self-harm and suicide.
- All staff are fully trained in child protection/ Public Protection and Safeguarding. (See HMPPS Family and Significant Other Operating Guidance<sup>6</sup> and Public Protection Manual<sup>7</sup>).
- Family service provision supports the development and maintenance of prisoners' family and significant other ties and outside contacts.
- Information is made available to prisoners, their family and significant others regarding the application process for accessing extended visits, where locally these are made available.
- Family learning service in partnership with the offender learning provider offer advice on how best to meet the needs of the prisoners, family/significant others.
- Governors and Directors use Release on Temporary Licence (ROTL) to enable prisoners that have been risk assessed and approved to spend time with family and significant others.
- Innovative approaches are developed to enable prisoners to engage with their family and significant relationships.
- Governors must provide contact details that prisoners' families/significant others can use to share information with the prison about risk of harm to and from prisoners.
- Governors must put effective arrangements in place to receive and act promptly on information, and to provide feedback to the individual where appropriate.

#### 4. **Requirements**

##### **Legal Requirements**

- 4.1. The following criteria reflect the requirements of Article 8 of the European Convention on Human Rights ("ECHR"); Respect for family life and private life.
- Under section 6 of the Human Rights Act 1998, a public authority is obliged to act compatibly with ECHR rights, including article 8. Both the Secretary of State for Justice and governors are bound by section 6 of the Human Rights Act 1998. Governors must ensure that the local prison approach to the family ties strategy is sufficient to ensure compliance with article 8.

---

<sup>6</sup> <https://intranet.noms.gsi.gov.uk/groups/families/delivering-effective-family-practice-operational-guidance-document>

### *Prison Rules 1999*

- Each prison must ensure that it operates in accordance with rule 4 of the Prison Rules 1999 and complies regarding **outside contacts**.
- Special attention shall be paid to the maintenance of such relationships between a prisoner and his family or significant other, as are desirable in the best interests of both, Prison Rule 4(1).
- A prisoner shall be encouraged and assisted to establish and maintain such relations with persons and agencies outside prison as may, in the opinion of the governor, best promote the interests of his family and his own social rehabilitation, Prison Rule 4(2).

4.2. The Equality Act created the **Public Sector Equality Duty (PSED)**, which requires that public authorities, including the Secretary of State for Justice and Governors must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

See PSI 20/2016 Implementation of Equality Analysis

4.3. According to Prison Rules 1999, HMPPS shall encourage and assist the maintenance of relationships between prisoners and their families to support their social rehabilitation. This is integral to an offender's right to family life as their rehabilitation and visits are crucial to sustaining relationships with close relatives, partners and friends where appropriate and help maintain links within the community.

4.4. All newly received prisoners and their family must be provided with information about early days in custody which include information on visits in a format that is easy to understand.

4.5. In compliance with rule 10(2) of the prison rules 1999 the governor or a designated member of staff must explain information to a prisoner (i.e. orally) if they cannot read or have difficulty understanding, so that they can understand their rights. Materials and information must also be provided in different ways for prisoners who are learning disabled, illiterate, have mental health impairments, are blind, or require a foreign language translation.

### **Cafcass (the Children and Family Court Advisory and Support Service)**

4.6. Cafcass safeguards and promotes the welfare of children in family law proceedings. Their principal functions are found in section 12(1) of the Criminal Justice and Court Services Act 2000. The majority of their work is in private law divorce and separation cases in which the arrangements for children were disputed, and their role in these cases is set out in Practice Direction 12B (the Child Arrangements Programme). Cafcass has a duty to, wherever possible, undertake telephone risk identification interviews with the adult parties before the first hearing (13.4, PD12B). Cafcass practice is to set telephone appointment times in advance, according to their adviser's availability. Telephone interviews between Cafcass and prisoners must be permitted in line with paragraph 7.1 of PSI 49/2011 - allowing incoming calls from official bodies and the Courts. Cafcass is considered an official body. Each prison must identify a single point of contact (SPOC) for Cafcass; the senior manager designated to lead on families will be the default point of contact unless the Governor designates an alternative point of contact. Switchboard staff should be aware of who the relevant SPOC is. Further guidance is provided below at paragraph 5.6.

## Visits

- 4.7. Governors must permit prisoners to receive visits in compliance with Prison Rule 35 on personal visits, which requires that convicted prisoners must be permitted to receive visits twice every 4 weeks. Governors must also actively encourage prisoners to maintain outside contacts as may, in the opinion of the Governor, best promote the interests of his family and his own social rehabilitation. Prison Rule 4 sets out that special attention should be paid to the maintenance of relationships between a prisoner and their family as are desirable in the best interests of both; including foreign national prisoners. See PSI 16/2011 Providing Visits and Services to Visitors for details of statutory entitlements to visits and the environment that these take place in, as well as who is eligible. Guidance is provided on good practice relating to visits.
- 4.8. Governors need to be mindful of the fact that the visitor experience is very much determined by their first experience of attempting to book a visit. Visits booking systems rules need to be accurate, straightforward and widely advertised on the MOJ prison finder page. Consideration must be given to ensuring the prison's booking line provides adequate cover to ensure the work is remains an operational priority. Turnaround times on the simplest of visit booking requests can be lengthy and can be further delayed when a visit request isn't straightforward.
- 4.9. Governors must consider any potential barriers at the establishment such as the physical appearance of the visits halls, the lengthy wait time from entering the visits centre to seeing a prisoner which may reduce meaningful contact time.
- 4.10. Governors may wish to consider utilising the HMPPS centralised booking system which provides the prison with the opportunity to offer visitors a booking line from 9am – 6pm Monday to Friday, online bookings which can be actioned within 1 – 3 working days over 90% of the time and a dedicated email booking facility for professional visitors. While a standardised booking approach is aimed for, the service does not lose sight of the individual prison culture and population and their challenges and currently covers a range of prison establishments (such as HMPYOIs and the Women's estate). This allows the prison to focus on their internal processes but also the visitor (and prisoner) experience at the prison.
- 4.11. Provision will include the following:
- Facilities should be provided for children to play whilst visiting a prisoner.
  - Governors will ensure that private meetings can be facilitated between visitors and Partner Agencies
  - The visitors' area caters for the needs of children and promotes a positive and safe experience.
  - Visitors receive understandable basic information through a variety of media on support services for families and signposting to specialist services.
  - All visitors have an opportunity to speak to a member of staff to share their concerns or discuss their family member.
  - Accurate information about Family Services and establishment visiting arrangements is accessible to visitors.
  - A Family Support Worker is available to support families.

## Family Services – Help with Prison Visits

4.12. The Family Services -Help with Prison Visits (HWPV) can help with funding to support eligible family and significant others to gain assistance when visiting loved ones in custody. Prison Governing Governors and Directors of Contracted Prisons must ensure that all relevant staff, visitors centre staff and volunteers who come into contact with visitors are aware of the HWPV scheme and must also ensure that:

- The HWPV scheme is widely advertised in: visitor's centres, visit and/or waiting rooms and in the prison library.
- Prisoner induction programmes or similar must provide basic information about the HWPV scheme.
- That application packs and information about the scheme in Welsh and a range of other languages and in Braille or on audio tape or CD must be readily available and easily accessible to visitors and prisoners. Application packs (VA001p) and Confirmation of Visits forms (VA005) are available from Branston stores.
- They comply with PSI 16/2011 (Providing Visits and Services to Visitors).

A confirmation of visits system operates in every prison including contracted out prisons.

- Each prison will use a special visit date stamp to confirm that the visit took place.
- The confirmation of Visits form must be date stamped by visits staff to confirm that a visit took place. Blank forms will not be date stamped.
- The confirmation of visits form must also be date stamped when a qualifying visitor is collecting or meeting at the gate a prisoner who is released on temporary license or when a visitor is attending the prison to participate in a Lifer Day, Relationship Course or similar. Blank forms will not be date stamped.
- At the prison, a nominated officer will write, IN WORDS, the number of children accompanying the visitor, date stamp the form and return it to the visitor. Blank forms will not be date stamped.

4.13. Visitors refused entry to the prison for being intoxicated or unruly or for carrying contraband or failing to provide acceptable ID will not qualify for assisted prison visits. In these cases, the Confirmation of a Visits form must not be completed by the prison. The visitor must repay any advanced payment unless a visit takes place within 28 days of being refused entry.

4.14. Governing Governors and Directors of Contracted Prisons will notify Family Services of any visitors who are banned. To help maintain contact between prisoners and their children, a banned visitor who would otherwise qualify for assisted prison visits may nominate an escort for their child/children, subject to notifying the Family Services in writing. Posters, audio tapes, CDs and notes about the scheme in Braille are available from Family Services. Enquiries/requests via email to [assisted.prison.visits@noms.gsi.gov.uk](mailto:assisted.prison.visits@noms.gsi.gov.uk).

4.15. Application forms, Confirmation of Visits forms and Information about the scheme in Welsh and a range of other languages can be downloaded from HM Prison Service - Can I get help with the cost of prison visits?

### Establishing a Family Strategy

4.16. Governors and Directors must develop a family and significant other strategy that includes the following Farmer *family offer* defined as:

- (a) Visitor base/centre and visiting services;

- (b) Staffing structure to ensure family work is an operational priority;
- (c) Extended visits for eligible prisoners based on local policy; (e.g., Homework clubs and family days)
- (d) Family learning; and
- (e) 'Gateway' communication system. – (Effective arrangements for families/significant others to report safety concerns, and promotion of their use)

*Please see detailed explanation of the family offer in* HMPPS Family and Significant Operational Guidance document <https://intranet.noms.gsi.gov.uk/groups/families/delivering-effective-family-practice-operational-guidance-document>

- 4.17. The Family and Significant Other Strategy may be an individual document for each prison, or an overarching group strategy which sets out how each prison will deliver on the outcomes set out in this document. The HMPPS Family and Significant Operational Guidance document is a useful tool to aid the development and maintenance of a strategy that will support the delivery a well- structured family and significant other service.<sup>8</sup>
- 4.18. When developing the local family strategy, Governors must consider recommendations from the Farmer Review (2017), HMIP Expectations and Operations Systems Assurance Group Audit and other relevant data.
- 4.19. The Senior Manager responsible for family visits must monitor and review their family service provision through a formal annual review process, including a visitor feedback based on intentions listed in a published, Local Family Strategy. This information may be collected using a needs analysis and surveys. See HMPPS Family and Significant Other Operational Guidance for an example of a Visitor Survey.

## **Other Requirements**

### **Family contact**

- 4.20. Governors in partnership with family service providers must make opportunities available for prisoners to interact positively with their family and significant others. This may include family days where prisoners can spend time with their families in a relaxed environment; homework clubs as appropriate depending on location, or other bespoke services to meet the identified needs of prisoners and the prison category. See HMPPS Family and Significant Other Operating Guidance. <https://intranet.noms.gsi.gov.uk/groups/families/delivering-effective-family-practice-operational-guidance-document>.
- 4.21. Governors will establish a process that enables family members and/or other people with concerns about a prisoner's safety to contact an identified member of staff without delay. On receipt of such information:
  - A member of staff will physically check to make sure that the prisoner is safe.
  - The information received will be used to determine:
  - for a prisoner who is not being supported through the ACCT process, if to open an ACCT document, or what other action is necessary;

---

<sup>8</sup> <https://intranet.noms.gsi.gov.uk/groups/families/delivering-effective-family-practice-operational-guidance-document>

- for a prisoner who is being supported through ACCT, if a review is necessary.
- 4.22. The process must include prompt feedback to the person who raised the concerns, to confirm that the individual is safe and (with due consideration to the appropriateness of the level of information sharing) to describe what action is being taken.
- 4.23. This service may be required at any time, and Governors will therefore need to ensure the effectiveness of the provision at all times of the day and night, and that it is sufficiently resourced. The potential benefit of this service will include reducing the risk of self-harm and suicide, particularly after a difficult visit or phone call, or the receipt of bad news.

### **Play facilities**

- 4.24. Governors and providers must make sure that all staff delivering services to children are appropriately vetted, trained and have received clearance to work with children and vulnerable people (Disclosing and Barring Service – DBS, Security Vetting).

### **Prisoners without family contact details**

- 4.25. Governors must identify prisoners who do not have details of family or significant others or who do not receive visits. Establishments should evidence that such individuals have been encouraged and supported to establish at least one external contact.
- 4.26. In accordance with Prison Rule 4(2) Governors must encourage and assist prisoners to establish and maintain relations with agencies (as well as persons) which the governor thinks best promote the interests of their social rehabilitation. They should identify which type of agency, organisation or charity with the help of the family services providers could help prisoners with rehabilitation.
- 4.27. In compliance with Prison Rule 5, consideration must be made to the prisoner's future from the beginning of their sentence, giving assistance during their incarceration and through the gate. Where required, family services providers can support this process.

### **Foreign National Prisoners**

- 4.28. Foreign National Offenders (FNO) represent the second biggest cohort of prisoners housed in the general estate and also has its own distinct estate, which is expanding.
- There should not be an assumption that because a prisoner is a foreign national and subject to deportation that they do not have family resident in the UK who can visit.
  - It is important to facilitate a FNO's contact with family who reside overseas.
  - Adopt a flexible approach for FNO's to access the telephone in accordance with PSI 49/2011, Prisoner Communication Services<sup>9</sup>, to enable them to engage in meaningful contact with family resident in different time zones.
  - FNOs are more likely to have family abroad which is an impediment to ongoing family visits. Governors must consider ways to mitigate this disadvantage e.g. through additional provision for phone calls, additional visits when family are in the UK etc.

---

<sup>9</sup> PSI 49/2011 Prisoner Communication Services

For Prison Service Instructions please access the following links;

PSI 52/2011 - Immigration, repatriation and removal services

[PSI 01/2015 - The allocation of prisoners liable to deportation or removal from the United Kingdom](#)

## **Security**

- 4.29. The decision to allow any visit must be balanced against the need to maintain security and keep prisoners in lawful custody. The security measures that must be in place as part of the visits specification are set out in PSI 15/2011, Management of Security at Visits. Visits must be well managed, monitored, and where necessary due to suspected or proven inappropriate behaviour, terminated to maintain the good order and discipline of the prison.

## **Contact with children - Family days and other activities**

- 4.30. Family days and other planned activities help to improve positive relationships between prisoners and their children or other family members. Regular and good quality contact time between an offending parent and their children, may prevent them from reoffending, as the responsibility and impact of separation may be an incentive for them not to re-offend.
- Governors must ensure that access to family days - which bring together prisoners and their families outside their statutory visits entitlement often in more informal settings - are not part of their local incentive policy.
  - A risk assessment must be conducted for any prisoner wishing to take part in special children's visits dedicated to enabling prisoners to spend time with their children or events which includes children and their carers'. A separate assessment must be conducted for prisoners' subject to Safeguarding Children: Child Contact procedures.<sup>10</sup>
  - While it may be appropriate for a prisoner to have access to a named child under close supervision; irrespective of the prisoner's wishes the primary consideration must be whether it is in the child's best interests for the prisoner and/or child to take part in such a visit/event. It may be unsafe to allow the same prisoner general access to children. (See Public Protection Manual for details ref.14)
  - Keeping Children Safe in Education (2018) page 77 refers to children who have a family member in prison may need support. The NICCO<sup>11</sup> website provides information and assistance to schools which may seek to engage in active partnerships, such as; homework clubs, co-ordinating visits days and family days.
  - All processes must support the prison's responsibility to safeguard children and other vulnerable people.
  - Considering resources and security considerations, Governors may wish to consult prisoners and children on the format, environment and objectives for all family activities

---

<sup>10</sup> <https://www.justice.gov.uk/downloads/offenders/psipso/psi-2016/psi-18-2016-pi-17-2016-public-protection-instruction.pdf>

<sup>11</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/741314/Keeping\\_Children\\_Safe\\_in\\_Education\\_\\_3\\_September\\_2018\\_14.09.18.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/741314/Keeping_Children_Safe_in_Education__3_September_2018_14.09.18.pdf)

during family days. Prison staff may need to modify the programme to ensure that the needs of children and adults with a disability are met.

### **Women's Estate**

- 4.31. PSI 49/2014, Mother and Baby Units, states that "The Governor/Director must ensure that procedures are in place to ask women on reception or at the earliest opportunity whether they are pregnant or have children under the age of 18 months". When collecting information about next of kin and family contacts when prisoners are received, Governors/Directors should include requesting details of children. This will enable appropriate services to be provided to support prisoners and their family. Governors/Directors are also advised to refer to the National Strategy for Women and Girls 2017-2020<sup>12</sup>

### **5. Guidance**

- 5.1. Detailed information to support the provision of services to prisoners, their family and significant others, is provided in HMPPS Delivering Effective Family Practice Operational Guidance available on the following link:

<https://intranet.noms.gsi.gov.uk/groups/families/delivering-effective-family-practice-operational-guidance-document>

### **Lammy Review**

- 5.2. Although there are no direct references to prisoner's families in the Lammy review (2017)<sup>13</sup> it is important for Governors/Directors to be mindful of disproportionate outcomes for Black Asian Minority Ethnic (BAME) prisoners as well as Gypsy, Roma and Travellers (GRT) who are more likely to be held on basic regimes. This may result in BAME and GRT prisoners being less likely to have successful applications for family days or other extended family support opportunities.
- 5.3. In compliance with the PSED, which requires the Secretary of State to have due regard to eliminate discrimination, harassment and victimisation of offenders who are BAME, GRT and any other offenders with protected characteristics, Governors must record the protected characteristics of prisoners accessing family days or other extended family engagement or support opportunities. They must monitor the data on a regular basis and review the policy to mitigate for any adverse impact.
- 5.4. FNO family are likely to be abroad, which impedes their family ties. Opportunities to mitigate this, particularly where there are safety and well-being concerns must be considered such as, phone calls and additional visits when family are in the UK. *See Safer Custody Learning Bulletin, December 2017 – Engaging Family and Significant Others in Promoting Safety.*<sup>14</sup>

### **Care Leavers**

- 5.5. Non-contact with family can be attributed to various reasons. Their crime may be associated with a family member either as a perpetrator or a victim. In such cases safeguarding is of paramount importance. Other prisoners may not have contact with family members because

---

<sup>12</sup> [http://www.justice.ie/en/JELR/National\\_Strategy\\_for\\_Women\\_and\\_Girls\\_2017\\_-\\_2020.pdf/Files/National\\_Strategy\\_for\\_Women\\_and\\_Girls\\_2017\\_-\\_2020.pdf](http://www.justice.ie/en/JELR/National_Strategy_for_Women_and_Girls_2017_-_2020.pdf/Files/National_Strategy_for_Women_and_Girls_2017_-_2020.pdf)

<sup>13</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/643001/lammy-review-final-report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/643001/lammy-review-final-report.pdf)

<sup>14</sup> <https://www.nicco.org.uk/search?q=safer+custody+bulletin>

of they have been beneficiaries of the social care system as care leavers (see Guidance on Care Leavers<sup>15</sup>). Family and significant other activities should be delivered to develop and enhance prisoners' relationships with at least one external significant person.

- Identify whether the prisoner is socially isolated – not engaging in the regime. Offender Management in Custody process, family engagement workers, prisoner Samaritans and other support provision.
- Chaplaincy provides invaluable support regardless of the imprisoned person's faith and seeks to engage with those that are isolated. One approach is the Official Prison Visitors Scheme (OPV), although there are other variations to this across the prison estate. However, in some prisons, the nature of the prison may prevent volunteers from offering their services.

### **Cafcass**

- 5.6. The first court hearing for private family law proceedings (to which Practice Direction 12B applies i.e. disputes about arrangements concerning children) must generally be listed to take place within six weeks of the application being issued. Cafcass must record and outline any safety issues concerning the children in the form of a Safeguarding letter (in Wales, this is a Safeguarding report) following the outcome of calls with the adult parties. The Safeguarding letter must be filed with the Court at least three working days before the court hearing. These phone calls are arranged by writing to the adult parties with an appointment time. The party is then called by a Family Court Adviser at the agreed time. Members of the prison population may be applicants in private law cases, for example if they are seeking to reinstate contact with their child upon their release. They could also be respondents, with the other parent applying for the child to have no or limited contact with the parent in prison. Respondents to private law family court proceedings are expected to have at least 14 days' notice of the first hearing, from the court, where practicable (14.2, PD12B). The conditions in which these calls take place should wherever possible, and appropriate, be allowed in private due to the sensitive nature of these calls. This may mean that the call takes place in sight but out of the hearing of any officer, staff and other prisoners.

---

15

[https://www.clinks.org/sites/default/files/the\\_care\\_leavers\\_association\\_practice\\_guidance\\_for\\_criminal\\_justice\\_practitioners.pdf](https://www.clinks.org/sites/default/files/the_care_leavers_association_practice_guidance_for_criminal_justice_practitioners.pdf)

## **Annex A**

### **Reference to these policies should be considered alongside this family policy**

- Conduct Visits specification
- Visits Booking Specification
- Services for Visitors Specification
- PSI 15/2011 - Management of Security at Visits
- PSI 37/2010 - Prisoners' Access to the Media
- PSI 52/2011 - Immigration, Repatriation and Removal Services
- PSI 38/2010 - Activities in Prisons
- PSI 16/2011 - Providing Visits and Services to Visitors
- PSI 52/2011 - Immigration, repatriation and removal services
- PSI 01/2015 - The allocation of prisoners liable to deportation or removal from the United Kingdom
- PSI 49/2011 – Prisoner Communication Service Practice Guidance - working with care leavers (18-25)

**Related documents and further reading**

- Barnardo's Locked Out - <http://www.barnardos.org.uk/locked-out-report.pdf>
- Beyond Youth Custody – <http://www.beyondyouthcustody.net/wp-content/uploads/The-role-of-family-support-in-resettlement-a-practitioners-guide.pdf>
- The Care Leavers Association  
[https://www.clinks.org/sites/default/files/the\\_care\\_leavers\\_association\\_practice\\_guidance\\_for\\_criminal\\_justice\\_practitioners.pdf](https://www.clinks.org/sites/default/files/the_care_leavers_association_practice_guidance_for_criminal_justice_practitioners.pdf)
- [Evaluation of the Community Support for Offenders' Families service](#) Emerging learning from a NOMS funded pilot of probation based family support services (2015)
- Emerging learning from a NOMS/Dept. BIS management review  
[https://policis.com/pdf/moj/MOJ\\_BIS\\_Parenting\\_support\\_for\\_offenders\\_and\\_families\\_Volume\\_1\\_28014\\_FINAL.pdf](https://policis.com/pdf/moj/MOJ_BIS_Parenting_support_for_offenders_and_families_Volume_1_28014_FINAL.pdf)
- [Family Days in Prison, EuroPris summary](#) report comprising answers to a knowledge management system request from member administrations across Europe (March 2016)
- Delivering Effective Family Practice – Operational Guidance Document  
<https://intranet.noms.gsi.gov.uk/groups/families/delivering-effective-family-practice-operational-guidance-document>
- [Limerick Prison Family Days](#) additional information supplied by the Irish prison service in response to the EuroPris knowledge management system request (March 2016)
- [Maintaining Family Ties PPO Learning Bulletin](#) relating to maintaining family ties with prisoners (Sep 2014)
- National Information Centre of Children of Offenders (NICCO) HMPPS in partnership with Barnardo's. (Formerly I-hop) <https://www.nicco.org.uk/userfiles/downloads/5ac60c5318361-delivering-effective-family-practice.docx>
- [NOMS Commissioning Intentions](#) Factors linked to reoffending and desistance (2014)
- [Prisoners' childhood and family backgrounds](#) examines childhood and family background of prisoners, their current family relationships, associations between these characteristics and reoffending, and estimates numbers of children (around 200,000 in 2009) affected by parental imprisonment (2012)
- [Prison Reform Trust Research](#) looking at the potentially greater impact of imprisonment on children of women prisoners (2005)
- [Statistics on Women and the Criminal Justice System](#) identifies that women are more likely to experience domestic violence (2013)
- [Transforming Rehabilitation: a summary of evidence on reducing reoffending MoJ](#) (2013)