

FATHERING BEHIND BARS¹

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Introduction

The Children's Commission of Queensland serves to promote the well-being of children and young people around the state. It is particularly concerned to support children and young people who are marginalised and in vulnerable situations in society. As an example of our advocacy for a specific group of such children, the Commission is furthering discussions with the Department of Corrective Services in Queensland regarding the impact on the child of incarceration of a parent, and has proposed several strategies to help mitigate against this. While acknowledging that the needs of children of incarcerated mothers are pressing, as part of the Focus on Fathering Project during the year 2000, we are interested in exploring issues relating to fathers in prison.

In particular, the Commission is concerned by statistics which indicate the over-representation of Indigenous people in prisons. The Crime and Justice Statistics for 1999 (Office of Economic and Statistical Research (OESR) 1999) show an Indigenous incarceration rate of 1768 per 100,000 compared with a non-Indigenous rate of 139 per 100,000 (OESR 1999). That is, the Indigenous rate of incarceration is nearly 13 times higher than the non-Indigenous rate. The figures are even worse for Indigenous young people.

The rate of youth detention of Indigenous young people compared with non-Indigenous young people is 425 versus 19, per 100,000. That is Indigenous young people are incarcerated at 22 times the rate of non-Indigenous young people.

Overwhelmingly, these prisoners are male, and we can assume that many of them are fathers. Given the history of our Indigenous people, in terms of dislocation and cultural fragmentation, the questions of how Aboriginal and Torres Strait Islander males learn to be men and learn how to father are particularly problematic ones. Incarceration adds a further dimension.

The first paper in this symposium indicated the Commission's interest in parenting programs, because of the important role a responsive and supportive family environment can play in the ongoing well-being of children. This paper gives some background into a project the Commission is undertaking in collaboration with the Queensland Government's Aboriginal and Torres Strait Islander Advisory Board (ATSIAB) to develop and deliver on a trial basis a fathering program for Indigenous inmates at Lotus Glen Correctional Centre in North Queensland. An awareness of the effects of incarceration of a parent on their children is the starting point for this project.

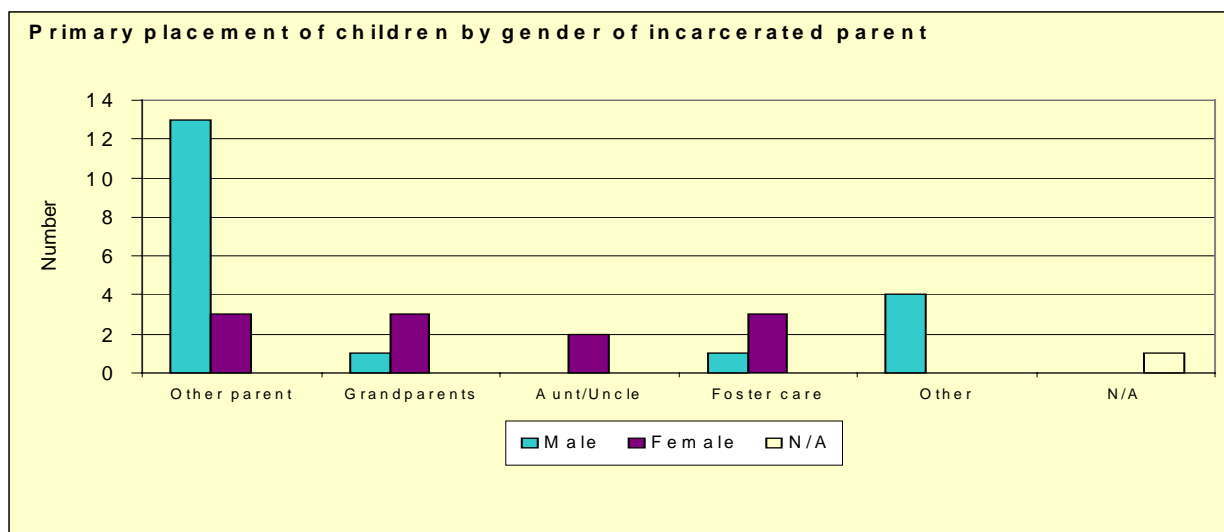
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The effects of incarceration on children

The long-term effects of incarceration can be devastating on the family, often called the “hidden victims of crime” (Howard 1994; Seymour 1998). Parents remain parents, even when incarcerated yet, public policy, and programs for prisoners, often overlook children as a group of secondary victims. This is particularly surprising given the mounting evidence that, along with substance abuse treatment, education, and job skills, having a family to return to is one of the most important factors in an offender’s successful reentry into society (Florida House of Representatives Justice Council 2000; Healy, Foley & Walsh 2000). There is also an argument that, while prisoners’ children remain largely unrecognised and uncared-for, they are “a potential reservoir of future criminality and deviant social behaviour” (Shaw 1992 p.192).

There has been very little research in this area and what has been done is hindered by small sample sizes, inadequate comparison groups and does not usually extend to longitudinal studies (Seymour 1998 p.471). The implications of imprisonment on men as fathers has received even less attention (Hairston 1998 p.619). As a recent report of a Queensland study of parents in prison, auspiced by the Catholic Prison Ministry (Healy et al. 2000 p.5) points out, “The family support needs of parents in prison, their spouses and their children ... are everyone’s business ... and no-one’s concern”. Nevertheless, this paper will now briefly summarise some of what we do know about the effects of imprisonment on the family.

A significant issue when women are imprisoned is the provision of alternative care for their children, as women are more likely to be the primary caregivers. In the above study of Queensland parents in prison and their families, Healy (2000 pp.15-16) found that gender was a significant factor in the stability of care arrangements for children of inmates.



Source: Healy, K., Foley, D., & Walsh, K., 2000, *Parents in prison and their families: Everyone’s business & no-one’s concern*, Brisbane: Catholic Prisons Ministry.

As can be seen from the above graph, children of male inmates are more likely to be cared for by the non-incarcerated parent, that is the mother, than children of female inmates. Children of female inmates are variously looked after by the other parent, grandparents, aunts and uncles or are placed in foster care.

This is one aspect of the fragmentation and disintegration of the family which may be experienced, though the partners of male prisoners are more likely to work to maintain family ties. Regardless, it is very difficult for relationships to develop and flourish when one person in that relationship is in prison. Intermittent contact, and a sense of losing touch with loved ones can cause all parties great anguish.

Howard (1994) argues that families may feel similar grief as is experienced with the death of a loved one, and she refers to studies which have shown "that a higher percentage of wives of inmates experience more grief symptoms than do wives of prisoners of war and servicemen missing in action". Yet the normal outlets for grieving are often denied because of the nature of the loss. This appears to be more traumatic for a child who had a good relationship with the parent before incarceration (Howard 1994).

Visitation procedures are often not conducive to the maintenance of family ties (Florida House of Representatives Justice Council 2000; Healy et al. 2000) and can be particularly difficult for children. An awareness of this has led the Children's Commission to begin negotiations with the Department of Corrective Services to implement some child-friendly changes to their practices. We acknowledge their responsiveness in agreeing to: amend their strict rule on the number of visitors to cater for families; provide toys in the visiting area; and allow video conferencing for children from Cape York and the Gulf of Carpentaria to stay in touch with their imprisoned parent.

It is very common for families to feel stigmatised when a member is imprisoned. For certain crimes, such as sexual offences against children, this can be intensified. Such "social stigmatization" is probably most damaging on the children of the offender who may be harassed or ostracised (Howard 1994). Families may also feel shame, embarrassment, and even guilt for what has occurred.

Studies of children whose parents are separating indicate that children often blame themselves for the trouble between their parents. This self-blame can also occur in the case of incarceration. Alternatively, the child may blame the other parent. Such feelings can negatively impact on the child's self-image and on family relationships.

The financial hardships the family of a prisoner can experience have been quite well documented (Florida House of Representatives Justice Council 2000; McDermott & King 1992). In many cases where the father is imprisoned, the family income is seriously affected by the loss of the breadwinner, and family costs increase through the expenses involved in phone calls to the inmate, travelling to the prison for visits and perhaps in providing financial support for the inmate.

It is common for families to feel helpless and confused when a close member is incarcerated (Howard 1994). One of their greatest needs is for information, both to understand what is happening to their loved one, and so that they know what to expect in terms of the procedures for contact. This confusion can be intensified for children whose understanding of the world in general is still developing.

Overall, the little evidence we have seems to indicate that the effects on families and hence their needs may vary depending on the stage the family member is at in the imprisonment process, from being charged through to post-release.

In considering the development of fathering programs for prisoners, it is important to remember that most male inmates are relatively young, have low levels of education and are poor at the time of their arrest (Hairston 1998; Healy et al. 2000). Drug or alcohol dependence are also likely to be present. Secondly, the antisocial behaviour of prisoners that led to incarceration often includes violence, and may include child abuse.

However, Healy and her colleagues (2000 p.8) point out:

Although the prison environment is often destructive to family relationships, it can also provide a window of opportunity for change. National and international research indicates parents in prison are often motivated to use this period to reflect on their relationships with their children and to improve their capacity to parent ...

This paper will now consider issues relevant to the target group for this particular project: Aboriginal and Torres Strait Islander families.

Aboriginal and Torres Strait Islander families

As pointed out in the first paper in this symposium, the proportion of children within the Aboriginal and Torres Strait Islander population is much higher than the overall proportion of children in the State, and stands at 46.9 per cent (ABS 1996). This means that for every Indigenous adult there is an Indigenous child, which has enormous implications for socialisation and emotional and economic provision for the child. This disproportionate number of children to adults in today's terms has implications in many areas, from housing to mentoring, and creates a different dynamic from that of the population of the rest of the State. In communities where many of the adult males are absent through incarceration, the adult to child ratio is even less. The implications for socialisation, support and economic provision for these children are profound.

Other social and economic factors such as poverty, unemployment and limited education also place pressure on relationships. The Human Rights and Equal Opportunity Commission in its *Social Justice Report* of 1999 gives the following indications:

In the 1996 census the median income for Indigenous people aged 15-29 years was \$171 per week. This is two-thirds of the median income for the total population aged 15-29 years.

The unemployment rate for Indigenous youth in 1996 was 28.6 per cent ...double the corresponding rate for all youth. While the unemployment rate declines for adults aged 30 years and over, the rate of unemployment among Indigenous Australians remains more than double that of all Australians.

By the age of 19, an age at which involvement in tertiary education might be expected, only 12% of Indigenous people were in full-time education. This is one-third the rate for the total population at the age 19.

(Human Rights and Equal Opportunity Commission, 1999)

The previous paper in this symposium pointed out that images of fathers and fathering vary greatly, and that much of the research done in Australia does not acknowledge issues of cultural diversity. Mainstream approaches, based on Western understandings of the world, may not necessarily transpose to Indigenous contexts. The concept of "family" from an Indigenous viewpoint must be integral to any of the Children's Commission work promoting the protection and well-being of Aboriginal and Torres Strait Islander children.

There is a significant misconception today about the Indigenous people of Australia being two homogeneous groups (Aboriginal people and Torres Strait Islander people). To the contrary, in pre-contact Australia, over 700 nations using 250 languages existed on mainland Australia (Gibbs 1993). In addition to this, many of the hundreds of islands across the Torres Straits were inhabited by island people speaking languages traditional to their regions (Beckett 1989). 'Indigenous Australians' are considered to be the composite of all these nations (Council for Aboriginal Reconciliation 1994:1). To attempt to develop a singular concept of Indigenous family will not be an easy task.

Traditionally, Aboriginal and Torres Strait Islander people existed as tight ecological communities / families where children learnt their place in, and a responsibility to, their community from an early age (Berndt & Berndt 1974).

All aspects of the communities were bound to their environment; the land and water; their culture, which provided a functional way of life; their religion or spirituality; and their families, both immediate and extended (Berndt & Berndt 1974), with family structures being in no way nuclear.

Traditional parenting responsibilities were:

- functional, relating to duties and expectations of the community (food gathering etc.);
- ritualistic, including training for cultural ceremonies, initiation for achieving adulthood;
- moralistic, through story telling and performance; and
- extended, in that brothers and sisters of the father/mother assumed many duties and responsibilities not considered by western families (Gibbs 1993).

Family was the most binding and integral element of Indigenous societies. A child's development and rites of passage, physical and emotional safety and cultural education were the responsibility of the community and family. Socialisation of children occurred through continual interaction with siblings, immediate and extended family members and parents, also in the broadest contexts with uncles and aunts. Extremely strong emotional ties underpinned the essence of how the Indigenous community existed and its ability to deal with issues. Individual identity was connected totally to the group, environment and cosmic world.

Through colonisation, Aboriginal and Torres Strait Islander families have more adapted than evolved to their contemporary position. The traditional ways of being have been fragmented and dislocated.

A number of reports have drawn attention to the over-representation of Aboriginal and Torres Strait Islanders in Australian jails. *Pathways to Prevention*, the Report for the National Campaign Against Violence and Crime and the National Anti-Crime Strategy (Developmental Crime Prevention Consortium 1999) recognised the importance of intervention and the need to consider groups such as Indigenous peoples explicitly. The Queensland Government continues to try to address the recommendations of the *Royal Commission into Aboriginal Deaths in Custody* report (1991) but Indigenous over-representation remains an issue.

The *Report of the Aboriginal and Torres Strait Islander Women's Task Force on Violence* (Queensland Government Department of Aboriginal and Torres Strait Islander Policy and Development 2000) is one of a few recent reports on crime that recognises the need to learn from the view of the Aboriginal and Torres Strait Islander communities ways of addressing crime in a proactive rather than reactive fashion and for implementing solutions that are not only community empowering, but demanding of collaboration between Government and community leaders in order to bring about a successful resolve.

This is consistent with the notion of an "enabling state" which is the current policy in Queensland, the most strategic example of which is the *Cape York Partnerships* (Queensland Government 2000). The Commission believes that it is crucial that these understandings of partnership between Indigenous communities and government and non-government agencies delivering services to these communities form the basis for the development of a fathering program for Indigenous prisoners.

Development of a Fathering Program at Lotus Glen Correctional Centre

In its approach to the development of such a program at Lotus Glen Correctional Centre, the Children's Commission was cognisant of the need for cultural sensitivity and so sought a key Indigenous body in Queensland, the Aboriginal and Torres Strait Islander Advisory Board (ATSIAB), as its partner. The Commission's proposal to ATSIAB included an explicit statement of the principles which would underpin the project. These were:

- The involvement and support of the community
- The central role of Elders
- Collaboration between stakeholders
- Recognition of cultural and linguistic diversity
- Valuing of Indigenous knowledge & experience.

Interest from the Board was great and a project plan was collaboratively developed. Key features of the project are the involvement of Board members, the strong support of the management and relevant staff at Lotus Glen Correctional Centre and of relevant groups in the local community, and the establishment of a local reference group consisting of community members and Lotus Glen staff representatives to shape the program. While the project is managed by the Children's Commission, it is felt that it is crucial that the community own the actual fathering program.

The Commission is also cognisant of the effects of incarceration of a parent on their children as discussed earlier. As a starting point, an issues paper is being drafted based on a literature review and interviews. This will inform the program, help frame its evaluation and also point the way for future action.

Two workshops have been held with key stakeholders, one in Brisbane to help initiate the issues paper, and one in Cairns with the local community, to scope the project and identify issues. These sessions immediately raised an important question of varying definitions of "father". Given the brief explanation above of various constructions of Aboriginal and Torres Strait Islander families, Western definitions of father are inadequate to encompass the diversity of males who may take responsibility for aspects of raising a child.

Other key points raised in the discussions are briefly outlined here. The prisons that these men are sent to are usually a long way from their communities, and resource constraints mean that it is usually difficult, if not impossible, for their families to visit on a regular basis. When fathers and young single men are taken from their community and put in jail, the composition of the community changes, and the social dynamics are changed. This affects all relationships and eventually impacts on community well-being as a whole. If a large proportion of the males from a community is absent, it seems even more likely that young Aboriginals and Torres Strait Islanders will not have a significant male figure in their lives.

In these sessions, there was a concern expressed that having a father in prison creates a role model for young men which, it appears, they often emulate. The over-representation of Indigenous boys in youth detention centres is seen by some Elders as a new rite of passage that they have adopted, which culminates, when they reach 18, in a sentence to the "big house".

Other issues identified are not unique to Indigenous prisoners. From the father's point of view, he may feel shame because he cannot provide support (eg financial support) to his family. The inmate and the family both have a need for relevant information and for this to be presented in a manner and language that is accessible to them.

Involvement of respected local Aboriginal and Torres Strait Islander men and women is seen as integral to the development of the program. Invitations to the scoping meeting in Cairns and to participate in the Reference Group went as broadly as possible to groups like The Cairns Indigenous Men's Support Group, Gumba Gumba Elders, Yarrabah Community Council, Injinoo Land Trust and the Aborigines and Islanders Alcohol Relief Service (AIARS). Invitations were also extended to government and non-government stakeholders including: the Family Court of Australia; the Queensland Police Service; the Parole Board; the Youth Justice Unit of Families, Youth and Community Care, Queensland; the Cairns Domestic Violence Service; St Johns' Boys' shelter; St Margaret's Girls' shelter; and Warringu Women's shelter.

The meeting of these local community members in Cairns scoped the program and proposed that it:

- will have components INSIDE and OUTSIDE the prison.
- will consider issues of CULTURE, IDENTITY and PRIDE.
- must be based in COMMUNITY and involve ELDERS and relevant COMMUNITY GROUPS.
- must build on the positive things or programs that are already happening inside and outside.
- consider COMMUNICATION and INFORMATION as key aspects.

From this scoping meeting, a Reference Group was established to advise a soon-to-be-appointed Project Officer. It is anticipated that this person will be a community member. The program will be developed and delivered over the next few months, under the direction of this Project Officer, with advice from the community Reference Group, with a report due to the Commission by the end of November.

There are many challenges in trying to develop an appropriate fathering program for this particular target group, especially if it is to address the issues in a holistic way, and not artificially separate out the fathers' skills in relating to their children from factors such as family violence and issues of substance abuse which may seriously affect an individual's control over their own behaviour.

It is also apparent from a preliminary literature review and from discussions with Aboriginal and Torres Strait Islander leaders that the program must start with a recognition of the loss of identity and cultural fragmentation experienced by descendants of those who inhabited this land before the European settlers. Rebuilding culture and reestablishing pride may help lead to a new sense of identity which promotes a new form of Indigenous "family" to encompass supportive family relationships like those which existed then. This will help foster the positive growth and development of Aboriginal and Torres Strait Islander children and may be a small step towards breaking the cycle which leads to incarceration.

Conclusion

Only in recent years has the effect of incarceration of a parent on their children been recognised. In Australia, we have also increasingly become aware of the over-representation of Aboriginal and Torres Strait Islander men in our prisons. This, coupled with the large proportion of Indigenous children and young people, leaves many Indigenous youngsters missing out on ongoing contact with a number of significant family members on a regular basis. But rather than seeing imprisonment as the end of the line, for some offenders, it could provide a window of opportunity.

Individuals behave in the way they best know how to meet their needs, both material and emotional, for any given situation. When the repertoire of behaviours is limited through lack of understanding, limited skills including interpersonal skills, and particularly low self esteem, the responses are frequently maladaptive. Most dysfunctional behaviour, including criminal behaviour, has its aetiology in such deficits. When the situation is compounded by cultural fragmentation, poverty, substance abuse and violence, the responses become more maladaptive and the outcomes even more destructive. Any processes that increase understanding or improve skill levels, particularly interpersonal skills, decrease the likelihood of such destructive outcomes.

The time some offenders spend in prison is the longest period that they have ever spent in any one place. This time not only provides an opportunity for teaching them practical skills but also offers an opportunity to increase their understanding of communication and relationships, particularly with their family. This is not suggesting that all offenders are able to be rehabilitated as that is clearly not the case, but that effective prison programs can provide an opportunity for change, and a new way of coping.

These sentiments are reflected in the following quote:

Much deviance is expressive, a clumsy attempt to say something... let the crime, then, become a starting point for a real dialogue, and not an equally clumsy answer in a spoonful of pain.

(Christie, 1982, as cited in Healy et al. 2000)

Supporting incarcerated Indigenous males to build positive relationships with their children offers them and their children a new starting point. It could provide the children with the male support, role models and relationships they need, while increasing the fathers' sense of belonging and inclusion. Providing this support, while not an easy task to attempt, is an essential one, for the sake of these children.

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