



Community  
Justice  
Authorities

# Framework for the support of families affected by the Criminal Justice System



June 2015

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### Acknowledgements

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As well as Lothian and Borders Community Justice Authority's Families Outcomes Group the framework is endorsed by all of the Community Justice Authorities in Scotland. We commend the framework to you to guide your practice in working with families affected by the justice system.

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## Introduction

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The *Framework for the support of families affected by the criminal justice system (the Framework)* understands involvement with the criminal justice system to be a family experience. If someone is arrested, must attend court, is remanded or sentenced to custody, or is sentenced to a community penalty, this will have emotional and practical implications for that person's family and other key relationships.

The Framework's focus is these family members; their key issues, their rights, and their potential needs at each stage of the criminal justice process.

### I. Aim

The Framework is intended for use across various settings and circumstances, by any agency directly or indirectly involved in the support of families. Its 11 broad outcomes and associated recommendations describe an ideal standard of support for families affected by the criminal justice system.

These are not entirely new ideas. Throughout Scotland there are many examples of good and innovative practice in the support of families, and agencies may recognise their current practices in many of the outcomes and recommendations listed below.

Conversely, the Framework does not just capture current good practice. There will be outcomes and recommendations that are not yet reflected in current practice, and some that are intentionally aspirational.

By encouraging multiple agencies to work towards the same family-focused outcomes, the Framework aims to contribute to good, consistent practice in the support of families, and ultimately to support positive life outcomes for every family affected by the criminal justice system.

### II. Using the Framework

The Framework is designed as a reference document. Agencies may choose to apply it to their work in any number of ways, for example as an audit tool, an improvement framework, or for analysis of training needs.

Importantly, the Framework is *not* a prescriptive 'how to' guide for working with families. Each family will have their own unique structure, circumstances, issues and needs. Exactly how the Framework's outcomes are best achieved at an individual level will vary considerably between families, and there will be some recommendations that are simply not appropriate in certain situations.

Similarly, the Framework is intended for use by a broad range of agencies with widely varying remits and responsibilities. Accordingly there will be variation in the ways and extent to which each agency contributes to achieving each of the outcomes.

This is a working document that will be periodically reviewed and updated based on feedback from agencies using the Framework.

### Supporting document

Agencies are referred to the supporting document for rationale, good practice and further information on many of the outcomes and recommendations. Examples of how agencies are applying the Framework to their work will also be included here as these become available.

As with the Framework itself, this is a working document that will be periodically reviewed and updated.

### III. Guiding principles

Three guiding principles underpin every outcome and recommendation listed in the Framework and should inform all practice relating to families affected by the criminal justice system:

#### i. Family members are not guilty

All outcomes and recommendations in the Framework are based on the assumption that family members have done no wrong. Agencies should consider the impact on family members at all stages of the criminal justice system, ensure their rights are upheld, and ensure they are not discriminated against because of the actions of their family member.

#### ii. Every family is unique

Different families and different family members will experience and respond in different ways to a family member's involvement in the criminal justice system. Even *who* is affected will vary between families. All decisions and actions relating to the family of someone involved in the criminal justice system must therefore be dealt with on a case-by-case basis.

#### iii. Multiagency working is key to successful outcomes

Many different agencies may be involved directly or peripherally in the support of families affected by the criminal justice system. To ensure a family's needs are addressed and their rights are upheld, it is essential that all agencies involved work cooperatively towards the same good outcomes for family members.

### IV. Framework structure

The Framework is organised into three levels of information:

- Outcomes;
- Recommendations; and
- Responsible agencies

#### Outcomes

There are 11 broad outcomes listed in the Framework. Together, these outcomes present an ideal minimum standard of support that should be available to every family affected by the criminal justice system.

The outcomes are grouped into four topic areas: Informed practice; Families are included and engaged; Families are connected; and Families are safe and well.

#### Recommendations

Recommendations are listed beneath each of the 11 broad outcomes. These are suggested actions that agencies could take to achieve the outcome.

It is at this level that variation in practice may occur. Depending on a family's individual circumstances and needs there may be recommendations listed that are simply not possible or appropriate to that family. Similarly it will not be possible or appropriate for every agency to be involved in every recommendation.

For ease of reference, recommendations are organised into a colour-coded table according to which stage of the criminal justice process they are most relevant to (see Table 1).

#### Responsible agencies

The Framework is intended for use by any statutory, private or voluntary agency involved directly or indirectly in the support of families affected by the criminal justice system. There will be variation in how these different agencies support the outcomes and recommendations listed: It will not be practical or appropriate for some agencies to be involved in delivering certain outcomes; some outcomes may only be achieved by one particular agency; and others may be achieved in various ways by multiple agencies.

The 'responsible agencies' are suggestions for which agencies or type of agency could contribute to achieving each of the recommendations. They are listed in the right-hand column alongside the recommendations. A glossary of the agencies referenced is included in Table 2 below.

It is important to reiterate that these are suggestions only. Every agency using the Framework is encouraged to consider all recommendations in turn and independently to determine whether and how they can contribute to each.

**Table 1: Glossary of responsible agencies**

AGENCY NAME	DESCRIPTION
All	Sub-outcome has relevance to all or many agencies
Addiction Support Agencies	Organisations with a remit to support people around drug and alcohol misuse
Community Planning Partnerships (CPP)	Community Planning Partnerships
Criminal Justice Agencies	Organisations with a remit to support people involved or affected by the criminal justice system
Crown Office and Procurator Fiscal Service (COPFS)	Crown Office and Procurator Fiscal Service
Defence Solicitors	Lawyers defending accused persons
Education Agencies	Schools, tertiary colleges, community colleges
Family Support Agencies	Organisations with a remit to support families
Health Agencies	National Health Service, voluntary organisations with health focus
Housing Support Agencies	Organisations with a remit to support people with housing and accommodation issues
Local Authorities	Local government bodies responsible for provision of public services
Media	Online, television or print organisations or individuals reporting on people involved in the criminal justice system
Police Scotland	Police Scotland
Prison Visitors Centres	Centres adjacent to prisons that offer various facilities and services for prison visitors
Scottish Children's Reporter Administration (SCRA)	Scottish Children's Reporter Administration, the national body of Children's Reporters
Scottish Courts and Tribunals Service (SCTS)	The Scottish Courts and Tribunals Service: High Court of Justiciary, Sheriff Court, Justice of the Peace Court
Scottish Prison Service (SPS)	The Scottish Prison Service: All Prisons and Young Offender Institutions in Scotland, including privately run establishments
Security Agencies	Court security and prisoner transport agencies [currently G4S]
Social Work	Children and Families Social Work or Criminal Justice Social Work as appropriate
Other Support Agencies	Learning and development organisations, Youth Outreach organisations, other voluntary organisations

## V. Key terminology

### Agencies and staff

The Framework is intended for use by any statutory, private or voluntary organisation involved directly or indirectly in the support of families. These organisations are referred to collectively as **'agencies'**.

Anyone working for an agency, whether on a voluntary or paid basis is referred to throughout the Framework as **'staff'**.

### Criminal Justice System

The criminal justice system is defined from when the police identify someone they consider has committed some criminal activity until that person leaves the criminal justice system.

Recommendations within the Framework are organised according to which stage of the criminal justice process they are most relevant to. The stages of the criminal justice process have been considered from a family perspective and are defined below.

**Table 2: Stages of the Criminal Justice Process used by this Framework**

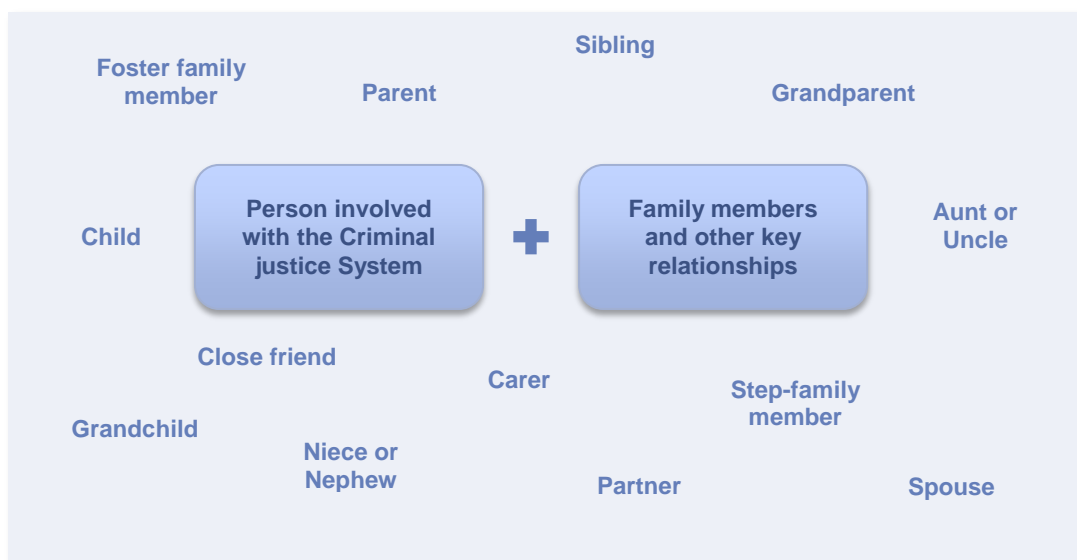
<b>ALL STAGES</b>	Relevant across the majority or all stages of the criminal justice process.
<b>ARREST AND CHARGE</b>	Specific relevance to the period between police identification of an accused and the Procurator Fiscal's decision on appropriate action.
<b>COURT AND SENTENCING</b>	Specific relevance to an accused's appearance in court and their sentencing.
<b>CUSTODY</b>	Specific relevance to periods of time when an accused/offender is held in custody away from their family whether as pre-trial detention/remand or a custodial sentence.
<b>COMMUNITY</b>	Specific relevance to periods when an accused/offender is under, or transitioning to, supervision in the community whether pre- or post-conviction. Recommendations here refer to any time that an accused/offender is living in the community full-time, living in the community occasionally as part of their transition from custody (for example, Home Leave), or planning their transition from custody to community.



## Families affected by the criminal justice system

A family affected by the criminal justice system will include the person involved with the criminal justice system (the person accused or convicted of a criminal offence), and that person's family members or other key relationships. The Framework takes a broad understanding of family to include any significant relationships; family members may include, for example, spouses, siblings, parents, grandparents, children, extended family, step-family relationships or close friends (see Figure 2). Exactly who will be affected by a family member's involvement in the criminal justice system should be considered on a case-by-case basis.

Figure 1: Family affected by the criminal justice system



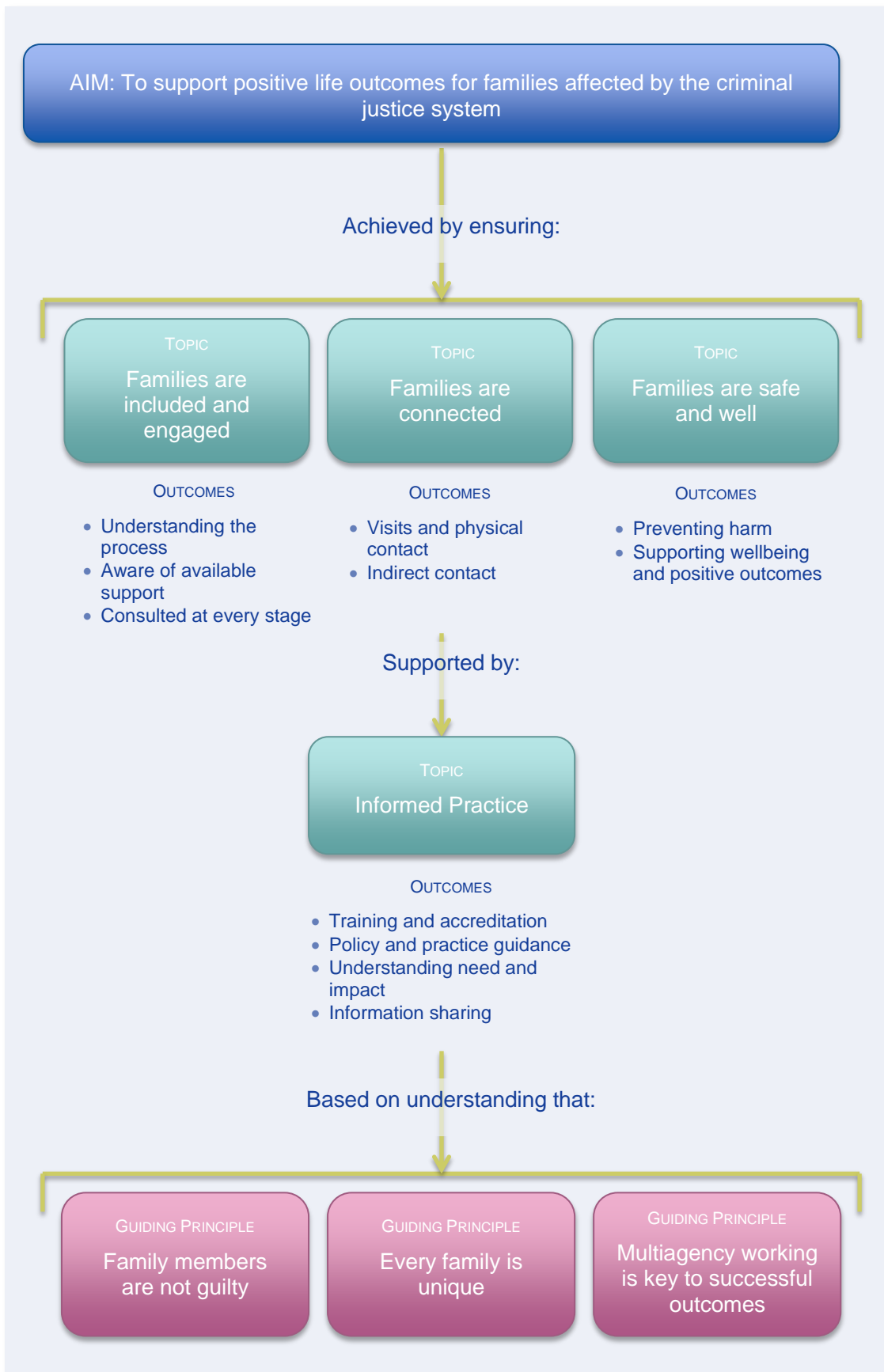
Where a recommendation has potential relevance for both the person involved with the criminal justice system and for their family members, the Framework refers to **'families affected by the criminal justice system'** or **'families'**.

Where a recommendation has particular relevance for the family of those involved with the criminal justice system, the Framework refers to **'family members'**.

Some recommendations are only relevant to family members under the age of 18. These refer to **'children and young people'**.

The person involved with the criminal justice system is referred to variously as the **'suspect'**, **'accused'**, **'prisoner'** or **'offender'** as appropriate to each stage of the criminal justice process.

**Figure 2: Summary diagram of the Framework for the support of families affected by the Criminal Justice System**



# 1 Informed practice

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For families to receive the best possible support, agency practices must be informed by appropriate knowledge and information about families affected by the criminal justice system.

- Training programmes provide staff with a good understanding of families' potential needs and issues and how to address these sensitively.

- Consistent good practice with families is supported by policy and guidance that makes explicit reference to the needs of families.
- Procedures are in place to ensure staff are able to identify affected family members and their particular needs.
- Procedures are in place to support good multi-agency working in the support of families.

## 1.1 Training and accreditation

*Staff have received appropriate training and qualifications*

ALL STAGES		
1.1.1	All staff directly or indirectly involved in the support of families affected by the criminal justice system have received appropriate training and qualifications.	All
1.1.2	Staff training programmes raise awareness of: <ul style="list-style-type: none"> <li>■ The particular needs and key issues faced by families affected by the criminal justice system;</li> <li>■ Recognising and addressing risk of harm within families;</li> <li>■ The potential impact on families of decisions made at each stage of the criminal justice process;</li> <li>■ The positive outcomes associated with maintaining positive family contact;</li> <li>■ The human and civil rights of children and families in the context of the criminal justice system;</li> <li>■ <i>Getting it Right for Every Child</i> and its application in the context of the criminal justice system;</li> <li>■ Equality and diversity issues and promoting equality and diversity in the context of the criminal justice system;</li> <li>■ The application of the Data Protection Act in the context of supporting families affected by the criminal justice system;</li> <li>■ Current legislation and legislative changes relevant to the support of families;</li> <li>■ Good practice examples of supporting families in various criminal justice and community settings; and</li> <li>■ The roles and responsibilities of all criminal justice and community agencies in the support of families affected by the criminal justice system.</li> </ul>	All
1.1.3	Staff training programmes provide practical learning on: <ul style="list-style-type: none"> <li>■ How to improve families' experience of the criminal justice system;</li> <li>■ How to conduct necessary procedures with consideration for the rights and best interests of family members;</li> <li>■ Child and adult protection measures; and</li> <li>■ Multi-agency working.</li> </ul>	All
1.1.4	Child protection training highlights the particular needs of children who have a key relationship with an offender.	All
1.1.5	Those delivering training or programmes are themselves appropriately accredited and trained.	All

## 1.2 Policy and practice guidance

*Agency policies and practice guidance recognise and support the rights and needs of families*

<b>ALL STAGES</b>		
1.2.1	<p>Clear guidance exists outlining how agencies will work with families. This guidance will:</p> <ul style="list-style-type: none"> <li>■ Make explicit reference to the rights, needs and best interests of families;</li> <li>■ Encourage partnership working between agencies and across sectors;</li> <li>■ Support the identification and support of family members at the earliest opportunity; and</li> <li>■ Address the requirements for all members within a family to be protected from harm and abuse.</li> </ul>	<i>All</i>
1.2.2	Child and Family Impact Assessments are used to inform the development and review of any policy, facility, service or practice relating to people involved with the criminal justice system.	<i>All</i>
1.2.3	GIRFEC is used to inform the development and review of any policy, facility, service or practice relating to people involved with the criminal justice system.	<i>All</i>
1.2.4	The views of families are sought and meaningfully considered in the development and review of any facilities, services or practices that may have an impact on families.	<i>All</i>
1.2.5	Family members are supported to share their views on policy and practice in a manner appropriate to their age and needs.	<i>All</i>
1.2.6	Guidance relating to looked-after children makes explicit reference to children who have a key relationship with an offender.	<i>All</i>
1.2.7	Agencies have a proactive child protection policy that acknowledges the particular issues and needs of children who have a key relationship with an offender.	<i>All</i>
1.2.8	Policy and practice is subject to regular internal monitoring and external evaluation processes that are designed to identify gaps in the support for families and to ensure the rights and needs of families are adequately considered.	<i>All</i>
1.2.9	The allocation of resources to and within agencies is informed by the rights and needs of the families affected by the CJS.	<i>Local Authorities;</i>
<b>ARREST AND CHARGE</b>		
1.2.10	Guidance exists outlining how to support family members during and after an arrest. In particular, guidance highlights how to support children or other vulnerable people present at an arrest.	<i>Police Scotland; Family Support Agencies; Social Work</i>
<b>CUSTODY</b>		
1.2.11	Visiting procedures are regularly reviewed by collecting the views, suggestions, and satisfaction ratings of family members.	<i>SPS</i>

## 1.3 Understanding need and impact

*Agencies have procedures to identify the support needs of individual families and the potential impact of all decisions on family members*

<b>ALL STAGES</b>		
1.3.1	<p>Procedures support the systematic collection of information about family members, and the verification of this information. Information collected should included:</p> <ul style="list-style-type: none"> <li>▫ Identification of family members and key relationships; and</li> <li>▫ Key issues within these relationships for example existing stresses, substance use, abuse, or other family difficulties.</li> </ul>	<i>Police Scotland; SPS; COPFS; Social Work; Local Authorities; Defence Solicitors;</i>
1.3.2	Information about family members is collected as soon as possible	<i>[As 1.3.1]</i>
1.3.3	<p>Accused persons or prisoners are encouraged and supported to provide sufficient information about their family situation, particularly regarding the existence of children. Agencies support accused persons or prisoners to understand how this information will be used.</p>	<i>Police Scotland; SPS; COPFS; Social Work; Defence Solicitors;</i>
1.3.4	<p>All key decisions regarding an accused or offender should consider the potential immediate and future impact on family members, including:</p> <ul style="list-style-type: none"> <li>▫ Financial impact, including impact on income and benefits;</li> <li>▫ Emotional impact; and</li> <li>▫ Impact on practicalities such as housing and medical care.</li> </ul>	<i>Police Scotland; SPS; COPFS; Social Work</i>
1.3.5	<p>The potential impact of a decision on family members is informed by consideration of:</p> <ul style="list-style-type: none"> <li>▫ Whether the offender has dependants or caring responsibilities;</li> <li>▫ Whether the offender is a sole or primary carer;</li> <li>▫ The age, level of maturity and developmental needs of individual family members; and</li> <li>▫ The best interests of individual family members.</li> </ul>	<i>Police Scotland; SPS; COPFS; Social Work</i>
1.3.6	<p>Child and Family Impact Assessments are used to identify the potential impact of every key decision on family members. These are conducted regardless of whether this information will have a bearing on decisions relating to the offender.</p>	<i>Police Scotland; SPS; COPFS; Local Authorities; Social Work</i>
<b>ARREST AND CHARGE</b>		
1.3.7	<p>Prior to a planned arrest, agencies are aware of any dependants and whether family members may be present at the arrest.</p>	<i>Police Scotland; Social Work;</i>
<b>COURT AND SENTENCING</b>		
1.3.8	<p>Agencies ensure sentencers are provided with accurate information about an accused's family situation and the potential impact of sentencing and bail decisions on family members</p>	<i>Social Work; Defence Solicitors; Police Scotland</i>

## 1.4 Information sharing

*Protocols and organisational culture support the appropriate and timely sharing of information between agencies and with families*

ALL STAGES		
1.4.1	Agencies have clear protocols for sharing information and changes to information about families affected by the criminal justice system.	All
1.4.2	Agencies have clear protocols for referring families to other agencies.	All
1.4.3	Agencies respect a family's right to privacy and seek permission to share personal information with other agencies.	All
1.4.4	Protocols are clear about the situations in which a family's permission to share information is not required, for example in the detection or prevention of crime, or where there are child and adult protection issues.	All
1.4.5	When seeking permission from an accused, offender or their families to share information, agencies provide all the information necessary to make an informed decision.	All
1.4.6	It is clear who has responsibility for informing family members of key decisions and information.	All
1.4.7	Local partnerships and protocols ensure that families can access timely and accurate advice, support, and signposting to specialist services.	All



## 2 Families are included and engaged

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When a family member is involved in the criminal justice system it can be a confusing time for their families. When working with families, agencies must ensure family members:

- Are kept informed about what is happening and what to expect at each stage of the process;

- Know where to access this information and any additional support; and,
- Are involved in any decisions that may involve or affect them.

## 2.1 Understanding the process

*Families understand what is happening at every stage of the criminal justice process*

<b>ALL STAGES</b>		
2.1.1	The information provided to families is timely and accurate. Any changes to the circumstances of an accused or offender are promptly shared with family members as appropriate to the Data Protection Act.	<i>Police Scotland; SPS; Defence Solicitors; Social Work</i>
2.1.2	Families are supported to understand the criminal justice process and why decisions have been made. Information is: <ul style="list-style-type: none"> <li>■ Available in all criminal and community justice locations and other locations where families may be;</li> <li>■ Available in a range of formats including information booklets, websites, helplines and through access to support workers; and</li> <li>■ Presented in a way that is appropriate for the needs of individual family members, for example in a child friendly format.</li> </ul>	<i>All</i>
2.1.3	Parents and carers are encouraged and supported to explain procedures, decisions and the truth of the situation to children in an age appropriate manner.	<i>Police Scotland; SPS; Family Support Agencies; Social Work; Education Agencies;</i>
2.1.4	The accused or offender is supported to keep their family up to date personally with key developments in their situation if appropriate and if they wish to do so.	<i>Police Scotland; SPS; Defence Solicitors; Social Work</i>
2.1.5	Families are easily able to find out about the wellbeing of their family member inside the criminal justice system.	<i>Police Scotland; SPS; Defence Solicitors; Social Work</i>
<b>ARREST AND CHARGE</b>		
2.1.6	Family members who were not present at an arrest are told what has happened as appropriate to the Data Protection Act.	<i>Police Scotland;</i>
<b>COURT AND SENTENCING</b>		
2.1.7	Families are supported to attend the trial of an accused if they wish to do so and where this is considered in their best interest. Consider: <ul style="list-style-type: none"> <li>■ The nature of the offence and evidence being presented;</li> <li>■ Whether the family member is a victim;</li> <li>■ The age, maturity and support needs of the family member;</li> <li>■ The family member's views about attending the trial; and</li> <li>■ If necessary, who will accompany the family member to the trial.</li> </ul>	<i>COPFS; Family Support Agencies; Social Work</i>

<b>CUSTODY</b>		
2.1.8	<p>Regular family induction sessions ensure families understand prison life. In particular families understand:</p> <ul style="list-style-type: none"> <li>■ How to find a prison or custodial facility;</li> <li>■ The booking system and processes for visiting family members in prison or police cells;</li> <li>■ Search procedures when visiting a family member;</li> <li>■ The Integrated Case Management process;</li> <li>■ Details about the prison environment such as the appearance of a cell; and</li> <li>■ The likely financial implications of the imprisonment and how to address these.</li> </ul>	SPS;
2.1.9	Family members are encouraged and supported to attend family induction sessions.	SPS; Social Work;
2.1.10	Families are supported to understand how the decision about placement of a prisoner has been made.	
<b>COMMUNITY</b>		
2.1.11	Families understand the conditions imposed by non-custodial measures such as bail, electronic tagging and Community Payback Orders, as relevant.	Criminal Justice Agencies;

## 2.2 Aware of available support

*Families are aware of the full range of information and support available to them and how to access this*

<b>ALL STAGES</b>		
2.2.1	<p>Families have access to information on a range of issues including, but not limited to:</p> <ul style="list-style-type: none"> <li>■ Housing;</li> <li>■ Benefits and finances;</li> <li>■ Legal advice;</li> <li>■ Health (physical and mental);</li> <li>■ Drugs, substance misuse and overdose prevention; and</li> <li>■ Childcare and advice for temporary carers.</li> </ul>	<i>All</i>
2.2.2	<p>Information about support services for families is:</p> <ul style="list-style-type: none"> <li>■ Accurate and up to date;</li> <li>■ Available in a range of formats including information booklets, websites, helplines and through access to support workers;</li> <li>■ Easy to understand, jargon-free, and translated into other languages as necessary; and</li> <li>■ Available in all criminal and community justice locations and other locations where families affected by the criminal justice system may be.</li> </ul>	<i>All</i>
<b>CUSTODY</b>		
2.2.3	Families are aware of their entitlement to the Assisted Prison Visits Scheme.	<i>SPS; Prison Visitor Centres; Family Support Agencies</i>
2.2.4	Families are aware of information and support services specific to the families of offenders including the Families Outside Support and Information Helpline and the National Offenders' Families Helpline.	
2.2.5	Prison visitors' centres or family 'Help Hubs' provide at least basic advice and support services, with signposting to specialist services.	<i>Prison Visitor Centres;</i>
<b>COMMUNITY</b>		
2.2.6	Families are aware of their entitlement to voluntary throughcare services.	<i>Criminal Justice Agencies; Social Work</i>

## 2.3 Consulted at every stage

*Families are meaningfully involved in decisions that will affect them*

<b>ALL STAGES</b>		
2.3.1	<p>Family members (and if appropriate, offenders) are consulted and meaningfully involved in any decisions that will impact on the family as a whole or on individual family members. In particular, families are involved in decisions about:</p> <ul style="list-style-type: none"> <li>▫ Medication and health care of the family member involved with the criminal justice system; and</li> <li>▫ Care arrangements for dependants.</li> </ul>	<i>Police Scotland; SPS; Social Work; All</i>
2.3.2	Children and young people are consulted and involved in decisions about alternative child care arrangements, with their preferences and opinions taken into account.	<i>Social work</i>
2.3.3	Alternative and creative approaches are employed to ensure all family members can contribute meaningfully to decisions. For example, children and young people may be involved in key decisions through art, play and group work.	<i>Police Scotland; SPS; Social Work; All</i>
2.3.4	Families feel their opinions are taken into account. Reasons why information provided by families could not be used is clearly communicated to the family.	<i>Police Scotland; SPS; Social Work; COPFS;</i>
2.3.5	Agencies have an accessible and approachable complaints system, and families are supported to access this if needed.	<i>All</i>
<b>COURT AND SENTENCING</b>		
2.3.6	Where appropriate, families (including children and young people) are consulted regarding how a remand or sentencing decision may affect them.	<i>Family Support Agencies; SCTS; COPFS; Defence Solicitors</i>
<b>CUSTODY</b>		
2.3.7	Families are involved in relevant case conferences and supported to understand the process. Involvement in case conferences is facilitated even when family members cannot or should not be physically present. For example, family members can make verbal or written submissions, can participate via video link, and can access conference minutes as appropriate.	<i>SPS; Social Work</i>
<b>COMMUNITY</b>		
2.3.8	Families are meaningfully and voluntarily involved in the planning of an offender's release and resettlement.	<i>Community Justice Agencies; Social Work; SPS;</i>
2.3.9	Agencies work collaboratively with families to ensure a smooth transition from custody to the community.	<i>Community Justice Agencies; Social Work; SPS;</i>

## 3 Families are connected

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Contact with an accused or offender should always be the right of their family members where this is in their best interests. Agencies should work to support physical contact through visits and additional alternative contact.

### 3.1 Visiting and physical contact

*Positive family relationships are encouraged through physical access to the family member involved with the criminal justice system*

<b>ALL STAGES</b>		
3.1.1	Meaningful contact with an accused or convicted family member is considered the right of the family, and is not restricted under disciplinary control processes unless directly relevant.	<i>Police Scotland; SPS; SCTS;</i>
<b>COURT AND SENTENCING</b>		
3.1.2	When an offender is given a custodial sentence, family members have adequate opportunity to say goodbye in person unless this is not in their best interests.	<i>Police Scotland; SCTS; Security Agencies</i>
<b>CUSTODY</b>		
3.1.3	Families can visit shortly after the detention or imprisonment of an accused or offender	<i>Police Scotland; SPS</i>
3.1.4	Family members have access to the accused in pre-trial detention unless this is not in their best interests.	<i>Police Scotland; SPS</i>
3.1.5	Prisoners are placed in a prison as close to their home and family as possible, including for pre-trial detention, and for the duration of their sentence.	<i>Police Scotland; SPS;</i>
3.1.6	The best interests of the family inform where a prisoner is placed. The impact of the following issues are considered: <ul style="list-style-type: none"> <li>■ The accessibility of the prison;</li> <li>■ The type of visits permitted; and</li> <li>■ Whether there are family and child friendly facilities.</li> </ul>	<i>SPS;</i>
3.1.7	The visits booking system is clear and maximises the ease with which families can make bookings. As much as possible, the booking systems and procedures are consistent across the custodial estate.	<i>SPS;</i>
3.1.8	Visiting procedures are efficient to maximise the time families spend together during visits.	<i>SPS;</i>
3.1.9	Family members and prisoners are aware of their full entitlement to visits.	<i>SPS;</i>
3.1.10	The visiting facilities are family and child friendly with adequate access to food and drink, toilets and baby change area, supervised play areas for children, and facilities for older children.	<i>SPS; Prison Visitors Centres;</i>
3.1.11	The visiting environment is family and child friendly with provision for interaction that will help to strengthen family relationships: <ul style="list-style-type: none"> <li>■ Physical contact within families is supported as appropriate;</li> <li>■ Visits are of a sufficient duration;</li> <li>■ Structured play and similar activities are offered to support and promote play and non-verbal interaction between children and the prisoner;</li> <li>■ Child-centred prison visits are regularly available and are</li> </ul>	<i>SPS; Prison Visitors Centres;</i>



<p>arranged with the needs of children and young people in mind;</p> <ul style="list-style-type: none"> <li>■ Regular family events are arranged throughout the year, for example Children &amp; Family Days, child sports days, homework clubs and seasonal events;</li> <li>■ Sufficient privacy is allowed for family members to talk privately. This includes somewhere for young children to go so adults may talk in private, and allowances for children, particularly adolescents, to talk privately with a prisoner; and</li> <li>■ There is provision for whole family visits as appropriate.</li> </ul> <p>3.1.12 Visiting hours ensure it is convenient for families to visit a prisoner. Visiting hours are:</p> <ul style="list-style-type: none"> <li>■ Flexible;</li> <li>■ Enable children and young people to visit without missing school;</li> <li>■ Take account of local transport links; and</li> <li>■ Take account of likely waiting times.</li> </ul> <p>3.1.13 Practical support is available to ensure it is possible and convenient for families to visit a prisoner:</p> <ul style="list-style-type: none"> <li>■ Public transport is available to help families reach the prison during visiting hours;</li> <li>■ Where public transport is not an option, families are informed of other means of reaching the prison during visiting hours; and</li> <li>■ Families can access financial assistance to cover the cost of travel to visits.</li> </ul>	<p>SPS</p> <p><i>SPS; Local Authorities; Family Support Agencies; Criminal Justice Agencies</i></p>
<p><b>COMMUNITY</b></p>	
<p>3.1.14 Services work together to ensure successful reuniting of families, where this is in their best interests.</p>	<p><i>Criminal Justice Agencies; Social Work; SPS</i></p>
<p>3.1.15 Home Leave arrangements are maximised where appropriate to build or re-establish community and family links.</p>	<p><i>SPS; Social Work</i></p>
<p>3.1.16 Families are supported to prepare for the release of their family member.</p>	<p><i>Family Support Agencies; Social Work; SPS</i></p>

## 3.2 Indirect contact

*Positive family relationships are encouraged through various mediums of communication*

<b>ALL STAGES</b>		
3.2.1	<p>In addition to visits, and throughout the family member's involvement with the criminal justice system, agencies provide practical support to facilitate family communication. This may include:</p> <ul style="list-style-type: none"> <li>■ Support to access a phone line or internet connection;</li> <li>■ Financial support to cover the cost of phone calls or internet costs; and</li> <li>■ Support to read and write letters.</li> </ul>	<i>Police Scotland; SPS; Social Work; Education Agencies; Local Authorities</i>
<b>CUSTODY</b>		
3.2.2	Where visits are not possible, family contact is supported via other means of communication as soon as possible after arrest.	<i>SPS; Police Scotland</i>
3.2.3	Where it is not possible for family to visit an accused pre-trial or to say goodbye in person post-trial family contact is supported via other means of communication.	<i>SPS; SCTS</i>
3.2.4	Prisoners are supported to read and write letters to their family.	<i>SPS; Family Support Agencies</i>
3.2.5	<p>Prisoners' access to telephones supports regular and meaningful family contact.</p> <ul style="list-style-type: none"> <li>■ There are enough telephones in the custodial facility;</li> <li>■ The timing of phone calls is flexible, taking into account school and working hours, children's bed times, and different time zones as appropriate; and</li> <li>■ The duration of phone calls is not unduly restrictive, taking into account the number and age of family members who may wish to speak to the prisoner.</li> </ul>	<i>SPS;</i>
3.2.6	The cost of phone calls does not prohibit prisoners from contacting their family. Prisoners can access financial support to cover costs, in particular when family is unable to visit or in the case of long distance phone calls.	<i>SPS;</i>
3.2.7	Where a family is unable to visit regularly, additional alternative contact is supported for example additional telephone access or video conferencing.	<i>SPS;</i>
3.2.8	Schools encourage ongoing contact between children and young people, and the prisoner by sharing copies of work, photo's or other key documents about the child or young person's school life.	<i>Education Agencies;</i>

## 4 Families are safe and well

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By considering the rights and needs of families are considered in all their work, agencies are able to ensure that their practices, even those not directly related to families, will not cause or will minimise any physical or emotional harm to families. In addition, agencies should offer support services specifically designed to enhance the wellbeing and future life chances of family members.

## 4.1 Preventing harm

*Agency practices are not detrimental to the physical safety and emotional wellbeing of families*

<b>ALL STAGES</b>		
4.1.1	All staff working directly with families receive appropriate disclosure checks.	<i>All</i>
4.1.2	There is out of hours provision for emergency child protection orders.	<i>Police Scotland; Social Work</i>
4.1.3	Families receive information about and financial support for kinship care arrangements.	<i>Social Work</i>
<b>ARREST AND CHARGE</b>		
4.1.4	Where family members are present, arrests are conducted with consideration for the best interests of these family members.	<i>Police Scotland</i>
4.1.5	A dedicated member of staff has responsibility for children or other vulnerable people present at the arrest.	<i>Police Scotland</i>
4.1.6	The care and immediate needs of children or other vulnerable dependants are identified and met as part of the arrest process or as early as practical thereafter.	<i>Police Scotland; Social Work</i>
<b>COURT AND SENTENCING</b>		
4.1.7	Where a custodial measure is to be imposed on someone with caring responsibilities, early action is taken to ensure the safeguarding of dependants.	<i>Social Work; COPFS;</i>
<b>CUSTODY</b>		
4.1.8	Prisoners are supported to resolve urgent family or childcare issues on reception.	<i>Police Scotland; SPS</i>
4.1.9	Search procedures are conducted in an age-appropriate manner and are designed so as not to frighten family members, particularly children and young people. Families are not deterred from visiting by search procedures.	<i>SPS</i>
<b>COMMUNITY</b>		
4.1.10	<p>Non-custodial sentences take account of an offender's caring responsibilities and the best interests of family members:</p> <ul style="list-style-type: none"> <li>■ Reporting requirements uphold the dignity of family members and respect their right to privacy;</li> <li>■ Reporting requirements and conditions take account of, and do not negatively affect, an offender's caring responsibilities; and</li> <li>■ Offenders can access expenses to cover childcare to enable them to meet conditions of non-custodial orders.</li> </ul>	<i>Social Work; Criminal Justice Agencies</i>

## 4.2 Supporting wellbeing and positive outcomes

*Agencies offer services to support emotional wellbeing and positive life outcomes for families affected by the Criminal Justice System*

<b>ALL STAGES</b>		
4.2.1	Families can access emotional and psychological support as required. Support should: <ul style="list-style-type: none"> <li>■ Be non-stigmatising;</li> <li>■ Help families feel more confident and in control of their situation;</li> <li>■ Help families deal with feelings of stigma and shame; and</li> <li>■ Be available for as long as families feel they need it.</li> </ul>	<i>Family Support Agencies; Criminal Justice Agencies; Health Agencies; Education Agencies; SPS; Prison Visitor Centres; Social Work.</i>
4.2.2	<i>Getting it Right for Every Child</i> is used to support the wellbeing of children affected by the criminal justice system.	<i>All</i>
4.2.3	School policies and practices support and promote the wellbeing of children affected by the criminal justice system. This will include effective anti-bullying policies, promotion of child-appropriate helplines, and support from school guidance teachers.	<i>Education Agencies</i>
4.2.4	Families have access to support and learning about parenting, child development, and life and relationship skills as required	<i>Family Support Agencies; SPS; Social Work</i>
4.2.5	Family members and the person involved with the criminal justice system can access the same learning programmes where appropriate and beneficial.	<i>Family Support Agencies; SPS; Social Work</i>
<b>ARREST AND CHARGE</b>		
4.2.6	Family members who have witnessed an arrest can access necessary support.	<i>Police Scotland; Social work;</i>
<b>CUSTODY</b>		
4.2.7	Support for families is considerate of the emotional and physical reactions related to the loss of a family member to imprisonment.	<i>SPS; Social Work; Family Support Agencies</i>
4.2.8	Families can access additional support during visits if required. In particular, families are supported before, during and after their first visit.	<i>Prison Visitors Centres; SPS; Family Support Agencies</i>
4.2.9	Prisoners are kept informed about the situation and well-being of their family members, and are supported to help manage family concerns as appropriate.	<i>SPS</i>
4.2.10	The ways in which an imprisoned parent or carer can exercise caring responsibilities are made clear to the family.	<i>SPS</i>
<b>COMMUNITY</b>		
4.2.11	Community integration plans take account of, and provide support for family issues.	<i>SPS;</i>
4.2.12	Families can access programmes and services that extend family contact and increase family involvement in preparation for release.	<i>SPS; Family Support Agencies</i>

End Page